

# **COUNCIL**

**26 APRIL 2018**

## **LEADER'S REPORT**

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 25 January 2018.

He will include:

- Military Heritage
- Regeneration
- Medway Place Branding
- Decisions made by the Cabinet on 6 February 2018, 6 March 2018, 28 March 2018 and 10 April 2018.



## **Record of Cabinet decisions**

**Tuesday, 6 February 2018**

**5.00pm to 7.54pm**

**Date of publication: 7 February 2018**

**Subject to call-in these decisions will be effective from 15 February 2018  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Andrew Mackness	Portfolio Holder for Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
	<b>In Attendance:</b>	Neil Davies, Chief Executive
	Wayne Hemingway, Democratic Services Officer	
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

### **Apologies for absence**

An apology for absence was received from Councillor Adrian Gulvin (Resources).

## Cabinet, 6 February 2018

### Record of decisions

The record of the meeting held on 16 January 2018 was agreed and signed by the Leader as a correct record.

### Declarations of disclosable pecuniary interests and other interests

#### Disclosable pecuniary interests

There were none.

#### Other significant interests

There were none.

#### Other interests

Councillor Filmer stated that in relation to agenda item 10 (Deangate Ridge), he had resigned as a Director of Medway Norse on 5 February 2018. He further stated that he had not been remunerated, had not received any expenses and had not been involved in the day to day running of Medway Norse. His role as a Director was to oversee the Council's 50% interest in the Joint Venture.

### Revenue Budget Monitoring 2017/18 - Quarter 3

#### Background:

This report detailed the revenue budget forecasts as at the end of quarter 3 (December 2017). The report noted that, after management action, the forecast outturn for 2017/18 was a potential overspend of £653,000, with an expectation that this figure would be reduced further as the financial year progressed.

The report set out an explanation of the pressures being faced and the corrective management action proposed by directorate management teams.

#### ***Decision number:***

#### ***Decision:***

**13/2018**

**The Cabinet noted the result of the third round of revenue monitoring for 2017/18 and agreed the forecast position and proposed management action.**

#### Reasons

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

## Capital Budget Monitoring 2017/18 - Quarter 3

### Background:

This report presented the capital monitoring information for the third quarter of the financial year, including outturn forecasts. The approved capital programme for 2017/18, and future years, was £92.002m.

The report provided details of new schemes and virements, as set out in section 4 of the report.

**Decision number:**      **Decision:**

**The Cabinet noted the spending forecasts summarised at table 1 in the report.**

### Reasons

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

## Housing Revenue Account Capital and Revenue Budgets 2018/2019

### Background:

This report provided details of the proposed Housing Revenue Account (HRA) capital and revenue budgets for 2018/2019 including rent, garage rent and service charge levels. The report gave a breakdown of the factors taken into account formulating the budgets for 2018/2019.

The report provided an update on the HRA Business Plan in accordance with the requirement to ensure the Plan met the Government's fit for purpose criteria.

The report also stated that tenants had been informed of the proposals, as set out in section 14 of the report.

The Business Support Overview and Scrutiny Committee considered this report on 30 January 2018 and its comments were set out in an addendum report.

A Diversity Impact Assessment had been carried out on the proposed budgets, as set out in Appendix E to the report.

**Decision number:**      **Decision:**

**The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.**

## Cabinet, 6 February 2018

14/2018

The Cabinet recommended the following to Full Council on 22 February 2018 for approval:

- a) A proposed rent decrease of 1% for the housing stock as set out in Appendix A to the report (based upon 52 collection weeks) with effect from 2 April 2018.
- b) The baseline garage rent for Council tenants be increased by £1 from £6.73 to £7.73 with effect from 2 April 2018 per week.
- c) A rent increase for all garage tenure types of 5% will be applied with effect from 2 April 2018 per week.
- d) With effect from 2 April 2018 it is proposed that all new void garage lettings will be charged the same baseline rent regardless of residential tenure type (this will be £9.41 per week) for 2018/19.
- e) To approve the service charges and increases as set out in Appendix B to the report for 2018/19.
- f) To approve the revenue budget for the HRA Service for 2018/19 as per Appendix C to the report.
- g) To approve the provision for the repayment debt based on annuity based payment on the HRA outstanding debt to be £0.313 million for 2018/19.
- h) To approve the proposed three year Planned Maintenance Capital Programme as set out in paragraph 8.6.3 of the report.
- i) To approve the use of 30% of allowable expenditure of small third phase of new build programme from the retained 1-4-1RTB capital receipts as set out in section 8.6.4 of the report.
- j) To approve the use of funds for a further small third phase of new build programme from revenue reserves as set out in section 8.6.4 of the report.
- k) To approve the revised 30 year HRA Business Plan model as attached at appendix D to the report.

### Reasons:

The Council is required to carry out a review of rents and notify tenants not less than 28 days prior to the proposed date of change. The Council is required under the

## Cabinet, 6 February 2018

Local Government and Housing Act 1989 to ensure that the Housing Revenue Account does not fall into a deficit position.

### Council Plan Refresh 2018/19

#### Background:

This report provided details of the review of the Council Plan 2016/2021 including respective key projects, key measures of success and targets to ensure the delivery of the Plan remained focused, informative and relevant.

The Business Support Overview and Scrutiny Committee had considered this report on 30 January 2018 and its comments were set out in an addendum report, which included a recommendation to add some text to the jobs, skills and employability programme.

A Diversity Impact Assessment (DIA) had been completed as part of the refresh process, as set out in Appendix B to the report.

#### **Decision number:**      **Decision:**

**15/2018**      **The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee and accepted the recommendation set out in paragraph 2.2 of the addendum report.**

**16/2018**      **The Cabinet recommended to Full Council to approve the proposed changes to programmes summarised in table A at paragraph 3.2 of the report, as amended by decision no. 15/2018 above, and key measures of success and targets as detailed in Appendix A of the report.**

#### Reasons:

To ensure the delivery of the Plan remains focused, informative and relevant.

### Revenue and Capital Budgets 2018/19

#### Background:

This report presented proposals for the capital and revenue budgets for 2018/2019.

It was noted that the Cabinet had considered initial budget proposals on 21 November 2017, which had been developed in accordance with the principles set out in the Medium Term Financial Strategy (MTFS). The MTFS had identified a potential revenue shortfall of £4.101 million in 2018/2019 rising to £17.715 million by 2021/2022.

## Cabinet, 6 February 2018

The report stated that Medway's joint submission to pilot 100% business rate retention, in a pooled arrangement with Kent County Council, Kent Fire and Rescue Service and the twelve lower tier Kent authorities, had been one of only ten successful bids.

The report stated that the proposed revenue budget requirement of £290.052 million (as set out in Appendix 2 to the report) exceeded the estimated available resources by £49,100. However, options were being considered to address this prior to the Council's budget setting meeting on 22 February 2018.

The proposed capital programme for 2018/2019, incorporating existing schemes and anticipated funding allocations, was £100.466 million. An overall summary and a summary by directorate of the proposed capital programme were attached at Appendix 4 to the report.

It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views together with the recommendations of the Business Support Overview and Scrutiny Committee (30 January 2018) were set out for Cabinet in an addendum report.

The schedule of fees and charges was set out in Appendix 6 to the report.

The report set out the requirements under equality legislation and it was noted that an overarching Diversity Impact Assessment would be included in the budget report to Full Council on 22 February 2018.

***Decision number:***      ***Decision:***

**The Cabinet noted the comments from overview and scrutiny committees as summarised in Appendix 1 of this report.**

- |                |  |
|----------------|--|
| <b>17/2018</b> | <b>The Cabinet recommended to Council that the net revenue budget summarised at Appendix 2 to the report, amounting to £290.003 million, should be adopted and that this be funded by a 5.994% increase in Council Tax for 2018/19 with the equivalent Band D figure at £1,374.28. Final proposals to address the £114,700 deficit would be reported to Council on 22 February 2018.</b> |
| <b>18/2018</b> | <b>The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 4 to the report.</b>  |
| <b>19/2018</b> | <b>The Cabinet recommended to Council the fees and charges set out at Appendix 6 to this report.</b>   |
| <b>20/2018</b> | <b>The Cabinet agreed that the Chief Finance Officer be requested to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act</b>   |



## Cabinet, 6 February 2018

**1992 for resolution by Special Council on 22 February 2018.**

### **Reasons:**

The constitution requires that Cabinet's budget proposals must be forwarded to Council for consideration and approval.

The Council is required by statute to set a budget and council tax levels by 11 March each year.

### **Treasury Management Strategy 2018/2019**

#### **Background:**

This report provided details of the Council's Treasury Management Strategy for 2018/2019. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code, and set out the Council's borrowing requirement and strategy and its strategy in respect of investments. It also provided details of the Council's current portfolio position and set out the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The Audit Committee considered this report on 9 January 2018 and its comments were set out in paragraph 6 of the report.

A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, as set out in Appendix B to the report.

Preamble

#### ***Decision number:***      ***Decision:***

**The Cabinet noted the comments of the Audit Committee, as set out in section 6 of the report.**

**21/2018      The Cabinet recommended approval of the Treasury Management Strategy 2018/2019, as set out in Appendix A to the report, to Full Council.**

**22/2018      The Cabinet approved the Treasury Management Practices, as set out in Appendix C to the report.**

### **Reasons:**

Cabinet has the responsibility to make recommendations to Full Council on the approval of the Council's Treasury Management, Investment Strategy and Minimum Revenue Provision Policy Statement and has responsibility for the implementation of the Treasury Management Practices and associated schedules.

## Deangate Ridge

### Background:

This report provided details of a proposal to close Deangate Ridge golf course on the basis of ongoing financial instability. The report also set out a proposal to begin detailed planning for the development of a new sports centre on the Hoo Peninsula to meet the modern needs of residents.

The report gave details of the annual total net budget costs for operating Deangate Ridge golf course in the past seven completed financial years and concluded that given the income generated at Deangate Ridge golf course currently compared to the running costs of the course and the national decline in golf participation, it was not possible to project a scenario where the annual net cost situation for the Council would improve materially.

The report stated that the Bowls Club would be unaffected by the proposal to close the golf course and would continue to operate from its current location. The remainder of the sports facilities at Deangate Ridge would also remain open.

A Diversity Impact Assessment had been carried out on this proposal and was set out in Appendix 1 to the report.

Councillor Filmer made representations on behalf of local residents and requested that the consideration of the matter be deferred to enable consultation with the local community.

### ***Decision number:***      ***Decision:***

**23/2018**      **The Cabinet approved the closure of Deangate Ridge Golf Course and associated golf facilities on the basis of ongoing substantial financial loss, which is unsustainable, on 31 March 2018.**

**24/2018**      **The Cabinet instructed officers to begin detailed planning for consultation and development of a new sports centre for the Hoo Peninsula.**

**Note: In accordance with Council Rule 12.6, Councillor Filmer requested that his vote against decisions 23/2018 and 24/2018 be recorded in the record of decisions.**

### Reasons:

Currently, there is a need for an annual Council subsidy to operate the facility against a backdrop of a decline in the number of golf participants. On this basis, it is not possible to project a time when the centre will be self-sustaining.

## Cabinet, 6 February 2018

It is the Council's intention to provide a modern sports centre for the Hoo Peninsula, which reflects the needs of present and future residents.

### **Employment Opportunities for 18-25 Year Olds (Including Apprenticeships)**

#### **Background:**

This report provided details of the in-depth Task Group review on Employment Opportunities for 18-25 Year Olds (including apprenticeships).

The report provided details of the scope of the review, including the key lines of enquiry, the methodology together with the conclusions and recommendations of the Task Group.

The Children and Young People (11 January 2018) and the Regeneration, Culture and Environment (23 January 2018) Overview and Scrutiny Committees both considered the report and their comments were set out in sections 6 and 7 of the report respectively.

A Diversity Impact Assessment had been undertaken as part of the Task Group's work, as set out in Appendix A to the report.

#### ***Decision number:***      ***Decision:***

**The Cabinet noted the comments from the Children and Young People Overview and Scrutiny Committee and the comments from the Regeneration, Culture and Environment Overview and Scrutiny Committee as set out in sections 6 and 7 of the report respectively.**

**25/2018      The Cabinet agreed the recommendations made by the Employment Opportunities Task Group set out in Appendix A to the report and that these be referred to the Council's Skills Board for consideration.**

#### **Reasons:**

The decisions aim to bring together the wide range of national policy initiatives and activities undertaken across the Council and with regional and local partners to develop a more cohesive and collaborative approach to ensure the intended outcomes are achieved.

This includes securing closer links between education providers and business, supporting young people in the transition from education to employment and to developing effective interventions to bring down the number young people who are not in education, employment or training (NEETS).

**Shared Human Resources (HR) Service Between Medway Council and Gravesham Borough Council**

**Background:**

This report provided details of a proposal that Medway Council assumes responsibility for the discharge of Gravesham Borough Council's HR functions as permitted under Section 101(1) of the Local Government Act 1972 which allows local authorities to delegate non-executive functions to other local authorities.

A Business Case had been prepared by officers from Gravesham and Medway to provide further information to their respective Cabinets. A copy of the draft Medway Business Case was set out in Appendix B to the report.

The Business Support Overview and Scrutiny Committee considered these proposals on 30 January 2018 and its comments were set out in an addendum report.

***Decision number:***

***Decision:***

- |                |  |
|----------------|--|
| <b>26/2018</b> | <b>The Cabinet recommended to Full Council that option two set out in paragraph 4.2 of the report be agreed whereby Medway Council shall assume responsibility for the discharge of Gravesham Borough Council's HR Services functions under Section 101(1) of the Local Government Act 1972 which allows local authorities to delegate non-executive functions to other local authorities.</b> |
| <b>27/2018</b> | <b>The Cabinet recommended to Full Council to accept the delegation by Gravesham Borough Council of its HR Services functions to Medway Council.</b>   |
| <b>28/2018</b> | <b>The Cabinet agreed to delegate authority to the Assistant Director - Transformation of Medway Council to enter into a legally binding contract between both local authorities setting out the detail of the arrangements for a fully shared HR Services.</b>  |
| <b>29/2018</b> | <b>The Cabinet agreed to recommend Full Council to delegate authority to Medway's Assistant Director - Transformation to assume responsibility for the management and delivery of HR services for Gravesham Borough Council jointly with the services provided for Medway Council and for this to be reflected in the Council's Scheme of Delegation.</b>                                      |

## Cabinet, 6 February 2018

### Reasons:

It is anticipated that the shared service arrangement will deliver some initial savings and further opportunities to realise savings will be explored as the arrangement progresses.

### South Thames Gateway Building Control Business Plan

#### Background:

This report provided details of the South Thames Gateway Building Control Partnership Business Plan for 2018/2021 and Delivery Plan.

The Business Plan, as set out in the exempt appendix, outlined how the building control function would be delivered on behalf of the partnership Councils (currently Medway, Gravesham and Swale) up until 2021 and indicated the reduced contributions for each partner. The report also provided an update on Canterbury City Council's intention to join the Partnership on 1 April 2018. As such, the Plan included two scenarios in the financial plan to cover both a three partner and four partner arrangement.

A Diversity Impact Assessment had been undertaken on the proposal for Canterbury City Council to join the Partnership, as set out in Appendix A to the report.

#### **Decision number:**      **Decision:**

**30/2018**      **The Cabinet approved the proposed Business Plan for 2018/2021 and Delivery Plan for the South Thames Gateway Building Control Partnership, as set out in the Exempt Appendix, and noted the proposed contribution of £134,763 for 2018/2019.**

### Reasons:

The constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority.

### Options for the Re-provisioning of the Property Previously Accommodating the Aut Even Service

#### Background:

The Cabinet accepted this report as urgent for the reasons specified in paragraph 1.4 of the report.

The Cabinet had agreed on 19 December 2017 to receive a further report on the future use of Aut Even. This report provided details of three options considered for the use of the property, namely using it as Supported Accommodation for young people in care (option 1), using it as provision for parent and child placements

## Cabinet, 6 February 2018

(option 2), and disposing of the property (option 3). It was noted that consultation would be undertaken, as set out in section 7 of the report.

A Diversity Impact Assessment had been undertaken on the proposals as set out in Appendix 1 to the report.

**Decision number:**      **Decision:**

**31/2018**      **The Cabinet agreed Option 1 to change the use of Aut Even to a supported accommodation unit to increase the pool of available homes for Young People/Care Leavers in Medway, as set out in section 3 of the report, subject to suitable capital financing being identified.**

**32/2018**      **The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Chief Finance Officer and the Portfolio Holder for Children's Services (Lead Member), to determine the exact specification of the Supported Accommodation service within the agreed budget for the service and following consultation with service users.**

### **Reasons:**

The other options explored, bar disposal of Aut Even, are not cost effective, would add ongoing revenue liabilities to the Local Authority, be potentially against best practice and not provide the best environment for the needs of the individual and/or young person.

Utilising the Aut Even building as Supported Accommodation will, in part, assist the Council to fulfil its legislative duties for Care Leavers by providing good quality accommodation which is fit for purpose and will help maintain local young people in a local resource where they can easily access leaving care services and sustain their links to the local community.

### **Loan to Delce Academy**

#### **Background:**

This report provided details of a proposal for the loan of £400,000 to Delce Academy to fund capital expenditure on the installation of a four classroom block of modular buildings.

The report stated that the school had requested funding from the Council on several occasions and had been refused on the basis that this was not considered a priority project when allocating limited funding for the provision of school places. However, provision of the loan would allow the school to provide the additional classroom space it required in the short term and, over the longer term, this additional capacity would become necessary for the wider area.

## Cabinet, 6 February 2018

The report also stated that the loan would have to be made on commercial terms and at an interest rate commensurate with those available in the private sector in order to have no adverse effect on the Council's budget and to avoid breaching 'state aid' rules.

**Decision number:**      **Decision:**

**33/2018**      **The Cabinet agreed in principle to the making of a loan to Delce Academy (option 2) and to delegate authority to the Chief Finance Officer, in consultation with the Chief Legal Officer and Leader, to agree the interest rate, repayment terms and terms of the loan agreement, following all due diligence, on the basis set out in paragraph 4.2 of the report.**

### **Reasons:**

The making of a loan to Delce Academy would allow the school to provide the additional classroom space it requires in the short term and there is little doubt that over the longer term, as Medway grows, this additional capacity will become necessary for the wider area.

### **Outcomes of Statutory Consultation for the Proposed Prescribed Alterations at Halling Primary School**

#### **Background:**

This report provided details of the outcomes of the formal consultation (statutory representation) period on the Council's proposal to enlarge the premises at Halling Primary School, by way of statutory prescribed alteration. The Cabinet had previously authorised (4 April 2017) the Director of Children and Adults Services to commence the formal consultation stage of the statutory process. This took place over a four-week period between 13 November and 10 December 2017, details of which were set out in section 4 of the report.

The report stated that there had been one response to the formal consultation. This had raised concerns about the impact of the expansion on other schools in the area. This was addressed in paragraph 5.10 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 1 to the report.



## Cabinet, 6 February 2018

**Decision  
number:**

**Decision:**

**34/2018**

The Cabinet noted the responses to the formal and informal consultations, together with the advice and analysis from officers and approved the proposal for the enlargement of the Premises at Halling Primary School to provide adequate accommodation for the additional children who will attend the school as a result of an increase in the Published Admission number (PAN) from 40 to 60 for implementation from 1 September 2018.

### Reasons:

Where an objection has been made during formal consultation to the proposals for prescribed alterations to a School, the Cabinet must consider the objection(s) and decide whether to approve the proposals.

Approval to proceed with the proposals would ensure that the Council meets its statutory duty to provide sufficient school places.

### **The Future Administration of In-Year (Casual) Admissions for Medway Community and Voluntary Controlled Schools**

#### Background:

This report provided details of consultation which sought views on proposals to delegate the administration of in-year admissions for community and voluntary controlled schools (whereby Medway Council was the admission authority) with effect from 16 April 2018.

The report stated that public consultation took place between 7 November 2017 and 18 December 2017, the outcome of which was set out in paragraph 4.1 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 2 to the report.

**Decision  
number:**

**Decision:**

**35/2018**

The Cabinet agreed the proposal to delegate the administration of in-year admissions for community and voluntary controlled schools to those schools with effect from 16 April 2018 (beginning of Term 5).

### Reasons:

The Council is required to undertake a consultation exercise prior to such delegation. The decision takes into account the responses from consultation and, as provided for



## Cabinet, 6 February 2018

under the School Admissions Code 2014, there is no statutory requirement for the Council to co-ordinate or administer the processes. In delegating the administration of in-year admissions to community and voluntary Controlled schools, the Council will benefit from a financial saving.

### **Annual Adoption Report**

#### **Background:**

This report provided details of the Adoption Agency's Annual Report (September 2016 to September 2017). This annual report covered adoption performance during this period and provides an update on the work of the team.

This report also included information about the progress made towards Medway forming a Regional Adoption Agency (RAA) with Kent County Council and the London Borough of Bexley.

The Children and Young People Overview and Scrutiny Committee considered this report on 11 January 2018 and its comments were set out in section 6 of the report.

#### **Decision number:**

#### **Decision:**

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out at section 6 of the report.**

**The Cabinet noted the Annual Adoption Report as set out in the report.**

#### **Reasons:**

Statutory guidance requires adoption agencies to report on adoption agency activity in the last year.

### **Systemic Social Work Practice**

#### **Background:**

This report provided details of the recent agreement by the Partners in Practice Board and the Department of Education to partner with Medway Children's Services during the course of 2018.

The report stated that a comprehensive package of support would be provided by the Centre for Systemic Social Work practice (CfSSW), based in the original tri-borough of Westminster, Hammersmith and Fulham and Kensington and Chelsea.

## Cabinet, 6 February 2018

**Decision number:**      **Decision:**

The Cabinet noted the report.

### Reasons:

This initiative is likely to make a significant contribution to improvements in children's social work practice in Medway.

### Recruitment Freeze

### Background:

This report presented information on vacancies that officers had requested approval to commence recruitment for, following the process agreed by the Cabinet on 7 January 2003 (decision number 9/2003).

Details of the posts were set out within Appendix 1 to the report.

**Decision number:**      **Decision:**

**36/2018**      **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report.**

#### **Business Support Department**

- a) Accounting Technician Systems**
- b) Accounting Technician Control Team**

#### **Children and Adults**

- c) Admin Support Officer**
- d) Administrative/Data Support Assistant**
- e) Data and Claims Monitoring Officer X 2.**

### Reasons:

The posts presented to Cabinet would support the efficient running of the Council.

**Cabinet, 6 February 2018**

.....  
**Leader of the Council**

.....  
**Date**

**Wayne Hemingway/Jade Milnes, Democratic Services Officers**

Telephone: 01634 332509/332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

This page is intentionally left blank

## **Record of Cabinet decisions**

**Tuesday, 6 March 2018**

**3.00pm to 5.18pm**

**Date of publication: 7 March 2018**

**Subject to call-in these decisions will be effective from 15 March 2018  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management

**In Attendance:** Neil Davies, Chief Executive  
Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive  
Perry Holmes, Chief Legal Officer/Monitoring Officer  
Julie Keith, Head of Democratic Services  
Jade Milnes, Democratic Services Officer  
Ian Sutherland, Director of Children and Adults Services  
Phil Watts, Chief Finance Officer  
James Williams, Director of Public Health

### **Apologies for absence**

An apology for absence was received from Councillor Phil Filmer (Frontline Services).

## Cabinet, 6 March 2018

### Record of decisions

The record of the meeting held on 6 February 2018 was agreed and signed by the Leader as a correct record.

### Declarations of Disclosable Pecuniary Interests and Other Significant Interests

#### Disclosable pecuniary interests

There were none.

#### Other significant interests

There were none.

#### Other interests

Councillor Gulvin disclosed a non-pecuniary interest in item 10 (Waste Collection and Cleansing Contract 2019) on the agenda as he was a Council representative on the Medway Norse Operational Liaison Board, which was a non-decision making body. Having taken advice from the Monitoring Officer on action required in relation to other significant interests, Councillor Gulvin stated that he would introduce item 10, participate in the discussion and vote on this item.

### Medway Local Plan - Development Strategy Consultation

#### **Background:**

This report presented the draft Medway Local Plan Development Strategy for consultation, which set out four alternative development strategy scenarios and the proposals for strategic level policies. The report explained that these scenarios provided details of sites and broad locations that could form potential development allocations in the new Local Plan.

The report stated that the proposed development allocations reflected existing 'pipeline' housing sites, as detailed in the Medway Authority Monitoring Report 2017, over the plan period (2012-2035). In addition other common aspects to the development scenarios included a focus on regeneration sites in urban Medway and opportunities to develop a rural town around Hoo St Werburgh.

A Diversity Impact Assessment (DIA) had been completed as part of the policy development, as set out at Appendix B to the report.

#### ***Decision number:***      ***Decision:***

<b>37/2018</b>	<b>The Cabinet approved the publication of the 'Development Strategy' document, as set out in Appendix A to the report, for an eight week period of statutory consultation for the purpose of preparing a new Local Plan for Medway.</b>
----------------	--

**38/2018**      **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, to approve minor changes to the Development Strategy document prior to consultation, for the purpose of presentation or improving clarity, and publication of supporting evidence base documents with the commencement of the consultation period.**

**Reasons:**

The decisions will progress the preparation of the new Medway Local Plan in line with the Medway Local Development Scheme 2018.

**Care Leavers Offer and Supported Accommodation**

**Background:**

This report set out the changes to national policy and legislation in relation to young people leaving the care of the Council. This included a requirement for more innovative and effective services to be developed with and delivered for Care Leavers and an extended provision for Personal Advisor support for all Care Leavers up to the age of 25 years old.

The report stated that owing to the changes to the national policy and legislation the Council was required to reassess its services for young people leaving the care of the Council and publish a Care Leavers' Offer by September 2018. A draft Offer was set out at Appendix 3 to the report.

The report noted that a Diversity Impact Assessment (DIA) would be undertaken as part of the process of finalising the Offer.

**Decision number:**      **Decision:**

**The Cabinet noted the changes in national policy and legislation and the implications this may have on the Council, as set out in the report.**

**39/2018**      **The Cabinet approved Option 2 (publish a multi-agency, enhanced Offer co-produced with our Care Leavers), as set out in paragraphs 5.2 and 5.3 of the report, subject to suitable resources being identified.**

**40/2018**      **The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to finalise Option 2 if it can be provided within budget. However, if additional resources beyond New Burdens**

## Cabinet, 6 March 2018

**funding are required, a further report will be presented to Cabinet.**

### **Reasons:**

The decisions will enable the Council to fulfil its legislative duties for Care Leavers, ensure the services provided are both sustainable and fit for purpose, produce the outcomes required, and progress the Council to be inspection ready.

The Council Plan asks the Local Authority to “continue to play a major role in helping improve the lives of the people of Medway by getting them into work, improving education prospects, creating fantastic leisure and cultural opportunities and continuing to encourage healthy lifestyles and independent living.” This is even more relevant to the young people for whom Medway is the Corporate Parent.

### **Business Rate Relief**

#### **Background:**

This report provided details of the government announcement set out in the 2017 Autumn Budget to extend the pub business rate relief scheme for a further year.

The report noted that on 5 September 2017 the Cabinet had agreed to adopt the scheme for pub relief for the 2017/2018 financial year and delegated the detailed application of that scheme to the Chief Finance Officer, in consultation with the Portfolio Holder for Business Management (decision no. 101/2017 refers). The Pub Rate Relief Policy was set out at Appendix 1 to the report.

The report stated that the expectation was that the Council would use their discretionary relief powers under section 47 of the Local Government Finance Act 1988 to award the relief for the 2018/2019 financial year. The report noted that there were 73 pubs that qualified for the relief which amounted to an estimated £73,000. It was added that the Government would fully compensate the Council for the cost of granting the relief through section 31 funding.

#### **Decision number:**

**41/2018      The Cabinet agreed to extend the Pub Rate Relief Policy for the financial year 2018/19, as set out in section 3 of the report.**

#### **Reasons:**

Pubs play an important role in urban and rural communities across the country. The £1,000 discount in business rate bills in 2017/18 was welcomed by pubs in meeting their business rates liability, particularly where there have been large increases due to the revaluation in 2017.



## Cabinet, 6 March 2018

The award of relief for a second year will continue to provide financial support to local pubs at no cost to the Council.

### **Medway Skills Partnership Board**

#### **Background:**

This report provided details of the proposed establishment of the Medway Skills Partnership (MSP) Board as a Cabinet Advisory Group.

The report stated that the establishment of the MSP Board was required to inform and champion the development of a 'one Council' approach to the improvement of targeted skills partnership working. As such, it was proposed that the remit of the MSP Board, constituted as a Cabinet Advisory Group would be to:

- keep under review strategies to grow skills and employability;
- coordinate skills and employability initiatives, projects and funding streams related to the five skills priorities;
- make recommendations on external funding opportunities;
- ensure skills and employability opportunities were appraised and pursued as appropriate and;
- ensure a positive message regarding skills attainment and delivery was effectively communicated.

The report also stated that recommendations would either be implemented under existing officer delegations or referred for decision by the Council, Leader and Cabinet or other Committees as appropriate and in accordance with legal and constitutional provisions.

#### ***Decision number:***      ***Decision:***

**42/2018**      **The Cabinet approved the establishment of the Medway Skills Partnership Board as a Cabinet Advisory Group, with the Terms of Reference and proposed membership, as set out in Appendix 1 to the report.**

**43/2018**      **The Cabinet agreed to delegate authority to the Chief Executive to finalise the membership of the Medway Skills Partnership Board, in consultation with the Leader.**

#### **Reasons:**

A Medway Skills Partnership Board will provide improved coordination and oversee progress of skills and employability, ensuring that the Council's aspirations can be achieved.

## **Council Plan Performance Monitoring Report Quarter 3 2017/18**

### **Background:**

This report summarised the performance against the delivery of the three priorities set out in the Council Plan 2017/2018 for the third quarter of the year.

The report and accompanying Appendix 1 to the report provided details of performance against these priorities using 40 measures of success. However, this report only included information on 37 measures as for 3 measures data was not expected until after the report was published. In summary:

- 56.8% (21 out of 37) were on target;
- 13.5% (5 out of 37) were just below target;
- 29.7% (11 out of 37) were significantly below target; and
- 50% (18 out of 36) improved over long term (compared with the average of the previous 4 quarters).

It was noted that the report would be considered by the Overview and Scrutiny Committees during March and April.

Cabinet Members highlighted a number of key issues during discussion.

### ***Decision number:*      *Decision:***

**The Cabinet noted the quarter 3 2017/18 performance of the measures of success used to monitor progress against the Council's priorities.**

### **Reasons:**

Regular monitoring of performance by management and Members is best practice and ensures achievement of corporate objectives.

### **Recruitment Freeze**

#### **Background:**

This report presented information on a number of vacancies that officers had requested approval to commence recruitment for, following the process agreed by Cabinet on 7 January 2003 (decision number 9/2003).

Details of the posts were set out within Appendix 1 to the report.

**Decision  
number:**

**Decision:**

**44/2018**

The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:

**Business Support Department**

- a) Lawyer, Child, Adult and Education, People Team, Legal Services x 2
- b) Locum Childcare Lawyer, People Team, Legal Services x 2
- c) Locum Education/SEN Lawyer, People Team, Legal Services
- d) Locum Childcare Lawyer, People Team, Legal Services
- e) Locum SEN Lawyer, People Team, Legal Services
- f) Audit & Counter Fraud Manager
- g) Management Accountant – Social Care
- h) Trainee Accountant x 2

**Children & Adults**

- i) Assistant Director – Commissioning, Business & Intelligence
- j) Referral Information Officer x 2
- k) Young Persons' Wellbeing and Mental Health Transformation Lead
- l) Placement Officer (Children)
- m) Admin Support Assistant

**Regeneration, Culture, Environment and Transformation**

- n) Head of Festivals, Arts, Theatres and Events
- o) Command of the Heights Project Manager
- p) PA to Director and Deputy Chief Executive

**Reasons:**

The posts presented to Cabinet will support the efficient running of the Council.

**Waste Collection and Cleansing Contract 2019**

**Background:**

This report provided a review of the contract procurement options for the Waste Collection and Cleansing contract on expiry of the existing contract with Veolia on 30 September 2019. The report stated that the contract covered kerbside refuse, recycling and organic waste collection, street cleaning and the Materials Recycling Facility (MRF) treatment of kerbside collected recyclable materials. The report set out three options for the future delivery of the services which included extension of existing contract, retender via the Official Journal of the European Union (OJEU) or entering into a Joint Venture with Norse.

## Cabinet, 6 March 2018

An Exempt Appendix provided the business case which included a detailed analysis of the three options for the future delivery of the services.

**Decision  
number:**

**Decision:**

**45/2018**

**The Cabinet agreed to the transfer of the Waste Collection and Cleansing Contract to Medway Norse from October 2019, subject to completion of a contract in terms to be agreed by the Chief Legal Officer in consultation with the Leader and the Portfolio Holder for Resources.**

**Reasons:**

Option 3, entering the contract into the Joint Venture with Medway Norse offers best value for money, opportunities for efficiencies between existing contracts already part of the Joint Venture and flexibility in future service provision.

### **Gateway 5: Waste Collection and Disposal and Household Waste Recycling Centres Contracts**

**Background:**

This report provided an update on the activities carried out by Veolia Environmental Services (waste and recycling collection, waste disposal and street cleansing services) and FCC Environment (management of the three household waste recycling centres).

The annual report from Veolia Environmental Services was set out at Appendix 1 to the report.

The report stated that the FCC contract ended on the 26 September 2017 following the Cabinet's decision to enter into a Teckal agreement with Medway Norse (decision no.122/2016 refers). As such, a review of the performance of FCC over the last 7 years (October 2010 to September 2017) was set out in the report. It was noted that this was the final annual service report from FCC.

The Procurement Board considered this report on 14 February 2018 and supported the recommendations set out in the report.

**Decision  
number:**

**Decision:**

**The Cabinet noted the content of this report including the annual service report set out at Appendix 1 to the report.**

## **Cabinet, 6 March 2018**

### **Reasons:**

This is on the basis of value for money and that both contractors have a track record of delivering high quality services for the residents of Medway with high satisfaction levels recorded.

Further to this, the contracts have been well managed by the client department, through the adoption of contract management and the forming of a strong working relationship.

.....  
**Leader of the Council**

.....  
**Date**

**Wayne Hemingway/Jade Milnes, Democratic Services Officers**

Telephone: 01634 332509/332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

This page is intentionally left blank

## **Record of Cabinet decisions**

**Wednesday, 28 March 2018**

**10.00am to 10.43am**

**Date of publication: 29 March 2018**

**Subject to call-in these decisions will be effective from 10 April 2018 with the exception of decision numbers 46/2018 and 47/2018**

**The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council	
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services	
	Councillor David Brake	Portfolio Holder for Adults' Services	
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation	
	Councillor Phil Filmer	Portfolio Holder for Front Line Services	
	Councillor Adrian Gulvin	Portfolio Holder for Resources	
	Councillor Andrew Mackness	Portfolio Holder for Children's Services - Lead Member (statutory responsibility, including education)	
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement	
	<b>In Attendance:</b>	Neil Davies, Chief Executive	
		Jan Guylar, Head of Legal Services/Deputy Monitoring Officer	
Wayne Hemingway, Democratic Services Officer			
Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive			
Perry Holmes, Chief Legal Officer/Monitoring Officer			
Tomasz Kozlowski, Assistant Director, Physical and Cultural Regeneration			
Phil Watts, Chief Finance Officer			
James Williams, Director of Public Health			
Ellen Wright, Democratic Services Officer			

## **Cabinet, 28 March 2018**

### **Apologies for absence**

Apologies for absence were received from Councillors Rodney Chambers OBE (Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships) and Rupert Turpin (Portfolio Holder for Business Management).

### **Record of decisions**

The record of the meeting held on 6 March 2018 was agreed and signed by the Leader as a correct record.

### **Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

#### Disclosable pecuniary interests

There were none.

#### Other significant interests

There were none.

#### Other interests

There were none.

### **Closure of Deangate Ridge Golf Course**

#### **Background:**

The Cabinet accepted this report as urgent to enable consideration of the matter before the start of the new financial year (the next scheduled Cabinet meeting is due to take place on 10 April 2018).

This report provided details of the outcome of consideration of a call-in and related petitions by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 12 March 2018, in relation to Cabinet decisions (23/2018 and 24/2018) to approve the closure of Deangate Ridge Golf Course and associated golf facilities on the basis of ongoing substantial financial loss, which is unsustainable, on 31 March 2018 and to instruct officers to begin detailed planning for consultation and development of a new sports centre for the Hoo Peninsula.

The comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee were set out in Annex 3 to the report.

Councillor Doe stated that the Cabinet had been notified of an expression of interest to provide the facilities at Deangate Ridge and that this would be subject to consideration as required by the Localism Act 2011. He also stated that closure of the facilities should be put back to 14 April 2018 to allow for end of year tournaments to be completed.



## Cabinet, 28 March 2018

Councillor Filmer asked a number of questions regarding the decision to close the facilities to which Councillor Doe replied, including: the process for the consideration of the expression of interest; whether closure of the facilities should be delayed pending this consideration and; consultation on the closure of the facilities.

An undertaking was given that no demolition works would be undertaken whilst the expression of interest was being considered.

***Decision number:***      ***Decision:***

**46/2018**      **The Cabinet, taking into account the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee and the campaigners, confirmed decision no. 23/2018 to approve the closure of Deangate Ridge Golf Course and associated golf facilities on the basis of ongoing substantial financial loss, which is unsustainable, and that the last day of operation will be on 14 April 2018 to enable end of year tournaments to be completed.**

**Note: In accordance with Council Rule 12.6, Councillor Filmer requested that his vote against decision 46/2018 be recorded in the record of decisions.**

**47/2018**      **The Cabinet, taking into account the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee and the campaigners, confirmed decision no. 24/2018 to instruct officers to begin detailed planning for consultation and development of a new sports centre for the Hoo Peninsula.**

**Note: In accordance with Council Rule 12.6, Councillor Filmer requested that his vote against decision 47/2018 be recorded in the record of decisions.**

**48/2018**      **The Cabinet instructed officers to liaise with golf club officials to ensure memorials on the course are dealt with sensitively, taking into account the wishes of families.**

**Note: In accordance with Council Rule 12.6, Councillor Filmer requested that his abstention in respect of decision 48/2018 be recorded in the record of decisions.**

**49/2018**      **The Cabinet instructed officers to consider the expression of interest submitted by the Deangate Community Partnership and Mytime Active under the Community Right to Challenge (Localism Act 2011) to provide sports, leisure, and wellbeing facilities and activities at Deangate Ridge Golf and Sports Complex and to submit a report back to Cabinet to determine the application.**

**Cabinet, 28 March 2018**

**Reasons:**

Currently, there is a need for an annual Council subsidy to operate the facility against a backdrop of a decline in the number of golf participants. On this basis, it is not possible to project a time when the centre will be self-sustaining.

It is the Council's intention to provide a modern sports centre for the Hoo Peninsula, which reflects the needs of present and future residents.

The Council wishes to ensure that memorials are dealt with sensitively.

The Council is required to consider a community right to challenge in accordance with the relevant legislation and statutory guidance.

.....  
**Leader of the Council**

.....  
**Date**

**Wayne Hemingway/Jade Milnes, Democratic Services Officers**

Telephone: 01634 332509/332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

## **Record of Cabinet decisions**

**Tuesday, 10 April 2018**

**3.00pm to 4.43pm**

**Date of publication: 11 April 2018**

**Subject to call-in these decisions will be effective from 19 April 2018  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
<b>In Attendance:</b>	Neil Davies, Chief Executive	
	Jan Guylar, Head of Legal Services, Local Land Charges and Licensing/Deputy Monitoring Officer	
	Dave Harris, Head of Planning	
	Wayne Hemingway, Democratic Services Officer	
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Helen Jones, Assistant Director – Commissioning, Business and Intelligence	
	Julie Keith, Head of Democratic Services	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	

**Apologies for absence**

There were none.

**Record of decisions**

The record of the meeting held on 28 March was agreed and signed by the Leader as a correct record.

**Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other significant interests

Councillor Doe declared a significant interest in agenda item 11 (Medway Development Company Ltd (MDCL) Update) because he is the Chairman of MDCL. He left the room during consideration of this item.

Councillor Gulvin declared a significant interest in agenda item 11 (Medway Development Company Ltd (MDCL) Update) because he is a Director of MDCL. He left the room during consideration of this item.

Councillor Mackness declared a significant interest in agenda item 9 (Fitted Rigging House – Addition to the Capital Programme) because he lives in the Historic Dockyard area and his wife has a business in the Historic Dockyard area. He left the room during consideration of this item.

Councillor Mackness declared a significant interest in agenda item 12 (Medway Commercial Group Ltd (MCG) Update) because he is the Chairman of the MCG Board. He left the room during consideration of this item.

Councillor Turpin declared a significant interest in agenda item 8 (Special Educational Needs (SEN) Home to School Transport Consultation and Policy Review) because he has a family member who is in receipt of Special Educational Needs (SEN) home to school transport support. He left the room during consideration of this item.

Other interests

Councillor Rodney Chambers (OBE) declared a non-pecuniary interest in agenda item 9 (Fitted Rigging House – Addition to the Capital Programme) because he is a Council appointed Trustee of the Chatham Historic Dockyard Trust. He remained in the meeting during consideration of this item.

**Referral from Health and Adult Social Care Overview and Scrutiny Committee -  
Member Item: Future of the RVS Older People's Centre**

**Background:**

This report provided details of the referral from the Health and Adult Social Care Overview and Scrutiny meeting held on 15 March 2018 in relation to the future of the RVS Older People's Centre.

The comments of the Health and Adult Social Care Overview and Scrutiny Committee were set out in paragraphs 2.6 to 2.25 of the report. The Committee recommended to the Cabinet to fund the Centre for another full year by providing the £17,500 required to make up the lost grant.

The Portfolio Holder for Adults' Services reported that following further contact between the Leader of the Council and the Chief Executive of RVS, an increased matching sum of £17,500 had been confirmed which would be made available from RVS central funding. This would cover the 12 months 2018-2019 giving the time needed to look for a sustainable outcome for RVS Medway.

The Portfolio Holder for Adults' Services also reported that he had received a petition presented to him by the RVS which requested the Council to provide funding in order to keep the centre open. He stated that the petition contained signatures from supporters across Medway and that it had been passed to the Council's Democratic Services team to be processed and actioned as appropriate.

**Decision number:**

**Decision:**

**The Cabinet noted the progress made with RVS in covering a matching grant to cover costs over the 12 month period 2018-2019.**

**50/2018**      **The Cabinet agreed that Medway Council officers and other interested parties work with RVS in the preparation of a sustainable programme for RVS Medway.**

**51/2018**      **The Cabinet agreed that a progress report be prepared and presented to Cabinet within 6 months.**

**Reasons:**

To provide an opportunity to develop a sustainable programme for RVS Medway.

## **Response to the Consultation 'Improving Urgent Stroke Services in Kent and Medway'**

### **Background:**

This report set out the Cabinet's proposed response to the consultation 'Improving urgent stroke services in Kent and Medway' which was being undertaken by the NHS Clinical Commissioning Groups of: Ashford, Bexley, Canterbury and Coastal, Dartford Gravesham and Swanley, High Weald Lewes Havens, Medway, South Kent Coast, Swale, Thanet, and West Kent.

The report evaluated the impact of the proposed changes to urgent stroke services on travel, access and equality and took into account the population demographics of Medway. The report provided details of impact analyses undertaken by Mott MacDonald and the Medway Public Health Intelligence Team respectively. These were set out at Appendix 2 to 4 of the report. It was concluded that option D (locating three hyper acute stroke units in Tunbridge Wells Hospital, Medway Maritime Hospital and William Harvey Hospital) was the preferred option.

It was noted that the consultation deadline had been extended from 13 April 2018 to 20 April 2018.

### **Decision number:      Decision:**

- |                |  |
|----------------|--|
| <b>52/2018</b> | <b>The Cabinet agreed option D (locating three hyper acute stroke units in Tunbridge Wells Hospital, Medway Maritime Hospital and William Harvey Hospital) as its response to the consultation "improving urgent stroke services in Kent and Medway" for the reasons set out in section 4 of the report.</b> |
| <b>53/2018</b> | <b>The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Adults' Services, to submit the Cabinet's response to the consultation.</b>   |
| <b>54/2018</b> | <b>The Cabinet agreed to advise the Joint Health Overview and Scrutiny Committee of Kent County Council, Medway Council, East Sussex County Council and Bexley Council of its support for option D.</b>  |

### **Reasons:**

Analysis from Mott MacDonald Group Ltd and Medway Public Health Intelligence Team indicates that option D would have the best outcomes for people requiring urgent stroke services.

The other factors for consideration set out in paragraphs 4.11 to 4.14 of the report set out further rationale for locating the hyper acute unit in Medway.

**Response to Ministry of Housing Communities and Local Government (MHCLG) Consultation on Proposed Revisions to the National Planning Policy Framework**

**Background:**

This report set out Medway Council's proposed response to the Ministry of Housing, Communities and Local Government (MHCLG) consultation on the proposed revisions to the National Planning Policy Framework (NPPF) 2012.

The report summarised the proposed changes to the NPPF and articulated the positive and negative features of the proposals. The report outlined the foreseeable implications to Medway and the Local Authority and in particular, the report reiterated the Council's strong concern regarding the proposed introduction of a new standard methodology for the calculation of Local Housing Need.

**Decision number:**

**Decision:**

- |                |  |
|----------------|--|
| <b>55/2018</b> | <b>The Cabinet agreed this report and draft response to the direct questions in the consultation, as set out in Appendix 1 to the report, including the strong opposition to the use of standard methodology for calculating housing need.</b>   |
| <b>56/2018</b> | <b>The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader and Portfolio Holders for Planning, Economic Growth and Regulation &amp; Inward Investment, Strategic Regeneration and Partnerships to submit Medway Council's formal response to the Ministry of Housing Communities and Local Government (MCHLG) setting out concerns about the proposals contained in the consultation.</b> |
| <b>57/2018</b> | <b>The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader and Portfolio Holders for Planning, Economic Growth and Regulation &amp; Inward Investment, Strategic Regeneration and Partnerships to submit the Council's response to the consultation on supporting housing delivery through developer contributions to the MHCLG as highlighted in paragraph 4.44 of the report.</b>       |

**Reasons:**

Medway Council is concerned about the recommendations contained within the consultation and specifically the standard methodology for calculating housing need.

## Cabinet, 10 April 2018

The consequences of the recommendations within the consultation are set out in the body of the report and in the responses to the questions in appendix 1 to the report.

The standard methodology recommended produces a housing target for Medway and other Kent Authorities that is not only unachievable, but would have serious and unacceptable implications for infrastructure and the valued and nationally and internationally protected landscape within Medway.

### **Outcome of Joint Local Area Special Educational Needs and Disabilities (SEND) Inspection**

#### **Background:**

This report provided details of the outcome of the joint local area Special Educational Needs and Disabilities (SEND) inspection undertaken by Ofsted and the Care Quality Commission (CQC) from 4 to 8 December 2017.

The report stated that the Inspection Framework emphasised that local area inspections evaluate the effectiveness of all relevant partners in the local area in fulfilling their responsibilities for SEND. The inspection therefore evaluated the contribution and impact of the Local Authority, the Clinical Commissioning Group (CCG), Public Health, specialist services, early years settings, schools and further education providers.

The report advised that the Local Authority and the CCG were required to submit a joint Written Statement of Action to the Department for Education (DfE) and that a SEND Improvement Board had been established to direct the development of the improvement action plan.

The comments of the Children and Young People Overview and Scrutiny Committee were set out in section 7 of the report.

#### ***Decision number:***      ***Decision:***

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee set out in section 7 of the report.**

**The Cabinet noted the outcome of the Special Educational Needs and Disability (SEND) Local Area Inspection set out in Appendix A to the report.**

#### **Reasons:**

This report formally notifies the Cabinet of the outcome of the Ofsted inspection.



## **Special Educational Needs (SEN) Home to School Transport Consultation and Policy Review**

### **Background:**

This report provided details of the seven proposed amendments to the Council's Home to School Transport Policy in relation to children and young people with Special Educational Needs and Disabilities (SEND). The report also set out minor consequential amendments and clarifications to the policy for mainstream pupils.

The report stated that the proposed Travel Assistance Policy, set out at Appendix 3 to the report, would replace the existing Home to School Transport Policy.

In order to inform the policy amendments service users, stakeholders and the wider public were consulted on the proposals in accordance with the Cabinet's agreement on 21 November 2017 to a 6 week consultation period commencing in December 2017 on changes to Special Educational Needs (SEN) Transport Policy, as set out in section 4 to that report (decision number 132/2017 refers). The outcome of the consultation was set out in sections 6 and 7 to the report.

The comments from the Children and Young People Overview and Scrutiny Committee were set out in section 8 to the report.

A Diversity Impact Assessment had been carried out on the proposals, as set out in Appendix 6 to the report.

### **Decision number:**

### **Decision:**

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in section 8 of the report.**

**58/2018      The Cabinet approved the 'Education Travel Assistance Policy', as set out in Appendix 3 to the report.**

### **Reasons:**

The revised Policy will help to ensure that travel assistance support can continue to be provided to all eligible children and young people in line with increasing demand. It will also provide the opportunity to offer a more flexible range of options to families and improve the quality of the service provision.

## **Fitted Rigging House - Addition to the Capital Programme**

### **Background:**

This report provided details of the Growing Places Fund (GPF) bid for a loan of £800,000 to bring the Fitted Rigging House at Chatham Historic Dockyard into full use. The report stated that the total cost of the project to the Chatham Historic

## Cabinet, 10 April 2018

Dockyard was £8,400,000. It was noted that £7,600,000 had already been secured by the Dockyard and the remainder, £800,000, was sought from the South East Local Enterprise Partnership (SELEP).

The report explained that the SELEP would only enter into funding/loan agreement with a Local Authority. In consequence, the Council would need to enter into a loan agreement with the SELEP on behalf of Chatham Historic Dockyard and also enter into a legally binding back to back loan agreement with the Dockyard for the repayments and to give the Council protection.

The report advised that the SELEP would make a decision to award the GPF funding/loan on 27 April 2018 and if approved would require Full Council approval to be added to the Capital Programme.

***Decision number:***      ***Decision:***

**59/2018**      **The Cabinet agreed to recommend to Full Council on 26 April 2018 the addition of this project, as set out in section 2 of the report, to the Capital Programme, subject to approval from the South East Local Enterprise Partnership (SELEP) for the funding.**

**Reasons:**

Additions to the Capital Programme are a matter for Full Council.

**Joint Venture with Norse Property Services - Establishment of a Housing Company**

**Background:**

This report provided details of a proposal to establish a housing company jointly with Norse Property Services (NPS). This housing company would develop property within Medway and in the first instance enable the development of an under-utilised car park in Rainham, which was owned by the Council.

The report evaluated four options including:

- Option 1: Do nothing
- Option 2: To develop the site through the Medway Development Company Limited (MDC)
- Option 3: To sell the site on the open market to a developer
- Option 4: Joint Venture with Norse Property Services

The report stated that under the preferred option, option 4 (Joint Venture with Norse Property Services), the Council would be required to provide the land and lend the joint venture company £1.352 million. The funding would be met from borrowing and would require Full Council approval to be added to the Capital Programme.

## Cabinet, 10 April 2018

An Exempt Appendix to the report set out the Business Case for the preferred option, option 4 (Joint Venture with Norse Property Services).

<b><i>Decision number:</i></b>	<b><i>Decision:</i></b>
<b>60/2018</b>	<b>The Cabinet approved the setting up of a joint venture company (option 4) based on the proposal set out in the exempt appendix.</b>
<b>61/2018</b>	<b>The Cabinet agreed the company will be called Medway Growth.</b>
<b>62/2018</b>	<b>The Cabinet agreed to exercise the role of shareholder.</b>
<b>63/2018</b>	<b>The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader to agree the Memorandum of Association and the Articles of Association.</b>
<b>64/2018</b>	<b>The Cabinet noted the amounts required to be provided for in the Capital Programme and recommended to Full Council to approve the addition to the capital programme of £1.352 million, to be funded from borrowing, in order to make a loan to the joint venture company at the prevailing market interest rate.</b>
<b>65/2018</b>	<b>The Cabinet agreed to delegate authority to the Chief Finance Officer in consultation with the Leader to release funding to the Company for each agreed scheme in the Company's Business Plan subject to financial due diligence.</b>
<b>66/2018</b>	<b>The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader to identify, declare surplus and dispose of assets at commercial rates to the company in line with its Business Plan.</b>
<b>67/2018</b>	<b>The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader to execute the final legal agreements, contracts and all other ancillary documentation that may be needed prior to the setting up of a company setting out the arrangements between the Council and the Company.</b>
<b>68/2018</b>	<b>The Cabinet agreed to delegate authority to the Chief Executive to make the necessary appointments to the Executive Board of Directors, as set out in paragraph 4.3 of the report, in consultation with the Leader.</b>

**Reasons:**

To enable the generation of new and alternative revenue income streams for the Council and to deliver housing units principally in Medway.

**Medway Development Company Ltd Update**

**Background:**

This report provided details of a proposal to amend the Articles of Association and governance arrangements for Medway Development Company (MDC) Ltd. to reflect the Teckal test. This would take advantage of tax efficiencies in the development of property.

The report stated that under the new arrangements MDC Ltd. would act as the Council's managing agent in developing its owned sites and would provide the following services:

- Potential site identified and high level appraisal and viability test;
- Feasibility/ business case budget established and approved by MDC board;
- Complete site surveys and develop planning drawings / tender documents;
- Submit planning and tender the construction works; and
- Tenders reviewed and approved by MDC board.

The report also set out the investment required to fund a five year programme. The report advised that the sum of £120 million would be met from borrowing and would require Full Council approval to be added to the Capital Programme. The report set out the consequential amendments to the Employee Delegation scheme, as set out in paragraph 8.3.1 and 9.2.2 of the report.

An Exempt Appendix to the report provided the proposed the project approval process and new governance structure and the Business Plan for MDC Ltd.

***Decision number:***      ***Decision:***

**69/2018**      **The Cabinet recommended to Full Council the addition to the capital programme of a facility for £120 million over the next 5 years to enable development.**

**70/2018**      **The Cabinet approved the amendments to the Medway Development Company Ltd (MDC) governance structure, as outlined in option 1 of the report and Exempt Appendix 1, to reflect the Teckal test and noted that Cabinet previously delegated authority to the Chief Legal Officer, in consultation with the Leader, to finalise the Articles of Association (decision no. 92/2017) and that Cabinet now approved the form of Articles of Association similar to that of MCG Ltd, as set out in Appendix 1 to the report.**

## Cabinet, 10 April 2018

- 71/2018**      **The Cabinet noted the draft Business Plan as set out in Exempt Appendix 2 to the report and agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to approve the final version of the Business Plan.**
- 72/2018**      **The Cabinet approved the amendments to the Employee Delegation Scheme as set out in paragraphs 8.3.1 and 9.2.2 of the report.**

### **Reasons:**

To enhance the generation of new and alternative investment returns for the Council and to deliver housing units principally in Medway.

### **Medway Commercial Group Ltd Six Monthly Report**

#### **Background:**

This report provided details of Medway Commercial Group Limited's (MCG) achievements and performance over the preceding six months (1 October 2017 – 31 March 2018) and its plans for future growth and development.

In particular, the report stated that MCG was on target to achieve its agreed accumulated savings for the next two financial years and was predicting a surplus of £254,000 for this financial year (2017/18). It was added that MCG had also provided Medway Council with circa. 7/12ths of £254k annualised savings on transferring revenue streams which were extra over savings to the rebate. In addition there had been key successes in relation to Telecare Services, CCTV and the use of Automatic Number Plate Recognition (ANPR).

***Decision***      ***Decision:***  
***number:***

**The Cabinet noted the achievements and performance of Medway Commercial Group Limited (MCG) for the six month period 1 October 2017 to 31 March 2018.**

### **Reasons:**

When Cabinet agreed to establish the Local Authority Trading Company (LATC) it was also agreed that regular monitoring reports would be provided to Cabinet.

### **Recruitment Freeze**

#### **Background:**

This report presented information on a number of vacancies that officers had requested approval to commence recruitment for, following the process agreed by Cabinet on 7 January 2003 (decision number 9/2003).

**Cabinet, 10 April 2018**

Details of the posts were set out within Appendix 1 to the report.

**Decision  
number:**

**Decision:**

**73/2018**

**The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:**

**Business Support Department**

- a) Lawyer, Contracts, Place Team, Legal Services (Permanent)**
- b) Category Manager (x4)**
- c) Lawyer, Contracts, Place Team, Legal Services (Locum)**

**Children & Adults**

- d) Head of School Services**
- e) Programme Lead – Targeted Services**
- f) Support Services Assistant (S.S.A.)**
- g) SEN Travel Assistance Manager**
- h) SEN Travel Assistance Officer (x2)**

**Regeneration, Culture, Environment & Transformation**

- i) Part-time Social Media Marketing Executive**
- j) Project Officer**
- k) Skills and Employment Programme Manager**
- l) HR Consultant.**

**Reasons:**

The posts presented to Cabinet will support the efficient running of the Council.

.....  
**Leader of the Council**

.....  
**Date**

**Wayne Hemingway/Jade Milnes, Democratic Services Officers**

Telephone: 01634 332509/332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)