

# **COUNCIL**

**24 JANUARY 2019**

## **LEADER'S REPORT**

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 11 October 2018.

He will include:

- Sponsorship
- Brexit
- Innovation Park Medway
- Decisions made by the Cabinet on 23 October 2018, 20 November 2018, 18 December 2018 and 15 January 2019.



## Record of Cabinet decisions

**Tuesday, 23 October 2018**

**3.00pm to 4.20pm**

**Date of publication: 24 October 2018**

**Subject to call-in these decisions will be effective from 1 November 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 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
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Jade Milnes, Democratic Services Officer	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

### **Leader's Announcement**

The Leader paid tribute to former Councillor Janice Bamber who had recently passed away. The Cabinet observed a minute's silence.

## Cabinet, 23 October 2018

### **Apologies for absence**

An apology for absence was received from Councillor Jane Chitty (Planning, Economic Growth and Regulation).

### **Record of decisions**

The record of the meeting held on 25 September 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 (OSIs)

Councillor Mackness declared an OSI in agenda item 5 (Special Educational Needs and Disabilities Provision Proposal) because he is the Chairman of Medway Commercial Group and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

Councillor Turpin declared an OSI in agenda item 4 (Special Educational Needs and Disabilities Free School Bid) because he has a child who attends a Special Educational Needs (SEN) school. He left the room during consideration of this item.

Councillor Turpin declared an OSI in agenda item 5 (Special Educational Needs and Disabilities Provision Proposal) because he has a child who attends a Special Educational Needs (SEN) school. He left the room during consideration of this item.

Councillor Turpin declared an OSI in agenda item 6 (Referral from Health and Adult Social Care Overview and Scrutiny Committee: Health Impact Assessments) because he has a child who attends a Special Educational Needs (SEN) school. He left the room during consideration of this item.

Councillor Turpin declared an OSI in agenda item 11 (Gateway 1 Procurement Commencement: Special Educational Needs (SEN) Transport Framework) because he has a child 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

There were none.

## Special Educational Needs and Disabilities Free School Bid

### Background:

This report provided details of an opportunity, under Central Government's Special Free School Initiative, for the Council to bid for a Special Educational Needs and Disabilities (SEND) Free School. The report outlined that this was an opportunity for the Council to increase provision to meet demand within Medway, therefore reducing the need to place children with Special Educational Needs and Disabilities out of area.

The deadline for submission of a bid was 15 October 2018. The report advised that the Department for Education would then consider the responses and in early 2019 determine which submissions had been successful. It was noted that if the Council was successful in its bid, it was unlikely that a new Special Free School would be operational until 2022.

An addendum report, tabled at the meeting, provided details of the expected increase in demand for complex Severe Learning Disability (SLD) and Profound and Multiple Learning (PMLD) places in 2019-20, which had not been included in the main report.

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

**123/2018**      **The Cabinet noted the report and supported the bid for a new SEND Free School.**

**124/2018**      **The Cabinet delegated authority to the Director of People – Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to work with the Department for Education, who will hold responsibility for assessing applications from proposer groups, if the Local Authority is successful in its bid.**

### Reasons:

Having a new SEND Free School for children with complex needs will help the Council to meet known and future demand, to reduce the high cost of out of area placements and ensure that wherever possible children are educated close to their homes, families and communities.

## Special Educational Needs and Disabilities Provision Proposal

### Background:

This report outlined a proposal to establish an Independent Free School including residential, respite and outreach provision. This proposal would address demand for school places within Medway for children who have complex Autism Spectrum

## Cabinet, 23 October 2018

Disorder (ASD) with challenging behaviour, but whose cognitive ability was average or just below and who could not be supported in a mainstream school.

It was noted that currently 82 pupils with this diagnosis were placed out of area, some in residential provision, at a cost of approximately £5.2m. The report advised that this proposal would aim to enable more pupils to be educated in Medway, close to their families and communities. It would also provide a cost saving. The benefits of an Independent Free School were set out in paragraph 3.5 of the report.

It was proposed that Medway Commercial Group (MCG) would build this Independent School. The report explained that MCG would manage the design and planning process and oversee the delivery of the building. They would also manage the appointment of a suitable independent provider/sponsor that would ensure the provision met the necessary educational standards.

The report noted that the Cabinet had approved the setting up of MCG with the freedoms and flexibilities of a company and on 4 September 2018, the Cabinet approved the leasing of the site at Cornwallis Avenue to MCG (decision number 112/2018 refers).

It was stated that a Programme Board and Steering Group had been established to oversee the project's progress.

**Decision number:**

**125/2018      The Cabinet approved the progression by Medway Commercial Group of an Independent Autism Spectrum Disorder (ASD) Special School on the Cornwallis site, which includes provision for residential and respite care.**

**Reasons:**

Agreement to this proposal would:

- ensure that the Council's duty to provide school places is met;
- meet the recommendations of the SEND Ofsted report and the SEND strategy objectives that children should be placed in local provision close to their families wherever possible;
- reduce reliance upon potentially limited and expensive out of area provision, which will ease the pressure on the High Needs Block funding;
- make more cost effective use of funding from the High Needs Block; and
- present a new commercial opportunity for Medway Commercial Group.

**Referral from Children and Young People Overview and Scrutiny Committee:  
Needs Analysis on Future Demand for SEND Places**

**Background:**

This report set out details of a referral from the Children and Young People Overview and Scrutiny Committee held on 4 October 2018, following consideration of a report concerning a petition on Abbey Court School which had been referred to the Committee.

The comments of the Children and Young People Overview and Scrutiny Committee were set out in section 3 of the report. The Committee requested the Cabinet to indicate when the Special Education Needs and Disabilities (SEND) review was likely to be completed, for this to be completed as soon as possible and for the review outcomes to be published when completed.

The comments of the Director of People – Children and Adults Services were set out in section 4 of the report. It was explained that the SEND needs analysis was a detailed piece of work, which looked at forecast demand for Special Education Needs and Disabilities places within Medway of all young people with SEND. A significant amount of time was required to ensure that this work was completed comprehensively, and it was estimated that this would be ready for publication in January 2019.

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

**The Cabinet noted the Director of People – Children and Adults Services' comments, set out in section 4 of the report, including the timeline for the publication of the Needs Analysis on Future Demand for SEND Places, which responds to the referral from the Children and Young People Overview and Scrutiny Committee.**

**Reasons:**

The Children and Young People Overview and Scrutiny Committee has made this recommendation to Cabinet in accordance with its entitlement, under the Council's Constitution, to make recommendations to Cabinet arising from the outcome of the scrutiny process (Constitution – Articles of the Constitution - Chapter 2, Article 6, Paragraph 6.4). Cabinet is, therefore, required to consider its response.

**Referral from Health and Adult Social Care Overview and Scrutiny Committee:  
Health Impact Assessments**

**Background:**

This report set out details of a referral from the Health and Adult Social Care Overview and Scrutiny Committee held on 21 August 2018, in relation to a Member's item raised by Councillor Freshwater on GP provision on the Hoo Peninsula.

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The comments of the Committee were set out in section 6 of the report. The Committee requested the Cabinet to consider bringing forward the implementation of Health Impact Assessments (HIAs) for all planning applications of 25 or more new homes for the Hoo Peninsula and advise the Director of Public Health accordingly.

The comments of the Director of Public Health and the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive were set out in section 7 of the report. The report stated that in light of these comments, that it was not considered appropriate or a good use of resources to undertake HIAs as recommended by the Health and Adult Social Care Overview and Scrutiny Committee.

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

**The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee, as set out at section 6 of the report.**

**The Cabinet noted that the Council has already taken action through the adoption of a Health Impact Assessment (HIA) process within the new Local Plan, as set out at paragraph 7.5 of the report.**

**126/2018      The Cabinet agreed that current practices, as set out in paragraphs 7.6 to 7.9 of the report, appropriately consider and address the health impacts arising from new planning applications and the likely allocations within the emerging Local Plan, and that no further action is taken.**

### **Reasons:**

The Health and Adult Social Care Overview and Scrutiny Committee has made this recommendation to Cabinet in accordance with its entitlement, under the Council's Constitution, to make recommendations to Cabinet arising from the outcome of the scrutiny process (Constitution – Articles of the Constitution - Chapter 2, Article 6, Paragraph 6.4). Cabinet is, therefore, required to consider its response.

Bringing forward the implementation of Health Impact Assessments for all planning applications of 25 or more new homes is not considered appropriate or necessary for the reasons set out in section 7 of the report, the Director of Public Health's and the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive's comments.



## RVS Older Persons Centre

### Background:

This report set out details of progress made to ensure the future sustainability of the Royal Voluntary Service (RVS) Older Persons' Centre. The report explained that the RVS and Medway Council had established a plan of work to take forward, this was set out at paragraph 3.3 of the report.

It was explained that moving to a new volunteer-led model of delivery was challenging and focus had moved towards joint efforts to find and move to a more affordable property to achieve sustainability. Progress in this regard was set out at section 4 of the report.

This report was considered by the Health and Adult Social Care Overview and Scrutiny Committee on 16 October 2018. The comments of the Committee were set out in addendum report.

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

**The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee.**

**127/2018      The Cabinet supported the continued identification and consideration of buildings within the Council's Estate that could provide a low cost property for the Royal Voluntary Service (RVS).**

### Reasons:

Continued support would assist the RVS Centre to move towards a more sustainable model of delivery.

## Director of Public Health Annual Report 2017-18

### Background:

This report set out details of the Director of Public Health's Annual Report for 2017-18, titled: "Protecting the Health of Medway's Population: now and for the future".

The report focused on nine key areas of health protection, these were:

1. Infectious diseases and food-borne illness
2. Seasonal influenza
3. Screening
4. Emergency preparedness
5. Sexual health and blood-borne viruses
6. Health care associated infections
7. Air quality
8. Tuberculosis

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### 9. Vaccinations.

For each health protection area, the Annual Report examined four key questions which covered: the current situation in Medway; what partners were doing to protect the health of Medway's population; action people in Medway could take to protect their health; and focus areas for the future. The Annual Report also included case studies illustrating good practice in Medway and based on the findings of these lines of enquiry, the report then made recommendations.

The Director of Public Health's Annual Report for 2017-18 was considered by the Health and Wellbeing Board on 3 July 2018 and its comments were set out at section 4 of the report. The report was also considered by the Health and Adult Social Care Overview and Scrutiny Committee on 16 October 2018 and its comments were reported in an addendum report.

Cabinet Members expressed concern regarding the recent announcement by the Kent and Medway NHS, following their review of urgent stroke services in area, of the preferred option (option B). Under option B, Hyper Acute Stroke Units (HASUs) would be located alongside Acute Stroke Units (ASUs) at Darent Valley Hospital in Dartford, Maidstone Hospital and William Harvey Hospital in Ashford and would exclude Medway Maritime Hospital. The Cabinet noted the action being taken by the Council on the matter.

**Decision number:**

**The Cabinet noted the comments of Health and Wellbeing Board and the comments of the Health and Adult Social Care Overview and Scrutiny Committee.**

**The Cabinet noted the Director of Public Health's Annual Report for 2017-18, in particular its findings and recommendations.**

### **Reasons:**

There is a statutory duty for Directors of Public Health to produce an Annual Report and Local Authorities to publish the report.

### **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.

## Cabinet, 23 October 2018

**Decision number:**

**Decision:**

**128/2018**

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

**Business Support Department**

a) Lawyer, Employment and Contracts, Place Team, Legal Services (locum)

b) Lawyer, Employment and Contracts, Place Team, Legal Services (permanent)

**Regeneration, Culture, Environment and Transformation**

c) LGF Programme Co-ordinator.

**Reasons:**

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

**Gateway 1 Procurement Commencement: Special Educational Needs (SEN) Transport Framework**

**Background:**

This report sought approval to commence the procurement of Medway Council's home to school travel assistance contract following review and discussion at Procurement Board on 3 October 2018. The report explained that the Council had put in place a Special Educational Needs (SEN) Transport Framework in 2015 and that this Framework was coterminous with the academic year and due to expire at the end of the 2018/2019 academic year.

An options appraisal for the new SEN transport model was set out at section 4.2 of the report. Based on this appraisal it was recommended that the Council implement another OJEU framework and work towards building a Total Transport Solution within the awarded provision.

An Exempt Appendix provided details of the financial analysis in respect of procurement of this service.

**Decision number:**

**Decision:**

**129/2018**

The Cabinet approved the commencement of the OJEU Framework procurement process as per the options appraisal in section 4.2 of the report.

## Cabinet, 23 October 2018

### Reasons:

A decision is required to allow for adequate time to have the new system in place for the school year 2019/2020.

A Dynamic Purchasing System (DPS) would not allow direct awards which have been utilised heavily on the current provision.

In-house provision could result in long term financial issues due to eradicating capacity.

Medway Norse (option 5) would result in long term financial issues due to also eradicating capacity.

### Gateway 1 Procurement Commencement: Street Scene Enforcement Service

#### Background:

This report sought approval to commence the procurement of Street Scene Enforcement Agent Services for littering, dog fouling and dog control orders, following review and discussion at Procurement Board on 3 October 2018.

An appraisal of the procurement options was set at section 4.2 of the report. Based on this appraisal it was recommended that the Council adopt an open market tender opportunity which includes an e-Auction as the pricing mechanism.

The report noted that the Procurement Board, at its meeting on 3 October 2018, decided that the decision to outsource this contract should be classified as high risk and therefore this was a matter for the Cabinet. Subject to Cabinet approval to outsource, the remainder of the procurement process would be undertaken in accordance with the Council's Contract Procedure Rules for medium risk procurements.

An Exempt Appendix provided details of the financial analysis in respect of procurement of this service.

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

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

**130/2018**

**The Cabinet approved the procurement of a street scene enforcement agency contract as set out in paragraph 4.3.1 of the report.**

#### Reasons:

Outsourcing this service will result in a financial income to Medway Council and promote cleaner streets for residents.

**Cabinet, 23 October 2018**

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

.....  
**Date**

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## Record of Cabinet decisions

**Tuesday, 20 November 2018**

**3.00pm to 5.10pm**

**Date of publication: 21 November 2018**

**Subject to call-in these decisions will be effective from 29 November 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
	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	
	Teri Reynolds, Democratic Services Officer	
	Ian Sutherland, Director of People - Children and Adults Services	
	James Williams, Director of Public Health	

### **Apologies for absence**

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

## **Cabinet, 20 November 2018**

### **Record of decisions**

The record of the meeting held on 23 October 2018 was agreed and signed by the Leader as a correct record.

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

#### Disclosable pecuniary interests (DPI)

There were none.

#### Other significant interests (OSIs)

Councillor Doe declared an OSI in agenda item 16 (Medway Commercial Group Ltd Six Monthly Report) because he is a Director of Medway Commercial Group and he relied on a dispensation agreed by the Monitoring Officer under section 6.17 of Part 4 – Employee Delegation Scheme of the Council's Constitution, to enable him to take part in the discussion and vote on this item.

Councillor Mackness declared an OSI in agenda item 16 (Medway Commercial Group Ltd Six Monthly Report) because he is the Chairman of Medway Commercial Group and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

Councillor Turpin declared an OSI in agenda item 9 (Tenancy Strategy 2018) because he is a private landlord of properties in Medway. Part way through the discussion of that item Cllr Turpin left the room for the remainder of the consideration and decision on that item.

#### Other interests

Councillor Mackness stated that whilst a company he has a share in, which is registered as a DPI, and it owns a tenanted property in Medway, he did not personally benefit financially and considered he could therefore contribute to the discussion and decision in relation to agenda items 8 (Housing Strategy 2018 – 2022) and 9 (Tenancy Strategy 2018).

### **Draft Capital and Revenue Budget 2019/20**

#### **Background:**

This report provided an update on progress towards setting the Council's draft capital and revenue budgets for 2019/2020. It was noted that the draft budget was based on the principles contained in the Medium Term Financial Strategy (MTFS) 2018/2023, which had been approved by Cabinet on 25 September 2018 and reflected the latest formula grant assumptions. Draft budget requirements for the directorates in 2019/2020 were set out in Appendices 1-4 to the report.

It was reported that there was a £3.189m revenue budget deficit for 2019/2020, increasing to £16.331m by 2022/2023 which would need to be addressed through



## Cabinet, 20 November 2018

the budget setting process. Whilst officers had been working with Portfolio Holders to formulate savings proposals to address the projected revenue budget deficit, none of this work had progressed sufficiently to be reflected in the draft budget proposals.

In relation to the capital programme, it was reported that the existing programme, totalling £227.771m for the next three years, reflected planned capital expenditure over the medium term. This did not incorporate recommended additions to the Capital Programme which were detailed at item 14 (Capital Budget Monitoring 2018/19 – Quarter 2) and were due to be reported to Council on 24 January 2019 for approval.

In accordance with the Constitution, this report was the first stage of the budget consultation process leading to further consideration by Cabinet on 5 February 2019 and formal budget and council tax setting by Council on 21 February 2019. Budget proposals would now be submitted to the Council's overview and scrutiny committees.

**Decision number:**

**Decision:**

- 131/2018**      **The Cabinet instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2019/20 and beyond.**
- 132/2018**      **The Cabinet agreed to refer the draft capital and revenue budgets to overview and scrutiny committees as work in progress, inviting them to offer comments on the proposals outlined.**

**Reasons:**

It is the responsibility of Cabinet to develop draft budget proposals for consideration by overview and scrutiny committees. These draft proposals are the first stage of the budget consultation process leading to further consideration by Cabinet on 5 February 2019 and formal council tax setting by Council on 21 February 2019.

The timetable for consideration by overview and scrutiny is as follows:

Business Support	29 November 2018
Children and Young People	4 December 2018
Regeneration, Culture and Environment	6 December 2018
Health and Adult Social Care	13 December 2018
Business Support	31 January 2019
Cabinet	5 February 2019
Council	21 February 2019

## **Capital Strategy**

### **Background:**

This report outlined the Capital Strategy, which sets out how the Council determined its priorities for capital investment and the process for formulating the capital programme. It also presented opportunities for future funding and the arrangements in place for preparing the capital programme for future years.

The Strategy had been formulated with regard to the CIPFA's Prudential Code and should be viewed in conjunction with the Council's Medium Term Financial Strategy and the Council Plan, to integrate budget setting with service planning and ensure that priorities and funding were matched.

### **Decision number:**

### **Decision:**

**133/2018**

**The Cabinet agreed the Capital Strategy as determining the Council's approach to setting capital investment priorities and formulating the capital programme for approval by Full Council.**

### **Reasons:**

The Capital Strategy sets out how the Council sets its priorities for capital investment and the process for formulating the capital programme, and is therefore an important part of the framework underpinning the budget setting process.

## **Joint Health and Wellbeing Strategy**

### **Background:**

This report presented the final version of Medway's Joint Health and Wellbeing Strategy (JHWS) 2018-2023 in line with the requirements of the Health and Social Care Act 2012.

The JHWS contained a proposed vision and a set of priorities, which had been chosen following the review of feedback from community engagement events, evidence from the Joint Strategic Needs Assessment (JSNA) and input from health and social care professionals and wider stakeholders including the voluntary sector. The strategy, which updated the previous JHWS agreed in 2012, was based around the same five strategic themes:

- Give every child a good start
- Enable our older population to live independently and well
- Prevent early death and increase years of healthy life
- Improve physical and mental health and wellbeing
- Reduce health inequalities

## **Cabinet, 20 November 2018**

The report explained that consultation to identify areas of importance to Medway residents was carried out and influenced the development of priority actions to deliver on the themes listed above.

It was noted that the Health and Wellbeing Board on 3 July 2018 and 6 November 2018 and the Health and Adult Social Care Overview and Scrutiny Committee on 21 August 2018 had considered the Strategy. Their comments were set out in the report.

A Diversity Impact Assessment screening form was attached at Appendix B to the report.

**Decision number:**

**Decision:**

**The Cabinet noted and endorsed the comments and recommendations of the Health and Wellbeing Board and the Health and Adult Social Care Overview and Scrutiny Committee, as set out in sections 4, 5 and 6 of the report.**

**134/2018**

**The Cabinet approved the final Joint Health and Wellbeing Strategy 2018-2023, as set out in Appendix A to the report.**

**Reasons:**

The strategy sets out the health and wellbeing issues for the community based on evidence from the Medway Joint Strategic Needs Assessment, what can be done to address them and what outcomes are intended to be achieved.

### **Medway Adult Mental Health Strategy 2018 to 2023**

**Background:**

This report presented the Medway Adult Mental Health Strategy, which had been developed by NHS Medway Clinical Commissioning Group (CCG) and Medway Council and set out the vision for improving outcomes for people with mental health problems in Medway over the next five years.

An action plan outlining the key aims, actions, leads and outcome measures had been developed alongside the strategy and would be finalised once the strategy had received authorisation from Cabinet.

The strategy set out details of how the Council, the CCG and the other local partners would:

- Commit to achieving parity of esteem for mental health;
- Promote mental health and well-being in communities;
- Focus on early intervention and preventing Medway residents from developing significant mental health problems;

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- Ensure that when people need help they can access appropriate intervention quickly; that services are of the highest possible quality and will proactively support people to recover and remain well;
- Recognise the need for services to be integrated and work together to deliver high quality services close to home;
- Improve mental health provision in primary care, allowing specialist secondary care mental health services to focus on complex and specialist interventions.

It was noted that the Health and Adult Social Care Overview and Scrutiny Committee on 16 October 2018 and the Health and Wellbeing Board on 6 November 2018, had considered the Strategy. Their comments were set out in the report.

A Diversity Impact Assessment screening form was attached at Appendix 2 to the report.

**Decision number:**

**Decision:**

**The Cabinet noted the comments and recommendations of the Health and Adult Social Care Overview and Scrutiny Committee and the Health and Wellbeing Board, as set out in sections 5 and 6 of the report.**

**135/2018**

**The Cabinet delegated authority to the Director of People – Children and Adult Services, in consultation with the Portfolio Holder for Adults’ Services, to finalise and approve the content of the Medway Adult Mental Health Strategy 2018 – 2023, taking into account the recommendation of the Health and Wellbeing Board, as detailed in section 6 of the report.**

**136/2018**

**The Cabinet agreed to call for a Section 136 facility to be located in Medway, given that Medway had the highest number of Section 136 detentions in Kent and Medway.**

**Reasons:**

Cabinet approval is required to implement The Medway Adult Mental Health Strategy 2018 to 2023 which sets out our vision for improving outcomes for people with mental health problems in Medway over the next five years.

### **Housing Strategy 2018-22**

**Background:**

This report introduced the Housing Strategy 2018-2022, which replaced the existing strategy approved by Cabinet in 2014 and set out Medway’s strategic approach for housing services and detailed how the Council would enable the delivery of these services.

## Cabinet, 20 November 2018

The strategy, attached at Appendix 1 to the report, detailed the Council's planned response in meeting the housing needs of Medway's residents and was designed around three strategic priorities:

- Deliver homes that meet the identified need of Medway residents.
- Improve the quality of homes and people's lives.
- Ensure people can access housing and services to keep them independent.

It was noted that the strategy had been developed based upon a comprehensive review and consideration of the national and local context; achievements and progress of the 2015-18 Housing Strategy; consultation with stakeholders; and needs analysis including the Strategic Housing Economic Needs Assessment 2015.

The Business Support Overview and Scrutiny Committee had considered this report on 25 October 2018 and its comments and recommendations were detailed at section 5 of the report.

A Diversity Impact Assessment screening form had been completed and was attached at Appendix 2 to the report.

**Decision number:**

**Decision:**

**The Cabinet noted the comments and recommendations of the Business Support Overview and Scrutiny Committee, as set out in section 5 of the report.**

**137/2018**

**The Cabinet agreed that the Government be requested to consider changing the rules on out of area placements to require Councils to notify host authorities in all cases of out of area placements and to urge local authorities to house people within their own local authority area wherever possible.**

**138/2018**

**The Cabinet agreed that the Housing Minister be requested to review the private rental sector market including the possibility of tightening the regulations governing this sector, given its impact on the overall housing market.**

**139/2018**

**The Cabinet approved the Housing Strategy 2018-2022, as set out in Appendix 1 to the report.**

**Reasons:**

The reason to approve is to ensure that there is a shared and up to date understanding of Medway's housing market and how gaps in housing and/or in housing related support services can be addressed.

## **Tenancy Strategy 2018**

### **Background:**

This report presented the Tenancy Strategy 2018, which replaced the existing strategy which had been drafted in 2012 and required updating following changes in legislation.

The revised strategy, attached at Appendix 2 to the report, provided guidance that registered providers should have regard to when formulating policies relating to:

- The kinds of tenancies they grant;
- The circumstances in which they will grant a tenancy of a particular kind;
- Where they grant tenancies for a certain term, the lengths of the terms;
- The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

The Business Support Overview and Scrutiny Committee had considered this report on 25 October 2018 and its comments and recommendations were detailed at section 5 of the report.

A Diversity Impact Assessment screening form had been completed and was attached at Appendix 3 to the report.

### **Decision number:**

### **Decision:**

**The Cabinet noted the comments and recommendations of the Business Support Overview and Scrutiny Committee, as set out in section 5 of the report.**

**140/2018      The Cabinet approved the Tenancy Strategy 2018.**

### **Reasons:**

The new Tenancy Strategy is aligned with current legislation and government policy and is more suitable for use than the current Strategy.

## **Six Monthly Review of the Council's Corporate Risk Register and Annual Review of the Risk Management Strategy**

### **Background:**

This report provided details of the six monthly review of the Council's Corporate Business Risk Register and the annual review of the Strategic Risk Framework. It was noted that the strategy was reviewed annually to ensure that it remained up-to-date and continued to reflect the Council's approach to risk management. In addition, the Corporate Risk Register, which accompanied the strategy, ensured that all relevant key risks were recorded and this was reviewed and managed every six months by both management and Members.

## **Cabinet, 20 November 2018**

The Risk Management Strategy had been reviewed by the Strategic Risk Management Group. There were some minor amendments to clarify the wording and to include the Audit & Counter Fraud Team in the roles and responsibilities section.

In relation to the Corporate Risk Register there were no new risks proposed and no risks were proposed to be removed. The format had been revised to:

- Provide a clearer story for each risk;
- Capture inherent, residual and target risk scores in line with the Risk Management Strategy;
- Reduce duplication and the length of the document by removing the 'tracked change' history.

The report was considered by the Business Support Overview and Scrutiny Committee on 25 October 2018 and its comments and recommendations, which included a proposed addition to the Corporate Risk Register in relation to cybersecurity, were set out in Section 4 of the report.

**Decision number:**

**Decision:**

**The Cabinet noted the comments and recommendations of the Business Support Overview and Scrutiny Committee, as set out in section 4 of the report.**

**141/2018**

**The Cabinet agreed that the risk of cybersecurity be added to the Corporate Risk Register.**

**142/2018**

**The Cabinet approved the amendments to the Risk Management Strategy as detailed in section 3.1 of the report**

**143/2018**

**The Cabinet approved the amendments to the Corporate Risk Register as detailed in section 3.2 of the report.**

**Reasons:**

The establishment of a corporate framework for risk management is recommended by CIPFA and SOLACE and will complement and support the work already being carried out within each directorate to manage risks.

## **Provisional Funding Formula for Mainstream Schools and Academies 2019/20**

**Background:**

This report advised the Cabinet that officers had formulated and consulted upon the 2019-20 schools and academies draft funding arrangements and set out the recommended changes to Medway's mainstream schools and academies funding formula. The consultation had included the development of two funding formula options which had been presented to the Schools Forum, as set out in section 3 of the report.

## Cabinet, 20 November 2018

The Cabinet noted that during the consultation the Schools Forum had provisionally agreed to the implementation of funding formula option two (to implement a revised Local Funding Formula (LFF) for 2019/20 that adjusts 10 of the unit costs attached to six funding factors used in the LFF, which is moving towards the National Funding Formula).

It was noted that the Cabinet would receive a further report on 5 February 2019 which would set out proposals for the final funding formula, which would be updated to reflect the 2018 school census data.

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

**144/2018      The Cabinet instructed officers to implement the 2019/20 provisional funding formula and to note that the Schools Forum will recommend approval of the final funding formula to Cabinet on 5 February 2019.**

### **Reasons:**

The local authority is required to implement the funding formula changes from 2019/20 in accordance with the regulations and to inform the Education Skills Funding Agency.

### **Referral from Business Support Overview and Scrutiny Committee: The Potential Impact of Brexit**

#### **Background:**

The report set out a referral from Business Support Overview and Scrutiny Committee held on 25 October 2018, following its consideration of a report concerning the potential impact of Brexit.

The report provided some information regarding the Brexit White Paper, published on 12 July 2018, which confirmed the UK's Brexit negotiating position with the EU and it explained that a series of technical notices had been published by the Government, setting out information to allow businesses and citizens to understand what they would need to do in the event of a 'no deal' scenario. The report also explained that the extent of preparatory work by local authorities was varied but general consensus was that the landscape was not sufficiently clear to make detailed plans and preparations.

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

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



## Cabinet, 20 November 2018

**145/2018      The Cabinet agreed to take no further action on this item.**

### **Reasons:**

The Business Support Overview and Scrutiny Committee has made this recommendation to Cabinet in accordance with its entitlement, under the Council's Constitution, to make recommendations to Cabinet arising from the outcome of the scrutiny process (Constitution – Articles of the Constitution - Chapter 2, Article 6, Paragraph 6.4). Cabinet is, therefore, required to consider its response.

### **Revenue Budget Monitoring 2018/19 - Quarter 2**

#### **Background:**

This report detailed the revenue budget forecasts as at the end of quarter 2 (September 2018). The report noted that, after management action, the forecast outturn for 2017/18 was a potential overspend of £3.856m, 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:**

**146/2018      The Cabinet noted the result of the second quarter of revenue monitoring for 2018/19 and instructed officers to identify further management action to ensure a break even position is achieved by year end.**

### **Reasons:**

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

### **Capital Budget Monitoring 2018/19 - Quarter 2**

#### **Background:**

This report presented the capital monitoring information for the second quarter of the financial year, including outturn forecasts and reference to any new schemes. The approved capital programme for 2018/19, and future years, was £227.773m.

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

## Cabinet, 20 November 2018

**Decision number:**

**Decision:**

The Cabinet noted the spending forecasts summarised at Table 1 of the report.

**147/2018**

The Cabinet recommended to Full Council that the following sums be added to the Capital Programme:

- a) The sum of £299,000 be added in respect of the Children and Adults Mobile Working as set out in paragraph 3.3 of the report.
- b) The sum of £33,000 be added in respect of the Medway Adult Education's Management Information System as set out in paragraph 4.5 of the report.
- c) The sum of £11,000 to form a new scheme with a total value of £34,000 in respect of the Shared Licensing Service, as set out in paragraph 4.6 of the report.

**148/2018**

The Cabinet recommended to Full Council to add a sum of up to £25,000 to the capital programme in respect of a capital grant to RVS as set out in paragraph 4.7 of the report.

**149/2018**

The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to determine the final amount of the capital grant to RVS (up to £25,000) on review of the final business case.

**Reasons:**

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

### **Council Plan Performance Monitoring Report Quarter 2 2018/19**

**Background:**

This report summarised the performance of the Council's Measures of Success for July-September (quarter 2) 2018/19 as set out in the Council Plan.

The report and accompanying appendix included progress reports on performance in quarter 2 2017/18 against the Council's three priorities and the 43 measures of success used to track performance. However, this report only included information on 38 measures of success as 1 of these was data only, and for 4 measures, the data was not expected until later in the year. Of the 38 measures of success, 66% had met or exceeded the target, 13% had performed slightly below the target and 21% were significantly below target.

## Cabinet, 20 November 2018

It was noted that the report would be considered by the Overview and Scrutiny Committees between December and January.

Cabinet Members highlighted a number of successes within their portfolios.

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

**The Cabinet noted the quarter 2 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.

### **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 April – 30 September 2018) and its plans for future growth and development.

In particular, the report stated that MCG exceeded its budgeted return to the Council in 2017/18 by approximately £43,000 and for the current financial year, MCG would meet the budgeted income contributions to the Council, therefore it would exceed its agreed accumulated savings for the current and previous financial years.

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

**The Cabinet noted the achievements, current business operations and performance of Medway Commercial Group Limited (MCG) as detailed in the report.**

**Reasons:**

When Cabinet agreed to establish the LATCo it was also agreed that regular monitoring reports would be provided to Cabinet.

## **Cabinet, 20 November 2018**

### **Recruitment Freeze**

#### **Background:**

This report presented information on vacancies that officers had requested approval to commence recruitment for, following progress 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:**

**150/2018**

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

#### **Children and Adults:**

- a) Placement Officer**
- b) Performance and Intelligence Analyst**
- c) Performance and Intelligence Graduate**
- d) Practice Support Officer – Children’s Admin Support Service x2**
- e) Leaving Care Personal Advisor**
- f) Admin Support Officer x2**

#### **Business Support Department:**

- g) Legal Support Assistant – Children**
- h) Paralegal – Children x2**

#### **Regeneration, Culture, Environment and Transformation:**

- i) Catering Assistant – Innovation Centre Medway**
- j) Receptionist – Innovation Centre Medway**

#### **Reasons:**

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

**Cabinet, 20 November 2018**

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

.....  
**Date**

**Teri Reynolds, Democratic Services Officers**

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## Record of Cabinet decisions

**Tuesday, 18 December 2018**

**3.00pm to 4.32pm**

**Date of publication: 19 December 2018**

**Subject to call-in these decisions will be effective from 2 January 2019  
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  
Wayne Hemingway, Principal 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 People - 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 (Front Line Services).

## **Cabinet, 18 December 2018**

### **Record of decisions**

The record of the meeting held on 20 November 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 (OSIs)

Councillor Doe declared an OSI in agenda item 8 (Additions to the Revenue Budget and Capital Programme) because he is a Director of Medway Commercial Group Ltd and he relied on a dispensation agreed by the Monitoring Officer under section 6.17 of Part 4 – Employee Delegation Scheme of the Council’s Constitution, to enable him to take part in the discussion and vote on this item.

Councillor Mackness declared an OSI in agenda item 8 (Additions to the Revenue Budget and Capital Programme) because he is the Chairman of Medway Commercial Group Ltd and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

Councillor Turpin declared an OSI in agenda item 13 (Medway Norse Update) because he is the Chairman of Medway Norse Ltd and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

#### Other interests

Councillor Potter referred to agenda item 10 (Land at Curtis Way, Rochester – Proposed Use for a Coach Park) and stated that, as a member of the Planning Committee, he would not take part in the discussion and vote on this item because the proposal was also subject to a planning application, as detailed in paragraph 5.4 of the report. He left the meeting during consideration of this item.

### **Kent and Medway Hyper Acute and Acute Stroke Services Review**

#### **Background:**

The Cabinet accepted this as an urgent item given that the final decision on the future configuration of Hyper Acute Stroke Services for Kent and Medway was originally scheduled to be made on 10 January 2019, which would have been before the next Cabinet meeting. Consideration and approval of this report would enable the Council to apply for a Judicial Review, if necessary, at the earliest opportunity.

This report provided details of the NHS in Kent and Medway’s proposals to establish three Hyper Acute Stroke Units (HASUs), the aim of which was to reorganise



## Cabinet, 18 December 2018

services so that specialist stroke staff could more consistently deliver high quality care around the clock, and in so doing reduce deaths and long-term disability from stroke for local people. The report stated that on 17 September 2018, the NHS in Kent and Medway published its preferred option for the three new units, with units in William Harvey Hospital (Ashford), Maidstone Hospital and Darent Valley Hospital.

The report provided details of the Council's position on the preferred options, specifically it was concerned that the decision on the preferred option was not in the best interests of the health service in Kent and Medway and it was concerned how the Joint Committee of Clinical Commissioning Groups (JCCCGs) were led to make the decision.

Therefore, the report provided details of how the Council could challenge the decision, as set out in section 6 of the report.

The report stated that the matter had been discussed in a number of meetings including the Joint Health Scrutiny Committee (comprising representatives from the four affected local authority areas – Kent, Medway, East Sussex and Bexley) on 14 December 2018 and the Kent and Medway Joint Health and Wellbeing Board, also on 14 December 2018.

It was noted that the Joint Committee of Clinical Commissioning Groups was originally due to make the final decision on the future configuration of Hyper Acute Stroke Services for Kent and Medway on 10 January 2019 although this had now been put back to the end of January 2019.

***Decision number:***

***Decision:***

**151/2018**

**The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and the Portfolio Holder for Adults' Services, to apply for a Judicial Review of any decision by the Joint Committee of Clinical Commissioning Groups which excludes Medway Hospital as a site for a Kent and Medway Hyper Acute Stroke Unit.**

**Reasons:**

The Council on 11 October 2018 formally resolved to oppose any proposal which would not see Medway Maritime Hospital become a Hyper Acute Stroke Unit.

### **Local Plan Update Report**

**Background:**

This report provided details of an update on the preparation of the new Medway Local Plan that would set the ambitions and framework for the area's growth up to 2035.

## Cabinet, 18 December 2018

The report provided details of the timetable for submitting the plan for independent examination, and key issues relating to the housing target for the plan, the relationship with the Housing Infrastructure Fund bid and the emerging strategy for Medway's growth. It also provided details of work on the evidence base for the plan.

The report stated that the Council was updating its Statement of Community Involvement, to respond to new legal requirements. This was a statutory document that would set out how the Planning Service would consult and engage on planning policy and development management matters. A Diversity Impact Assessment had been undertaken on these proposals, as set out in Appendix 7 to the report.

The report also provided details of the proposal for the confirmation of the designation of a Neighbourhood Area covering the parish of Hoo St Werburgh for the purpose of preparing a Neighbourhood Plan.

Appendices 1-9 to the report were set out in Supplementary Agenda No.1.

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

- |                 |   |
|-----------------|---|
| <b>152/2018</b> | <b>The Cabinet approved an updated Local Development Scheme as set out in Appendix 1 to the report.</b>   |
| <b>153/2018</b> | <b>The Cabinet approved the publication of the draft Medway Statement of Community Involvement as set out in Appendix 6 to the report for the purpose of consultation.</b>  |
| <b>154/2018</b> | <b>The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, to approve the adoption of the Statement of Community Involvement, including any changes made following consideration of comments made during the consultation.</b> |

**The Cabinet noted the publication of a number of evidence base documents supporting the preparation of the Local Plan as follows:**

- i) Medway 2035 Regeneration Strategy as set out in Appendix 2 to the report;**
- ii) Medway Gypsy and Traveller Accommodation Assessment, 2018 as set out in Appendix 3 to the report;**
- iii) Medway Green Belt Assessment as set out in Appendix 4 to the report;**
- iv) Draft Medway Heritage Strategy as set out in**

**Appendix 5 to the report.**

**155/2018**      **The Cabinet approved the designation of a Neighbourhood Area for the parish of Hoo St Werburgh for the purpose of preparing a Neighbourhood Plan, as defined on the plan as set out in Appendix 8 to the report.**

**Reasons:**

To progress the preparation of the new Medway Local Plan.

**Advertising and Sponsorship Policy**

**Background:**

This report provided details of a draft policy on the carrying out of sponsorship and advertising activities by the Council, which would cover the Council as an advertiser or sponsor and the Council as an owner of an advertising platform or sponsorship opportunity which an external individual, group or organisation may wish to take up.

At the July 2018 meeting of the Business Support Overview and Scrutiny Committee, Members considered a Member's Item regarding the sponsorship agreement between the Council and Gillingham Football Club and asked for a report to be submitted to its November 2018 meeting detailing a draft corporate sponsorship protocol. The draft Policy was subsequently considered by the Business Support Overview and Scrutiny Committee on 29 November 2018 and its comments were set out in section 7 of the report.

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

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

**The Cabinet noted the comments and recommendations of the Business Support Overview and Scrutiny Committee as set out in section 7 of the report.**

**156/2018**      **The Cabinet approved the Advertising and Sponsorship Policy, as set out in Appendix 1 to the report.**

**Reasons:**

Introducing an advertising and sponsorship policy will allow the Council to take a consistent and corporate approach to undertaking these growing opportunities with established standards. It will provide a clear framework and control measures, ensure the Council complies with legislation, industry codes and other council policies and secures best value for money in all that the Council does.

## **School Admission Arrangements 2020**

### **Background:**

This report provided details of the outcome of the consultation on the coordinated admission schemes and arrangements for primary and secondary schools for September 2020.

The proposed changes to primary admissions were set out in paragraph 3 of the report. There were no proposed changes to secondary admissions. The Council had received one response to the consultation. This representation agreed with the proposals.

The Children and Young People Overview and Scrutiny Committee considered this report on 4 December 2018 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment had been undertaken on the proposals as set out in Appendix 3 to the report.

### **Decision number:**

### **Decision:**

**The Cabinet noted the outcome of the consultation process as set out in section 6 to the report and the comments of the Children and Young People Overview and Scrutiny Committee, as set out in Section 7 to the report.**

**157/2018      The Cabinet approved the proposed 2020 admissions arrangements and schemes set out in Appendices 1 and 2 to the report.**

### **Reasons:**

The Council is required to undertake a detailed consultation exercise prior to the determination of its school admission arrangements and schemes.

## **Additions to the Revenue Budget and Capital Programme**

### **Background:**

The Cabinet accepted this as an urgent item to enable it to consider the proposed additions to the Capital Programme at the earliest opportunity.

This report provided details of five new schemes proposed to be added to the Capital Programme and an additional sum to be added to the revenue budget in respect of the Housing Infrastructure Fund bid.

The report contained details, including a risk analysis, for each scheme.

## Cabinet, 18 December 2018

**Decision  
number:**

**Decision:**

**158/2018**

The Cabinet agreed to recommend to Full Council on 24 January 2019 the addition of the following sums to the Capital Programme:

- i) The sum of £24.7million be added in respect of the Independent ASD Special School at the Cornwallis Site as set out in paragraph 3.1 of the report.
- ii) The sum of £1.128million be added in respect of the Local Transport Capital Funding Allocation for 2018/19 as set out in paragraph 4.1 of the report
- iii) The sum of £505,393 be added in respect of the Market Hall Multi-storey Car Park infrastructure works as set out in section 5 of the report.
- iv) The sum of £50,000 be added in respect of the Family Hubs and Wellbeing Centre as set out in paragraph 6.1 of the report.
- v) The sum of £80,000 be added in respect of CCTV Hardware as set out in paragraph 7.1 of the report.

**159/2018**

The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to release the funding for the Independent ASD Special School at the Cornwallis Site, subject to receipt and satisfactory review of a full business case.

**160/2018**

The Cabinet agreed to recommend to Full Council on 24 January 2019 the addition of the sum of £445,000 to the Council's Revenue Budget in respect of the Housing Infrastructure Fund Bid – Phase 2 as set out in section 8 of the report.

**Reasons:**

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

**Council Tax Reduction Scheme**

**Background:**

This report provided details of the Council Tax Reduction Scheme (CTRS) 2019/2020 for Cabinet's consideration ahead of final consideration and approval by Full Council on 24 January 2018. The report stated that other than the annual

## Cabinet, 18 December 2018

uprating (relating to the allowances to which claimants were entitled to), there were no proposed changes to the CTRS for 2019/2020.

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

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

**161/2018**      **The Cabinet agreed to recommend the current Council Tax Reduction Scheme (which will therefore be subject to annual uprating) to Council for adoption on 24 January 2019.**

### **Reasons:**

The scheme continues to balance the need for supporting those currently in receipt of CTRS and the ability of the Council to fund the scheme within the current budgetary constraints.

The Council's Council Tax Discretionary Relief scheme provides additional support in the case of hardship.

### **Land at Curtis Way, Rochester - Proposed Use for a Coach Park**

#### **Background:**

This report provided details of a proposal to appropriate an area of land at Curtis Way, Rochester for the purposes of relocating the coach park from its existing location within the Rochester Riverside development area.

The report stated that as the site was currently being used as informal open space, it would be necessary to appropriate the land before using it as a coach park. To achieve this, the Council would have to advertise the proposed appropriation of the land in the local press in accordance with section 122 (2A) of the Local Government Act 1972 and to consider any objections before proceeding with the appropriation.

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

**162/2018**      **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources, to:**

- i) Advertise the proposed appropriation of an area of land at Curtis Way, Rochester, within the site edged black on the plan set out in Appendix 1 to the report, for use as a Coach Park.**

- ii) Consider any objections to the proposal and determine whether or not to appropriate the land at Curtis Way, Rochester, within the site edged black on the plan set out in Appendix 1 to the report, so that the land can be used for a Coach Park, subject to planning permission being obtained for this purpose.**

**Reasons:**

The appropriation of the land will allow the Council to relocate the existing coach park within Rochester Riverside development area and meet Planning condition 15 of planning consent MC/17/2333 Rochester Riverside.

**Joint Targeted Area Inspection**

**Background:**

This report provided details of the key findings from the Joint Targeted Area Inspection (JTAI) and how partners, namely the Council, NHS Medway CCG, Kent Police, Kent Fire and Rescue Service, Kent, Surrey and Sussex Community Rehabilitation Company, National Probation Service (South East and Eastern) and Medway Local Safeguarding Children Board had responded to the report. The JTAI assessed how effectively agencies were working together in their local area to help and protect children.

The report stated that the inspection had taken place shortly after the Multi-Agency Safeguarding Hub (MASH) which had been established to ensure that key partner agencies would be able to work even closer together to make sure vulnerable children and young people would receive the right support at the right time.

The report stated that the inspection had highlighted key strengths of the partnership as well as areas for improvement and that a written statement of action and a response action plan had been produced in response to the inspection, as set out in Appendices 2 to 3 to the report.

The Children and Young People Overview and Scrutiny Committee considered this report on 4 December 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 in section 6 of the report.**

**The Cabinet noted this report on the Joint Targeted Area Inspection, the action undertaken so far in Medway in relation to the findings of the inspection and the next steps for Medway Council and partners as set out in section 4 of the report.**

**Reasons:**

To formally notify the Cabinet of the outcome of the inspection together with the Council's Action Plan in response to the inspection's findings.

**Local Plan: Authority Monitoring Report**

**Background:**

This report provided details of the annual Authority Monitoring Report (AMR) and included an assessment of development trends and wider social, economic and environmental indicators, together with progress on the preparation of a new Medway Local Plan.

The report provided highlights of the AMR, as set out in section 4 of the report. Further details were set out in the appendices to the report, namely Volume 1: Medway Authority Monitoring Report 2018 which was set out in Appendix 1 to the report and Volume 3: Medway Local Aggregate Assessment 2017 was set out in Appendix 2 to the report. These appendices were set out in Appendices 1-2 to the report.

**Decision number:**

**Decision:**

**163/2018**

**The Cabinet approved the 2018 Authority Monitoring Report for publication.**

**Reasons:**

To comply with the duty to compile and publish a planning monitoring report.

**Medway Norse Update**

**Background:**

This report provided details of a review of the performance of the Medway Norse Joint Venture from the perspective of the Council client for the first six months of the 2018/19 financial year. The report was accompanied by an update on the Joint Venture's achievements and financial performance, prepared by the Partnership Director, as set out in Appendix 1 to the report.

The report provided details of a review of performance for the facilities core contract, greenspaces, transport and waste and street cleansing.



## Cabinet, 18 December 2018

The Medway Nurse Update Report, as set out in Appendix 1 to the report, provided details of the ongoing service developments, improvements, efficiencies and projects, operational and financial performance as well as confirmation of health and safety, quality and environmental systems to maintain statutory compliance.

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

**The Cabinet noted the contents of this report and its appendix.**

### Reasons:

When the Cabinet agreed to establish the joint venture company it was also agreed that regular monitoring reports would be provided to Cabinet.

### 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:**

**164/2018      The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report.**

### Children and Adults

- a) Partnership Commissioning Programme Lead – Residential and Nursing Care**
- b) Partnership Commissioning Programme Lead – Home Care**
- c) Data Quality and Claims Monitoring Officers x 2.**

### Reasons:

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

**Gateway 3 Contract Award: Medway Integrated Domestic Abuse Service**

**Background:**

This report provided details of the tender and evaluation process for the provision of an Integrated Domestic Abuse Service.

The report had been considered by the Procurement Board on 6 November 2018, details of which were set out in section 5 of the report.

The Council's decision to award this contract would be subject to observing the procurement standstill period of a minimum of 10 days in accordance with the requirements of the Public Contracts Regulations 2015. The Council would be unable to enter into the contract before the end of the standstill period.

**Decision number:**

**165/2018**      **The Cabinet approved the award of contract to Choices for the provision of the Medway Integrated Domestic Abuse Service for a period of 3 years with an option to continue for a further 2 years unless terminated in accordance with the Conditions of Contract.**

**Reasons:**

Tenders have been evaluated and moderated, and the successful bidder has submitted the most economically advantageous tender.

Additionally, representatives of the contracting authorities are confident that the integrated service model proposed by the successful provider is well structured to meet the outcomes of the service through a whole family approach. The preventative strategies and programs of the provider's model is expected to facilitate a reduction in the number of incidences of domestic abuse over the life of the contract.

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

.....  
**Date**

**Wayne Hemingway/Jade Milnes, Democratic Services Officers**  
Telephone: 01634 332509/332008  
Email: democratic.services@medway.gov.uk

## **Record of Cabinet decisions**

**Tuesday, 15 January 2019**

**3.00pm to 3.58pm**

**Date of publication: 16 January 2019**

**Subject to call-in these decisions will be effective from 24 January 2019  
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>	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 People - Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

### **Apologies for absence**

There were none.

## Cabinet, 15 January 2019

### Record of decisions

The record of the meeting held on 18 December 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 (OSIs)

Councillor Turpin declared an OSI in agenda item 11 (Gateway 5 Report: Annual Review of Waste Contracts Contract Year: September 2017 to September 2018) because he is the Chairman of Medway Norse Ltd and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

#### Other interests

There were none.

### Statutory Proposals to Make Prescribed Alterations to Merge Luton Infant and Luton Junior Schools

#### **Background:**

This report set out details of the Council's proposals to amalgamate Luton Infant and Junior Schools by way of statutory prescribed alterations, including: changing the lower age range at Luton Junior School from 7 to 3 years old; enlarging the premises at Luton Junior School; and closing Luton Infant School. The impacts associated with the proposed changes were described in section 4 of the report.

The report explained that subject to the outcome of the period of statutory representation, it was proposed that the changes would be implemented on 1 September 2019, when the school would become known as Luton Primary School and Nursery.

The report stated that a four week informal consultation period would be held before the formal statutory representation process. The comments received at the informal stage would be used to develop the proposals into the statutory representation period. Full details of the consultation process were set out at section 7 of the report. It was noted that both Chairs of Governors were supportive of more collaboration and partnership between the two schools.

The report stated that a Diversity Impact Assessment (DIA) would be completed after the informal consultation and would accompany the outcomes of consultation report.

## Cabinet, 15 January 2019

**Decision  
number:**

**Decision:**

**1/2019**

**The Cabinet agreed to instruct the Director of People – Children and Adults Services to commence the period of informal consultation for the proposed changes to Luton Infant and Luton Junior Schools, as set out in paragraph 3.1 of the report.**

### **Reasons:**

Approval to proceed to a period of informal consultation would ensure the Council complies with its duty to follow the prescribed consultation process when proposing changes to schools.

### **Statutory Proposals to Make Prescribed Alterations at Greenvale Infant School**

#### **Background:**

This report outlined details of a proposal to change Greenvale Infant School from an infant school to a primary school. This would be formally implemented through the statutory prescribed alteration to extend the upper age range at the school from 7 to 11. The impacts associated with the proposed changes were described in section 4 of the report.

With regards to the consultation process, as set out at section 6 of the report, it was explained that in most cases where changes were proposed at Local Authority maintained schools, there would need to be an initial non-statutory period of informal consultation. However, in this instance, it was proposed that this stage was not undertaken, owing to the limited solutions available to address the changes agreed by the Regional Schools Commissioner at the Phoenix Junior Academy.

It was noted that a number of stakeholders had already been consulted with and the proposals were supported by: the School and its governing body; Medway's School Improvement Team; the Director of People – Children and Adults Services; Medway Council's Head of Education; the Portfolio Holders for Children's Services (Lead Member) and for Educational Attainment and Improvement; and the Fort Pitt Thomas Aveling Trust. No objecting views had been expressed so far.

The report explained that an admissions consultation would also be required to amend the Published Admission Number (PAN) of Greenvale Infant School.

The report noted that a Diversity Impact Assessment (DIA) would be presented with the Outcomes of the Statutory Representation report which would come before the Cabinet if there were objections to the formal proposals, or to the delegated determination if no objections were received.

## Cabinet, 15 January 2019

**Decision  
number:**

**Decision:**

**2/2019**

The Cabinet agreed to instruct the Director of People - Children and Adults Services, to commence the statutory process required to make the prescribed alterations at Greenvale Infant School from the Statutory Representation stage, as set out in paragraph 3.1 of the report, bypassing the informal consultation element.

**3/2019**

The Cabinet agreed to delegate authority to the Director of People - Children and Adults Services, in consultation with Portfolio Holders for Children's Services (Lead Member) and Educational Attainment and Improvement, to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then the Cabinet noted that a report will be prepared and presented to the Cabinet for determination.

**Reasons:**

Approving the commencement of the statutory process will ensure that the Council meets its duty to follow the appropriate consultation processes when making changes to maintained schools.

### **Statutory Proposals to Make Prescribed Alterations at St Nicholas Church of England Infant School**

**Background:**

This report outlined details of a proposal to change St Nicholas CE Infant School from an infant school to a primary school. This would be formally implemented through statutory prescribed alterations including a change of age range to extend the upper age range at the school from 7 to 11 and an enlargement of premises to ensure that sufficient physical capacity would be available for the school when full with a 210 pupil capacity. The impacts associated with the proposed changes were described in section 4 of the report.

The report explained that the consultation process would need to follow the prescribed route, as set out in section 6 of the report. Some stakeholders had already been consulted with, and the proposals were supported by the following: the School and its governing body; Medway's School Improvement Team; the Director of People - Children and Adults services; Medway Council's Head of Education; the Portfolio Holders for Children's Services (Lead Member) and for Educational Attainment and Improvement; the Rochester Diocesan Board of Education; and The Thinking Schools Academy Trust (TSAT). No objecting views had been expressed so far.

## Cabinet, 15 January 2019

It was noted that an admissions consultation would also be required to amend the Published Admission Number (PAN) of St Nicholas CE Infant School. In addition, a separate consultation regarding the project to expand the premises at St Nicholas CE Infant School would be undertaken as part of the planning process.

The report noted that a Diversity Impact Assessment (DIA) would be presented with the Outcomes of Consultation report which would come before the Cabinet following the informal consultation period.

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

**4/2019**      **The Cabinet agreed to instruct the Director of People – Children and Adults Services to commence the period of informal consultation for the proposed changes at St Nicholas CE Infant School, as detailed in section 3 of the report.**

### **Reasons:**

Approving the commencement of the statutory process will ensure that the Council meets its duty to follow the appropriate consultation processes when making changes to maintained schools.

### **Task Group Report: The Impact of Social Isolation in Medway**

#### **Background:**

This report presented the Task Group report titled 'The Impact of Social Isolation in Medway' which was set out at Appendix A to the report. 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 Health and Adult Social Care Overview and Scrutiny Committee considered the report at its meeting held on 13 December 2018 and its comments were set in section 7 of the report.

A Diversity Impact Assessment had been undertaken. This was included as Appendix 2 to the Task Group report.

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

**5/2019**      **The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee set out at section 7 to the report.**

**5/2019**      **The Cabinet agreed the recommendations made by the Social Isolation Task Group, as set out in Appendix A to the report.**

## Cabinet, 15 January 2019

### Reasons:

The recommendations, as agreed by the Task Group, aim to help further address social isolation and loneliness in Medway and to strengthen partnership working.

### Provisional Local Government Settlement 2019/20

#### Background:

This report provided details of the provisional local government settlement announced by the Secretary of State on 13 December 2018 together with the impact on the Council's proposed budget for 2019/20 as underpinned by the Core Spending Power calculation, as set out in table 1 to the report.

It was noted that a number of funding announcements had been made which could have significant implications for setting the 2019/20 revenue budget. These were set out at section 3 of the report and included additional government funding for Social Care and to support children with Special Educational Needs.

The report advised that because Kent and Medway Authorities had not been included in the Business Rates Retention pilots for next year, Medway would have to return to the 50% scheme and revert from being a 'tariff' Authority, back to receiving a 'top up' grant. It was explained that in addition to the amounts shown in Table 1 of the report, Medway would receive a one-off allocation of £727,831 which would be funded from the Government's surplus on the Business Rates Retention levy/safety net account.

The report also stated that the Council Tax referendum limit remained at 3% and Medway's Draft Budget assumed that Council Tax would be increased in line with this. The updated tax base underpinning the preparation of the budget was currently being calculated and, in accordance with the Employee Scheme of Delegation, set out within the Council's Constitution, would be signed off by the Chief Finance Officer, in consultation with the Leader, at the end of January 2019.

The report also provided details of the impact on other grants, set out at sections 6 to 10 of the report.

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

**The Cabinet noted the implications of the provisional settlement in formulating its 2019/20 budget proposals.**

### Reasons:

These provisional levels of grant are a fundamental component of the 2019/20 budget, and their announcement is a further stage in the process of preparing a balanced budget.



## **Sufficiency Report 2018**

### **Background:**

This report provided details of the annual refresh of the statutory Sufficiency Report. This detailed how the Council, through working with all its partner agencies, would meet the placement needs of current and future Children in Care and Care Leavers and improve their outcomes in light of the Council's understanding of their needs and current provision.

The report explained that over the last year there had been a 10% rise in numbers of new children coming in to care. The majority of this activity was from the 10-15 year old age group. There had also been an increase in the length of stay in care: 26% of children in care had been in care for five years or more, compared to 19% three years ago. This meant that there had been an overall 8% increase in the number of children in care in Medway since September 2017.

The Children and Young People Overview and Scrutiny Committee considered this report on 10 January 2019. The comments of this Committee were set out in an addendum report.

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

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

**The Cabinet noted the 2018 Sufficiency Report as set out in Appendix 1 of the report.**

### **Reasons:**

Publication of the updated Sufficiency Report will enable the Council to fulfil its statutory requirement to take steps to secure, so far as is reasonably practicable, sufficient accommodation for Children in Care within the local area and will enable Medway to act strategically to address gaps in provision.

## **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 and the addendum report which was tabled at the meeting.

## Cabinet, 15 January 2019

**Decision  
number:**

**Decision:**

**6/2019**

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

**Business Support Department**

**a) Audit and Counter Fraud Officer**

**Regeneration, Culture, Environment and Transformation**

**b) Employment Support Manager**

**c) Enterprise Coordinator**

**Reasons:**

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

**Gateway 5 Report: Annual Review of Waste Contracts Contract Year: October 2017 to September 2018**

**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 Medway Norse (management of the three Household Waste Recycling Centres).

The annual reports from Veolia Environmental Services and Medway Norse were set out at Appendices 1 and 2 to the report respectively.

The Procurement Board considered this report on 19 December 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 Reports set out at Appendices 1 and 2 to the report.**

**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.

**Cabinet, 15 January 2019**

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

.....  
**Date**

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