

Record of Cabinet decisions

Tuesday, 5 March 2019

3.00pm to 4.28pm

Date of publication: 6 March 2019

**Subject to call-in these decisions will be effective from 14 March 2019
The record of decisions is subject to approval at the next meeting of the Cabinet**

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|-----------------|--|--|
| Present: | Councillor Alan Jarrett | Leader of the Council |
| | 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: | 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 | |
| | Phil Watts, Chief Finance Officer | |
| | James Williams, Director of Public Health | |

Apologies for absence

An apology for absence was received from Councillor Howard Doe (Deputy Leader and Portfolio Holder for Housing and Community Services).

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Record of decisions

The record of the meeting held on 12 February 2019 was agreed 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)

There were none.

Other interests

There were none.

Innovation Park Medway Masterplan - Request to Adopt

Background:

This report provided details of the Innovation Park Medway Masterplan which outlined a scheme to deliver a high quality innovation park, with flexible plots to encourage a wide range of high-value technology, engineering, manufacturing and knowledge-intensive businesses. The site covered an area of land currently in use by Rochester Airport Ltd. The Masterplan also covered land leased to BAE, and Woolmans Wood Caravan Site which was privately owned. A small part of the BAE-owned site was also included.

The report stated that, if adopted, the preferred option for taking forward the Masterplan would be a Local Development Order (LDO). This would allow plots to come forward with speed and ease for developers and/or businesses. A separate report was elsewhere on the Agenda to seek permission to publicly consult on the Local Development Order, with a view to adopting this in July 2019.

The report provided details of the outcome of consultation in section 6 of the report. Consultation took place between September – October 2018 and a total of 42 responses were received. In addition, the report stated that discussions with Highways England were ongoing and confirmation that they were content with the Masterplan was still awaited.

The report also stated that given the site crossed the boundary with Tonbridge and Malling Borough Council, the Masterplan must be adopted by both Medway Council and Tonbridge and Malling Borough Council.

A Diversity Impact Assessment had been undertaken on the project and was attached at Appendix B to the report.

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

**Decision
number:**

Decision:

- 37/2019** **The Cabinet approved the adoption of the Innovation Park Medway masterplan (2019) as a Supplementary Planning Document (SPD), as set out in Appendix A to the report, subject to Highways England confirming they are content with the masterplan.**
- 38/2019** **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation, to:**
- (i) address any minor issues raised by Highways England; and**
 - (ii) approve minor changes to the Innovation Park Medway Masterplan (2019) document prior to publication for the purpose of presentation or improving clarity.**

Reasons:

Adoption of the Masterplan as a Supplementary Planning Document formally sets a standard through planning policy for high quality development to come forward at Innovation Park Medway.

Innovation Park Medway Local Development Order - Request to Consult

Background:

This report provided details of the draft Innovation Park Medway Local Development Order (LDO), for the purposes of consultation, which built upon the Innovation Park Medway Masterplan to set principles for development to allow developers and businesses to bring forward high quality development in the high-value technology, engineering, manufacturing and knowledge-intensive sectors. The site covered an area of land currently in use by Rochester Airport Ltd. The Masterplan also covered land leased to BAE, and Woolmans Wood Caravan Site which was privately owned. A small part of the BAE-owned site was also included.

The report stated that an LDO would allow plots to come forward with speed and ease for developers and/or businesses. An LDO would also provide clarity and certainty for the potential occupants with regard to the expected quality of development. A Design Code, set out at Appendix 4 to Appendix A to the report,

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supported the LDO by setting the key principles to which development on the site must adhere.

The report stated that an Environmental Statement would be produced in accordance with Environmental Impact Assessment (EIA) requirements and that delegated authority was sought to finalise and approve the statement.

The report stated that consultation on the draft LDO would take place for a period of 30 days. The report also stated that given the site crossed the boundary with Tonbridge and Malling Borough Council, a separate LDO must be adopted by each Council. Each LDO would be similar in terms of ambitions and permitted development through the LDO, supported by a consistent design code and associated documents, but must be adopted by both Medway Council and Tonbridge and Malling Borough Council separately.

Appendix A to the report was set out in Supplementary Agenda No.1.

Decision number: ***Decision:***

- 39/2019** **The Cabinet approved consultation on the draft Local Development Order (LDO) as set out in Appendix A to the report and in line with sections 3 and 6 of the report.**
- 40/2019** **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation to finalise and approve the Environmental Statement prior to public consultation, as set out in paragraph 2.6 of the report, in the interest of satisfying Environmental Impact Assessment requirements.**
- 41/2019** **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation to approve any necessary minor amendments to the draft LDO prior to public consultation for the purposes of presentation and improving clarity.**

Reasons:

Public consultation on the LDO is necessary in order to adopt the LDO, allowing high quality development to come forward at Innovation Park Medway.

Skills and Employability Plan for Medway

Background:

This report provided details of the Skills and Employability Plan for Medway, which would set out the Council's vision for skills and employment. The Plan would also set out details of the current local skills picture and priority sectors. In particular, the Plan would set out four priorities:

- Matching Business Demand with Skills Supply;
- Developing Medway's Talent Pool;
- Establishing Routes to Employment;
- Transforming NEETs (Not in Education, Employment or Training) to EETs (Education, Employment or Training).

The report also stated that behind each priority was a suite of objectives with short, medium and long-term actions. There were a total of 18 objectives in the action plan.

The report provided details of the consultation which had shaped development of the Plan, as set out in section 6 of the report.

A Diversity Impact Assessment (DIA) had been undertaken and was set out in Appendix B to the report.

Decision number:

Decision:

42/2019 **The Cabinet approved the Skills and Employability Plan for Medway set out at Appendix A to the report.**

43/2019 **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 Inward Investment, Strategic Regeneration and Partnerships to approve minor changes to the Skills and Employability Plan prior to publication for the purpose of correcting minor data variances, presentation, and to improve clarity.**

Reasons:

Approving the Medway Skills and Employability Plan will create a one Council approach to skills and employment, unite stakeholders and partners for a more effective Medway and create a call for action for educators, trainers and employers.

Secondary Free School in Strood

Background:

This report provided details of the proposed acquisition of land for a secondary Free School in Strood to help meet rising demand, which sought approval for the Council to underwrite a third party overage held against the preferred land.

The report stated that Medway had been successful in acquiring provisional approval for four new schools including the Maritime Academy which would be operated by The Thinking Schools Academy Trust (TSAT). This school was intended to help meet the demand for secondary school places in the Strood area. The Department for Education would fund the land purchase as well as the capital investment in the school, removing that responsibility from the Council.

The report stated that the preferred site was the land to the West of Berwick Way and south of Frindsbury Hill, which was shared with the medieval barn. The report also stated that towards the end of negotiations an 'overage' provision had come to light which had not previously been disclosed. The report set out a number of options for consideration in terms of acquiring land in the Strood area for the Free School with the recommended option set out in paragraph 3.5 of the report, specifically that the Council be asked to underwrite the overage provision.

An exempt appendix provided details of the value of the overage, based on current land values.

Exempt appendix No.2 was tabled at the meeting and was set out in Supplementary Agenda No.3. This provided details of an indicative site plan for the proposed school.

Decision number:

Decision:

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| 44/2019 | The Cabinet approved the underwriting of the overage held against the Manor Barn land in Strood, as set out in the Exempt Appendix. |
| 45/2019 | The Cabinet agreed that the legal agreement is in a format agreed by the Chief Legal Officer, in consultation with the Leader and Portfolio Holders for Children's Services (Lead Member) and Resources. |

Reasons:

Approving the underwriting of the overage will enable the Department for Education (DFE) to agree a land acquisition with the owners of the Manor Barn site, and is a low risk high reward strategy which will provide a site for the construction of a secondary Free School, to help meet increasing demand in Medway, with all construction costs met by the DFE.

Council Plan Performance Monitoring Report Quarter 3 2018/19

Background:

This report summarised the performance of the Council's Measures of Success for July-September (quarter 3) 2018/19 as set out in the Council Plan.

The report and accompanying appendices included progress reports on performance in quarter 3 2018/19 against the Council's three priorities and the 43 measures of success used to track performance. However, this report only included information on 40 measures of success as one measure (Digital Take Up) was data only and two measures would not be available until later in the year. Of the 40 measures of success, 62.5% had met or exceeded the target, 10% had performed slightly below the target and 27.5% were significantly below target.

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

Cabinet Members highlighted a number of measures within their portfolios.

Decision number:

Decision:

The Cabinet noted the quarter 3 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.

ILACS Focused Visit Inspection

Background:

The Cabinet accepted this report as urgent to enable consideration of the matter at the earliest opportunity (the next scheduled Cabinet meeting was due to take place on 9 April 2019). The report was set out in Supplementary Agenda No.2.

This report provided details and key findings from Ofsted's Focused Visit which took place between 5 and 6 February 2019 on the Council's Children's Services Front Door and Local Authority Designated Officer (LADO). Ofsted had published the key findings from the Ofsted Focused Visit on 28 February 2019, which was set out at Appendix 1 to the report.

The report stated that the leadership team had secured marked improvements in the Local Authority's response to contacts and referrals since the Joint Targeted Area Inspection in June 2018, details of which were highlighted in section 3 of the report.

Decision number: **Decision:**

The Cabinet noted this report on the ILACS Focused Visit, the progress and achievements made and the next steps for Medway Council.

Reasons:

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

Recruitment Freeze

Background:

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

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

Decision number: **Decision:**

46/2019 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:

Business Support Department

- a) Lawyer – Child Care x 5 (2 maternity cover until November 2019)
- b) Lawyer – SEN
- c) Lawyer – Adult
- d) Part Time Lawyer – Child Care
- e) Solicitor Advocate x 2
- f) Paralegal x 2
- g) Lawyer – Place Team x 3
- h) Finance Assistant

Children and Adults

- i) Leaving Care Personal Advisor – Permanent
- j) Leaving Care Personal Advisor – Temp
- k) Quality Assurance Admin Support

Regeneration, Culture, Environment and Transformation

- l) Graduate Trainee – Economic Development
- m) Employment Support Manager

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Reasons:

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

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Leader of the Council

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Date

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