

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**

Present:	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
In Attendance:	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:**

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:

Decision:

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

Jade Milnes, Democratic Services Officers

Telephone: 01634 332008

Email: democratic.services@medway.gov.uk

This page is intentionally left blank