

COUNCIL

25 APRIL 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 24 January 2019.

He will include:

- Value for money
- Education
- Regeneration
- Decisions made by the Cabinet on 5 February 2019, 12 February 2019, 5 March 2019 and 9 April 2019.

Record of Cabinet decisions

Tuesday, 5 February 2019

3.00pm to 5.10pm

Date of publication: 6 February 2019

**Subject to call-in these decisions will be effective from 14 February 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: Neil Davies, Chief Executive
Katey Durkin, Head of Finance Strategy
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
James Williams, Director of Public Health

Apologies for absence

There were none.

Cabinet, 5 February 2019

Record of decisions

The record of the meeting held on 15 January 2019 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)

There were none.

Other interests

There were none.

Revenue Budget Monitoring 2018/2019 - Quarter 3

Background:

This report detailed the revenue budget forecasts as at the end of quarter 3 (December 2018). The report noted that, after management action, the forecast outturn for 2018/19 represented an adverse variance of £2.921million, 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:***

7/2019 **Cabinet noted the result of the third quarter of revenue monitoring for 2018/19 and instructed officers to identify further management action to ensure a breakeven 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 2018/2019 - Quarter 3

Background:

This report presented the capital monitoring information for the third quarter of the financial year, including outturn forecasts. The approved capital programme for 2018/19, and future years, was £228.930m.

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

Decision number: **Decision:**

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

Reasons

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

Final 2019/20 Mainstream Schools and Academies Funding Formula

Background:

This report provided details of the final funding proposals for Medway's schools and academies for 2019/2020. Officers, working with the Schools Forum, had consulted with schools and academies on the proposed new funding formula options for 2019/2020. It was noted that the Schools Forum had met on 15 January 2019 and recommended Cabinet to approve the implementation of the final funding formula as set out at section 3 of the report.

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In this case, the deadline for the submission of the final funding formula to the Education and Skills Funding Agency was 21 January 2019, it was therefore proposed that call-in be waived to prevent any further delay in confirming the Cabinet's decision to the ESFA and to allow the authority to implement the funding formula changes in accordance with the regulations. The Chairman of the Children and Young People Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number: **Decision:**

8/2019 The Cabinet instructed officers to implement the Final 2019-20 Funding Formula for mainstream schools and

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academies, as set out in section 3 of the report.

9/2019 **The Cabinet agreed that decision number 8/2019 is considered urgent and therefore should not be subject to call in.**

Reasons:

The local authority is required to implement the funding formula changes from 2019-20 in accordance with the School and Early Years Finance (England) Regulations 2014. This is a Cabinet function.

The deadline for the submission of the final funding formula to the Education and Skills Funding Agency was 21 January 2019. However, on this occasion, the draft final funding formula was submitted by the deadline pending final approval by the Cabinet.

Housing Revenue Account (HRA) Capital and Revenue Budgets 2019/2020

Background:

This report provided details of the proposed Housing Revenue Account (HRA) capital and revenue budgets for 2019/2020 including rent, garage rent and service charge levels. The report gave a breakdown of the factors taken into account formulating the budgets for 2019/2020.

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

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

The Business Support Overview and Scrutiny Committee considered this report on 31 January 2019 and its comments were set out in an addendum report.

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

Decision number: **Decision:**

The Cabinet considered the comments of the Business Support Overview and Scrutiny Committee in bringing this report forward for approval.

10/2019 **The Cabinet recommended the following to Full Council on 21 February 2019 for approval:**

- a) A proposed rent decrease of 1% for the housing stock as set out in Appendix A to the report (based**

Cabinet, 5 February 2019

upon 53 collection weeks) with effect from 1 April 2019.

- b) A proposed average rent of £82.47 per week based on a 53 week rent cycle be agreed for the six new build one bedroom bungalows at Petham Green Twydall (estimated let date Autumn 2019).
- c) The baseline garage rent for Council tenants be increased by £1 from £8.12 to £9.12 with effect from 1 April 2019 per week.
- d) A rent increase for all garage tenure types of 5% will be applied with effect from 1 April 2019 per week.
- e) To approve the service charges and increases as set out in Appendix B to the report for 2019/20.
- f) To approve the revenue budget for the HRA Service for 2019/20 as set out in Appendix C to the report.
- g) To approve the proposed capital budget of £3.3m for the fourth phase of new build programme on various garage sites to be funded from borrowing and 1-4-1 capital receipts as set out in section 8.6.4 of the report.
- h) To approve the provision for the repayment debt based on annuity based payment on the HRA outstanding debt to be £0.326m for 2019/20.
- i) To approve the revised 30 year HRA Business Plan model as attached at Appendix D to the report.

Reasons:

The Council is required to carry out a review of rents and notify tenants not less than 28 days prior to the proposed date of change. The Council is required under the Local Government and Housing Act 1989 to ensure that the Housing Revenue Account does not fall into a deficit position.

Council Plan Refresh 2019/20

Background:

This report provided details of the review of the Council Plan 2016/17 – 2020/2021 including respective key projects, key measures of success and targets to ensure the delivery of the Plan remained focused, informative and relevant.

The Business Support Overview and Scrutiny Committee had considered this report on 31 January 2019 and its comments were set out in an addendum report, which

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included a recommendation that an additional measure is added to the Council Plan aimed at reflecting the overall direction of travel regarding children in temporary accommodation.

The Portfolio Holder for Educational Attainment and Improvement stated that he would work with officers to accurately align Council Plan measures relating to schools with the Local Authority's responsibilities.

A Diversity Impact Assessment (DIA) had been completed as part of the refresh process, as set out in Appendix 2 to the report.

Decision number: **Decision:**

The Cabinet noted the comments and recommendation of the Business Support Overview and Scrutiny Committee set out in the addendum report, which would be taken into consideration.

11/2019 The Cabinet recommended to Full Council to approve the proposed changes to programmes and measures of success summarised in paragraph 3.2 of the report and as detailed in Appendix 1 of the report, noting there would be further work on Council Plan measures relating to schools.

12/2019 The Cabinet recommended that Full Council agree to delegate authority to the Chief Executive, in consultation with the Portfolio Holder for Resources, to approve the final measures of success as set out in paragraph 3.4 to the report and as detailed in Appendix 1 to the report once further information is received.

Reasons:

Agreement of the proposed changes to the programmes and measures of success within the Council Plan will ensure the delivery of the Plan remains focused, informative and relevant.

Capital and Revenue Budgets 2019/2020

Background:

This report presented proposals for the capital and revenue budgets for 2019/2020.

It was noted that the Cabinet had considered initial budget proposals on 20 November 2018, which had been developed in accordance with the principles set out in the Medium Term Financial Strategy (MTFS). The MTFS had identified a potential revenue shortfall of £3.189 million in 2019/2020 rising to £16.330 million by 2022/2023.

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The report stated that the proposed revenue budget requirement of £298.403 million (as set out in Appendix 2 to the report) exceeded the estimated available resources by £660,900. However, options were being considered to address this prior to the Council's budget setting meeting on 21 February 2019.

The proposed capital programme for 2019/2020, incorporating existing schemes and anticipated funding allocations, was £229 million. An overall summary and a summary by directorate of the proposed capital programme were attached at Appendix 4 to the report.

It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views together with the recommendations of the Business Support Overview and Scrutiny Committee (31 January 2019) were set out for Cabinet in an addendum report.

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

The report set out the requirements under equality legislation and it was noted that an overarching Diversity Impact Assessment would be included in the budget report to Full Council on 21 February 2019.

Decision number: ***Decision:***

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

13/2019 The Cabinet recommended to Council that the net revenue budget summarised at Appendix 2 to the report, should be set at £297.742 million, and that this should be funded by a 2.994% increase in Council Tax for 2019/20 with the equivalent Band D figure at £1,412.44. Final proposals to address the £661,000 deficit would be reported to Council on 21 February 2019.

14/2019 The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 4 to the report.

15/2019 The Cabinet recommended to Council the fees and charges set out at Appendix 6 to the report, subject to the removal of a number of the proposed increases including some bulky waste collection increases and some parking charge increases which would be recommended to Special Council on 21 February 2019.

16/2019 The Cabinet agreed that the Chief Finance Officer be requested to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act

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1992 for resolution by Special Council on 21 February 2019.

17/2019 The Cabinet recommended to Council to agree to delegate authority to the Chief Finance Officer, in consultation with the Leader and relevant Portfolio Holder, to vary existing fees and charges and introduce new fees charges during the financial year on the basis set out in paragraphs 10.3 and 10.4 of the report.

Reasons:

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

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

Treasury Management Strategy 2019/20

Background:

This report provided details of the Council's Treasury Management Strategy for 2019/2020. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code, and set out the Council's borrowing requirement and strategy and its strategy in respect of investments. It also provided details of the Council's current portfolio position and set out the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The Audit Committee considered this report on 8 January 2019 and its comments were set out in paragraph 4 of the report.

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

Decision number: **Decision:**

The Cabinet noted the comments of the Audit Committee, as set out in section 4 of the report.

18/2019 The Cabinet recommended approval of the Treasury Management Strategy 2019/2020, as set out in Appendix A to the report, to Full Council.

19/2019 The Cabinet approved the Treasury Management Practices, as set out in Appendix C to the report.

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Reasons:

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

Retail Rate Relief 2019/20 and 2020/21

Background:

The Deputy Leader chaired the meeting from this point as the Leader had to leave the meeting (note: item 12 – Housing Infrastructure Fund Bid – New Routes to Good Growth was taken ahead of this item, before the Leader left).

This report set out the Council's proposed Business Rates Retail Relief Policy 2019/20 and 2020/21.

The Government had announced in the Autumn Statement 2018, its intention for occupiers of retail properties with a rateable value below £51,000 to receive a discount of one third of their chargeable amount on their rate bills for 2019-20 and 2020-21 and in December 2018 guidance was issued to support local authorities with criteria to determine funding, which was detailed in section 3 of the report.

Decision number: **Decision:**

20/2019 **The Cabinet agreed that retail relief for hereditaments as defined in paragraphs 3.1 to 3.3 of the report be awarded in appropriate circumstances.**

21/2019 **The Cabinet agreed that retail relief for hereditaments as defined in paragraphs 3.4 to 3.6 of the report are not awarded.**

Reasons:

The retail relief scheme has been promoted by and will be funded by central government to assist business ratepayers. Given the lack of cost to the local taxpayer it is appropriate for the Council to operate such a scheme.

Housing Infrastructure Fund Bid - New Routes to Good Growth

Background:

This report provided details of Medway's Housing Infrastructure Fund (HIF) Bid – New Routes to Good Growth, which planned for much needed infrastructure to enable growth in and around the Hoo Peninsula and waterfront regeneration sites and sought approval for the submission of the Bid for up to £170million on 1 March 2019.

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The report detailed the current estimated costs of the deliverables within the bid but it was noted that the figures may vary slightly prior to submission as work was ongoing with the business case, which would calculate the value for money and benefit versus cost ratio. Therefore the report sought delegated authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader to agree the final HIF Bid for submission on 1 March 2019 and also to make any required changes following submission.

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In this case, the bid business case and bid submission would need to be completed and uploaded to the HIF Portal from mid-late February to ensure that all documents are received prior to the 1 March 2019 submission date. The Chairman of the Regeneration, Culture and Environment Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number: ***Decision:***

- 22/2019** **The Cabinet approved the submission of the Housing Infrastructure Fund (HIF) bid to the Ministry of Housing, Communities and Local Government on 1 March 2019 for up to £170 million.**
- 23/2019** **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader, to agree the final submission of the HIF Bid, as detailed within the report.**
- 24/2019** **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Leader, that following submission of the bid, to liaise with Homes England to make any required changes to the HIF bid prior to the MHCLG's final decision on the outcome of the bid.**
- 25/2019** **The Cabinet agreed that decision numbers 22/2019, 23/2019 and 24/2019 were considered urgent and therefore should not be subject to call in.**

Reasons:

To enable the HIF Bid to be submitted to the Ministry of Housing, Communities and Local Government on time.

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To secure funding for the future infrastructure required to enable the development of 12,100 homes by 2043 on the Hoo Peninsula.

South Thames Gateway Building Control Business Plan 2019/2022

Background:

This report provided details of the South Thames Gateway Building Control Partnership Business Plan for 2019/2022 and Delivery Plan.

The Business Plan, as set out in the exempt appendix, outlined how the building control function would be delivered on behalf of the partnership Councils (currently Medway, Gravesham, Swale and Canterbury) up until 2022 and indicated the reduced contributions for each partner.

Decision number:

26/2019 **The Cabinet approved the proposed Business Plan for 2019/2022 and Delivery Plan for the South Thames Gateway Building Control Partnership, as set out in the Exempt Appendix to the report, and noted the proposed contribution of £122,945 for 2019/2020.**

Reasons:

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

Land Between 5 and 11 Tennyson Avenue, Cliffe Woods, Rochester, ME3 8JF

Background:

This report provided information concerning a proposed residential development of land between 5 and 11 Tennyson Avenue, Cliffe Woods, Rochester, ME3 8JF and requested the Cabinet to delegate authority for officers to release or vary the restrictive covenant on part of the land to permit residential development.

The report explained that the current owners were a registered charity and had obtained outline planning consent for the erection of a pair of semi-detached houses on part of the land (hatched black on the plan attached at Appendix 1) and had marketed the site. They had provisionally agreed with a potential purchaser to dispose of the hatched black area whilst retaining access and parking for the village hall. The proceeds from the disposal would be used to refurbish the village hall.

Before the development could take place the restrictive covenant, set out at paragraph 2.2 of the report, would need to be released or revoked.

**Decision
number:**

Decision:

27/2019

The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources, to vary or release the restrictive covenant on part of the subject land hatched black on the plan set out in Appendix 1 to the report, on the best terms reasonably obtainable.

Reasons:

The Council will receive a significant receipt and release or variation of the covenant will permit the development of 2 residential units in a rural location making use of redundant land.

Special Educational Needs and Disabilities (SEND) Needs Analysis

Background:

This report advised the Cabinet of a revised forecast of the number and type of school places required for children and young people who had a Special Education Need and/or Disability.

It was noted that there were currently 2,229 children and young people in Medway with an Education Health and Care Plan (EHCP), which was an increase of 14.2% from the number in 2017 and it was forecast that the number of children by 2023 was predicted to be 3,216. The report also forecast demand for SEND provision type, assuming the percentage of pupils with EHCP attending mainstream schools remains static, which reflects Medway and national data trends.

**Decision
number:**

Decision:

28/2019

The Cabinet noted the report and agreed to instruct officers to progress the development of a SEND Place Commissioning Strategy to meet the forecast demand for SEND school places.

Reasons:

This report provides an analysis of the current and future SEND pupil population in Medway and is aimed to assist the Council in understanding the future demand for SEND school places and in planning for future provision in order for the Council to meet its statutory duties.

Annual Adoption Report

Background:

This report provided details of the Adoption Agency's Annual Report (September 2017 to September 2018). This annual report covered adoption performance during this period and provided an update on the work of the team.

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

The Children and Young People Overview and Scrutiny Committee considered this report on 10 January 2019 and its comments were set out in section 6 of the report.

Decision number: ***Decision:***

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out at section 7 of the report.

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

Reasons:

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

Annual Report - Fostering Service

Background:

This report provided details of the work completed by the Medway Council Fostering Service over the last year. It also set out how the in-house Fostering Service had met the needs of Medway's Looked After Children and established the work planned for the following year.

The report covered fully the service and its development in 2017/18, and provided a number of highlights, as set out in paragraph 3.1 of the report.

The Children and Young People Overview and Scrutiny Committee considered this report on 10 January 2019 and had recommended it to the Cabinet.

Decision number: ***Decision:***

The Cabinet noted the Fostering Service Annual Report 2017-18, as set out at Appendix 1 of the report.

Cabinet, 5 February 2019

Reasons:

The National Minimum Standards for Fostering (2011) require that Fostering Agencies report the activity of the fostering service to its governing bodies.

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:

29/2019

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

Business Support Department

- a) Accounting Technician Control Team x 2**
- b) Executive Assistant to the Chief Finance Officer**

Children and Adults

- c) Performance and Intelligence Analyst**
- d) Financial Review Coordinator**
- e) Social Care Lawyer**

Public Health

- f) Head of Children's Partnership Commissioning**
- g) Head of Adults Partnership Commissioning and Better Care Fund**

Reasons:

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

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Leader of the Council

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Date

Teri Reynolds, Democratic Services Officers

Telephone: (01634) 332104 Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 12 February 2019

3.00pm to 3.40pm

Date of publication: 13 February 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
In Attendance:	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
In Attendance:	Neil Davies, Chief Executive	
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Teri Reynolds, 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

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

Record of decisions

The record of the meeting held on 5 February 2019 was agreed and signed by the Leader as a correct record.

Cabinet, 12 February 2019

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 5 (Commercial Property) because he is a Director and the Chairman of Medway Development Company Limited which would potentially be involved in future development within the vicinity. 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.

Exclusion of the Press and Public

Decision number:

Decision:

30/2019

The Cabinet agreed to exclude the press and public from the meeting during consideration of agenda item 5 (Commercial Property) because consideration of this matter in public would disclose information falling within paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 4 (Exclusion of Press and Public) and, in all the circumstances of the case, the Cabinet considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Commercial Property

Background:

The Cabinet accepted this exempt report as urgent to enable confidential negotiations to take place with appropriate authority.

This exempt report provided details of a proposal for acquiring commercial property.

On this occasion it had neither been practicable to provide 28 clear days' notice, nor provide 5 clear days' notice of this report coming forward to Cabinet, therefore, Rule 17 (Special Urgency) of the Access to Information Rules, as set out in the Council's Constitution, had been complied with. As the position of Chairman of the Business Support Overview and Scrutiny Committee was currently vacant, the Mayor had agreed that consideration of this report was urgent and could not be reasonably

Cabinet, 12 February 2019

deferred until the next Cabinet meeting on 5 March 2019 to enable confidential negotiations to take place with appropriate authority at the earliest opportunity. The Forward Plan was published on 5 February 2019 in accordance with this requirement and the report was published on 7 February 2019.

In line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. In this case, a call in would delay this matter at a sensitive point in the negotiations. Therefore, on this occasion it was proposed that the call in period be waived. As the position of Chairman of the Business Support Overview and Scrutiny Committee was currently vacant, the Vice-Chairman had agreed that the decisions proposed are reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

**Decision
number:**

Decision:

- 31/2019** **The Cabinet approved the acquisition of the head leases of the property identified in paragraph 2.1 of the report and the freehold properties also identified in paragraph 2.1 of the report for a price within the tolerance provided by the professional valuation obtained from Knight Frank, as set out in Appendix 1 to the report.**
- 32/2019** **The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader, the Portfolio Holder for Resources and the Chief Finance Officer to take all reasonable steps and due diligence to complete acquisition of the head leases of the property identified in paragraph 2.1 of the report and the freehold properties also identified in paragraph 2.1 of the report including obtaining necessary professional legal and tax advice and to complete all the necessary legal steps.**
- 33/2019** **The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader and Portfolio Holder for Resources to carry out the re-configuration and improvement works to the property identified in paragraph 2.1 of the report, as detailed in paragraph 5.10 of the report.**
- 34/2019** **The Cabinet agreed to delegate authority to the Chief Legal Officer in consultation with the Leader, the Portfolio Holder for Resources and the Chief Finance Officer to arrange management of the property identified in paragraph 2.1 of the report and the freehold properties identified after acquisition and to let, cease letting and sell premises subject to an agreed criteria within the property identified at paragraph 2.1 and the freehold properties also identified in paragraph 2.1 of the report.**

Cabinet, 12 February 2019

35/2019 Cabinet recommended to Council that this acquisition, including the re-configuration and improvement works to the property identified in paragraph 2.1 of the report, as detailed in paragraph 5.10 of the report, is added to the Capital Programme.

36/2019 The Cabinet agreed that decisions 31-35/2019 are considered urgent and therefore should not be subject to call in.

Reasons:

The head leases and freehold properties acquisition represents a good commercial return for the Council, enhances regeneration opportunities in the locality, opens up additional regeneration and residential property developments, provides the Council a stronger strategic position in the area and prevents development that is not in line with the Council's aspirations for Medway.

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Leader of the Council

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Date

**Wayne Hemingway, Principal Democratic Services Officer/Jade Milnes,
Democratic Services Officer**

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Email: democratic.services@medway.gov.uk

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

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).

Cabinet, 5 March 2019

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.

Cabinet, 5 March 2019

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,

Cabinet, 5 March 2019

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:

- | | |
|----------------|---|
| 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

Cabinet, 5 March 2019

Reasons:

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

.....
Leader of the Council

.....
Date

Wayne Hemingway, Principal Democratic Services Officer

Telephone: 01634 332509

Email: democratic.services@medway.gov.uk

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Record of Cabinet decisions

Tuesday, 9 April 2019

3.00pm to 3.57pm

Date of publication: 10 April 2019

**Subject to call-in these decisions will be effective from 18 April 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: Neil Davies, Chief Executive
Ann Domeney, Deputy Director, Children and Adults Services
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
Phil Watts, Chief Finance Officer
James Williams, Director of Public Health

Apologies for absence

There were none.

Cabinet, 9 April 2019

Record of decisions

The record of the meeting held on 5 March 2019 was agreed by the Cabinet 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)

There were none.

Other interests

There were none.

Draft Medway Children and Young People's Plan 2019-2024

Background:

This report provided details of the draft Children and Young People's Plan (CYPP), which set key strategic priorities for partnership action to improve outcomes for Medway's children and young people and help them achieve their potential. The Plan focused on three key outcomes for children and young people in Medway:

- Thriving in Our Community;
- A Healthy Start;
- Learning Well.

The draft plan refocused the priorities from its 2011 counterpart, coalesced the previous 14 priorities into ten and attached a set of indicators to measure the impact of these priorities. The draft plan was attached at Appendix 1 to the report.

The report provided details of its planned consultation, as set out in section 5 of the report.

The report had been considered by the Health and Wellbeing Board on 19 February 2019 and the Children and Young People Overview and Scrutiny Committee on 7 March 2019. Their comments were set out in sections 6 and 7 of the report respectively.

A Diversity Impact Assessment (DIA) had been undertaken on the draft plan and was set out in Appendix 2 to the report.

Cabinet, 9 April 2019

Decision number: **Decision:**

The Cabinet noted the comments of the Health and Wellbeing Board, as set out in Section 6 of the report.

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in Section 7 of the report.

47/2019 The Cabinet agreed that the draft Children and Young People's Plan, attached at Appendix 1, be consulted on as set out at Section 5 of the report, before being reported back to the Cabinet for final approval.

Reasons:

The CYPP will provide a high level framework for helping children and young people in Medway to achieve their potential and be used to inform commissioning in the children's services system.

Consultation on the draft plan will ensure that the voice of children and young people, along with parents/carers and partners is at the centre of the approach.

Proposed Safeguarding Partnership Arrangements

Background:

This report set out the proposals for the new safeguarding partnership arrangements for children in Medway in accordance with the Children and Social Work Act 2017 and associated statutory guidance, which placed a duty on three agencies, namely the local authority, the police and the clinical commissioning group, to make arrangements for safeguarding and promoting the welfare of children in the area.

The proposed arrangements were detailed at sections 5 and 6 of the report. There was a requirement to publish the arrangements and submit them to the Department for Education by 29 June 2019 and for transition of the new arrangements to be completed by 29 September 2019.

The report had been considered by the Health and Wellbeing Board on 19 February 2019 and the Children and Young People Overview and Scrutiny Committee on 7 March 2019. Their comments were set out in sections 8 and 9 of the report respectively.

A Diversity Impact Assessment (DIA) had been undertaken on the proposals and was set out in Appendix 2 to the report.

Cabinet, 9 April 2019

Decision number:

Decision:

The Cabinet noted the comments of the Health and Wellbeing Board, as set out in Section 8 of the report.

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in Section 9 of the report.

48/2019 The Cabinet approved the proposed safeguarding partnership arrangements, as set out at Section 5 and 6 of the report.

49/2019 The Cabinet agreed to delegate authority to the Director of People – Children and Adults Services, in consultation with the Portfolio Holder for Children Services (Lead Member), to finalise the safeguarding partnership arrangements for publication by 29 June 2019, should any changes or more detail be required as set out in paragraph 7.3 of the report.

Reasons:

Approval of the proposed safeguarding partnership arrangements will enable the local authority to comply with the duties placed on the three Safeguarding Partners to make arrangements for safeguarding and promoting the welfare of children in the area and will enable the three safeguarding partners to meet the required deadlines of 29 June 2019 to publish the arrangements and 29 September 2019 to implement them.

Better Care Fund

Background:

This report presented an update on Medway's Better Care Fund (BCF) plan for 2019-2020. The BCF in Medway was a joint plan between NHS Medway Clinical Commissioning Group (CCG) and Medway Council with Medway NHS Foundation Trust as a key stakeholder. A pooled budget was administered in accordance with a Section 75 agreement between the CCG and the Council.

A BCF event held in March 2019 had confirmed that the period 2019/20 was viewed as a transition year ahead of a new spending period. The publication of guidance was expected shortly and requirements would be collected via a single template with a reduced, targeted, narrative input rather than a separate narrative plan.

There would be a single stage assurance process in 2019/20. The Cabinet was requested to agree an extension to the existing BCF Plan and S75 arrangements to cover the period 1 April 2019 to 31 March 2020 as set out in Appendix A to the report.

Cabinet, 9 April 2019

**Decision
number:**

Decision:

- 50/2019** **The Cabinet agreed an extension of the existing Better Care Fund Plan and S75 arrangements to cover the period from 1 April 2019 to 31 March 2020.**
- 51/2019** **The Cabinet agreed to delegate authority for the development and delivery of Medway's Better Care Fund programme to the Director of People - Children and Adults Services, in consultation with the Medway NHS Clinical Commissioning Group Deputy Managing Director, Chief Legal Officer and the Portfolio Holder for Adults' Services.**

Reasons:

The extension of the existing BCF Plan and S75 arrangements to cover the period from 1 April 2019 to 1 March 2020 will enable the arrangements and services that sit within the Better Care Fund to be dealt with as seamlessly as possible.

Acquisition of Depot Site for use in connection with the Waste Collection and Cleansing Service

Background:

This report detailed options available in relation to acquiring a depot site for use in connection with the Waste Collection and Cleansing Services. At its meeting on 6 March 2018 the Cabinet agreed to let the Waste Collection and Cleansing contract to Medway Norse, when the existing contract was due to end on 30 September 2019.

The report informed the Cabinet that the existing contractor had advised that they wished to retain their own depot facilities for their own commercial use and would not be letting the Council or its contractors use the facilities. It also provided detail of the current depot available to Medway Norse which was insufficient in size to accommodate these services, as well as the service it was already contracted by the Council to provide.

The report was accompanied by an exempt appendix which provided overall projected costs of acquisition and the enabling works needed.

Cabinet, 9 April 2019

**Decision
number:**

Decision:

52/2019

The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and Portfolio Holder for Resources, to:

- **acquire a suitable site for a depot;**
- **apply for any necessary consents for its use;**
- **carry out works if required; and**
- **let the premises on the best terms reasonably obtainable.**

53/2019

The Cabinet recommended to Council that it adds the sum in the Exempt Appendix to the capital programme to acquire a suitable site, including relevant professional fees, obtain necessary consents and carry out works.

Reasons:

To give the Council more flexibility and security in terms of the letting of the waste collection and cleansing contract and to obtain a rental income from the letting of the site.

Strood Waterfront - Former Civic Centre Site

Background:

This report detailed issues relating to the redevelopment of the former Civic Centre site, access road and adjacent land at Jane's Creek, which had significant transformational potential and was a key part of the Strood Waterfront Development Brief, which had been adopted in June 2018.

In order to maintain a high degree of control over the selection of a housing developer and ensure the delivery of a high quality development, optimising densities and speed of delivery whilst obtaining best consideration, it was proposed that an OJEU procurement process be undertaken. As such, the land needed to be appropriated under Section 122 (1) of the Local Government Act 1972 for planning purposes so that it could be disposed of under S233 of the Town and Country Planning Act 1990.

**Decision
number:**

Decision:

54/2019

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

Cabinet, 9 April 2019

Regeneration and Partnerships to appropriate for planning purposes the land at the former Civic Centre site, access road and adjacent land at Janes Creek as shown edged black on the plan attached at Appendix A (“The land”).

55/2019 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 dispose of the land on the best terms reasonably obtainable whilst securing development of the land.

Reasons:

This will allow Medway to maintain control of the development of the former Civic Centre site in Strood, allowing it to be transformed into an area of prime, high quality residential development offering fantastic views of Rochester Castle and Rochester Cathedral and access to the River Medway.

Secondary Free School in Strood - Update

Background:

This report provided an update with regard to the acquisition of land for a secondary Free School in Strood. At its meeting on 5 March 2019 the Cabinet had approved the underwriting of the overage held against the Manor Barn land in Strood and that the legal agreement be 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 (decision numbers 44/2019 and 45/2019).

This report informed the Cabinet that following notification from the Department for Education that the period of the overage was in operation until 2043, not 2033 as previously advised, the Chief Legal Officer had re-consulted the three named Cabinet Members and subsequently the Council had agreed a right of pre-emption which was extended to 2043, which did not materially impact on the risks associated with the decision. Therefore, the Chief legal Officer had completed the agreement on 28 March 2019, in accordance with decision number 45/2019.

Decision Decision:
number:

The Cabinet noted the report.

Reasons:

To understand fully the basis for approving the overage agreement.

Recruitment Freeze

Background:

This report presented information on a number of vacancies that officers had requested 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.

<i>Decision number:</i>	<i>Decision:</i>
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56/2019	The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:
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Regeneration, Culture, Environment and Transformation

- a) Innovation Centre Medway – Receptionist
- b) Customer and Business Support Officer x 5
- c) Command of the Heights – Learning and Participation Officer
- d) Greenspace Development Officer
- e) Operations Officer
- f) Data Processing Clerk
- g) Head of HR Medway and Gravesham
- h) HR Consultant, HR Officer, HR Assistant (1 form)

Business Support Department

- i) Trainee Solicitor x 2
- j) Senior Valuation Surveyor
- k) Lawyer, Contracts, Place Team (Legal Services)
- l) Capital Programme Manager
- m) Finance Business Partner
- n) Finance Business Partner (Secondment)
- o) Team Leader – Corporate
- p) Finance Assistant Exchequer
- q) Accounting Technician Systems
- r) Information Governance Officer x 2

Children and Adults

- s) Senior Meeting Support Officer
- t) Head of Service Business and Intelligence
- u) Head of Adult Services

Public Health

- v) Partnership Commissioning Programme Lead
Children Emotional Well-Being and Mental Health

Reasons:

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

Gateway 3 Contract Award: Home to School Framework Provision

Background:

This report provided details of the tender and evaluation process for the Home to School Travel Assistance Framework Provision. The framework proposed was an overarching framework from which individual transport contracts could be called off through mini-competitions and direct awards.

The report had been considered by the Procurement Board on 20 March 2019, details of which were set out in section 5 of the report.

This report was accompanied by an exempt appendix which contained key information in respect of the financial analysis, evaluation and award.

The Council's decision to award these contracts 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 conclude the framework agreement before the end of the standstill period.

Decision number: **Decision:**

57/2019 **The Cabinet approved the award of the contracts to the successful bidders, as outlined in Section 3.1 of the exempt appendix and set out below:**

Framework Submissions	Solo Transport	Shared Transport
ABC Taxis	Y	Y
City Travel	Y	Y
HATS Group	Y	Y
John Reilly	Y	Y
London Hire	X	Y
ASD Transport	Y	Y
Place to Place	Y	Y
Strood Cabs	Y	Y
Vokes Taxis	Y	Y
Total:	8	9

The Cabinet noted that there was nil financial impact as a result of this contract award and that the Procurement Board had agreed to receive a briefing paper providing details of the financial outturn in October 2019.

Cabinet, 9 April 2019

Reasons:

Awarding the contract to the successful bidders is recommended on the basis that this will ensure a robust legal position for procuring transportation of children with Special Educational Needs to school, the procurement process has been conducted to deliver the expected results, to do so allows Medway to preserve reputation and have access to quality providers and approved routes.

.....
Leader of the Council

.....
Date

Teri Reynolds, Democratic Services Officer

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