

Record of Cabinet decisions

Tuesday, 6 August 2019

3.02pm to 4.22pm

Date of publication: 7 August 2019

**Subject to call-in these decisions will be effective from 15 August 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 Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Martin Potter	Portfolio Holder for Education and Schools

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

Apologies for absence

An apology for absence was received from Councillor Turpin.

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Record of decisions

The record of the meeting held on 9 July 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)

In relation to item 4 (Planning Policy Update) Councillor Doe declared an interest as Director of Medway Development Company and relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

In relation to item 7 (Medway Commercial Group Ltd – Six Monthly Report) Councillor Doe declared an interest as Chairman and Director of Medway Commercial Group and relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

In relation to item 9 (Capital Budget Monitoring 2019/20 – Round 1) Councillor Doe declared an interest as Director of Medway Development Company and relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

In relation to item 4 (Planning Policy Update) Councillor Gulvin declared an interest as Director of Medway Development Company and relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

In relation to item 9 (Capital Budget Monitoring 2019/20 – Round 1) Councillor Gulvin declared an interest as Director of Medway Development Company and relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

Other interests

There were none.

Planning Policy Update

Background:

This report provided an update on the preparation of the Medway Local Plan, including a revision to the Local Development Scheme set out at Appendix A to the report. This document had been updated to reflect a revised timetable and programme for the preparation of the Local Plan owing to the Housing Infrastructure

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Fund (HIF) bid process. It was noted that the Plan period needed to be extended beyond 2035 to ensure that the Plan looked forward at least fifteen years on adoption. It was proposed to project the Plan period to 2037, and housing requirements and evidence base work would be updated accordingly.

The report stated that the Planning Service had worked on a number of reports and evidence base documents to support the preparation of the Plan, and to inform the direction taken on the emerging development strategy and policies. This included the Chatham, Gillingham and Strood Town Centre Masterplans and Delivery Strategies, set out at Appendices B-D to the report within Supplementary Agenda No.1. It was proposed that these documents be published for consultation, so that comments could be considered in the content of the draft Plan. The outcomes of the consultation would be recorded and presented to the Cabinet with the supporting documents for the draft Local Plan, together with further advice on the status of the guidance for the town centres.

The report also presented the first Housing Delivery Test Action Plan, set out at Appendix E to the report. This was a new requirement from government in areas where housebuilding had not reached the identified levels of housing needed. The Council was required to publish this Action Plan by 18 August 2019.

The final strand of the report concerned neighbourhood planning activities in Medway, and specifically considered the proposal to designate a Neighbourhood Area and Neighbourhood Forum at Chatham (Arches) for the purpose of preparing a Neighbourhood Plan. Information on the proposal, including the definition of the area to be covered by the neighbourhood plan and membership of the forum was set out at Appendix F to the report.

The consultation on the proposed Neighbourhood Area and Neighbourhood Forum at Chatham (Arches) concluded on the 2 August 2019. With reference paragraphs 2.19 and 6.2 to the report, the Portfolio Holder for Planning, Economic Growth and Regulation confirmed that no comments had been received and therefore proposed a revision to the recommendation set out at paragraph 9.1.4 to the report which requested the Cabinet to approve the designation.

A Diversity Impact Assessment had been carried on the proposed Local Development Scheme and was attached as Appendix G to the report.

Decision number: ***Decision:***

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|----------------|--|
| 87/2019 | The Cabinet approved the Medway Local Development Scheme, 2019, as set out at Appendix A to the report, as an updated programme for the preparation of the Medway Local Plan, to take effect from 15 August 2019. |
| 88/2019 | The Cabinet approved the publication of the draft town centre masterplans as set out at Appendix B, Appendix C and Appendix D to the report for consultation. |

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- 89/2019** **The Cabinet approved the publication of the Medway Housing Delivery Test Action Plan, 2019, as set out at Appendix E to the report.**
- 90/2019** **The Cabinet approved the designation of the proposed Neighbourhood Area and Neighbourhood Forum for Arches (Chatham), as set out at Appendix F to the report.**

Reasons:

Approval of the Medway Local Development Scheme, 2019, will provide clarity on an updated programme for the preparation of the Medway Local Plan.

Approval for the publication of the draft town centre masterplans as set out at Appendix B, Appendix C and Appendix D to the report for the purposes of consultation will support the preparation of the draft Local Plan.

Approval for the publication of the Medway Housing Delivery Test Action Plan, 2019 will enable the Council to meet the requirements set by government.

Approval of the application to designate a Neighbourhood Area and Neighbourhood Forum for Arches (Chatham), subject to the satisfactory conclusion of the consultation, will meet the legal requirements in the neighbourhood planning process.

Request to Consult on Proposals to Restructure Alternative Provision in Medway

Background:

This report provided details of a proposal to restructure Alternative Provision in Medway, which had been developed in response to an exercise undertaken during 2018 by Local Authority officers and headteachers to assess how the Local Authority could support schools to retain more children and young people with additional needs or behavioural difficulties who were at risk of exclusion or placement breakdown within mainstream schools. Section 3 of the report explained the current arrangements for Alternative Provision in Medway and section 4 of the report outlined areas for further action.

The report stated that delivery of the recommendations required a restructure of the organisation, governance and capacity of Medway's Alternative Provision. The proposals were:

- to amalgamate Will Adams and The Rowans into an all-through provision, initially on a split site and over time to merge onto a single site at The Rowans; and
- this would be achieved by the technical closure of Will Adams and the expansion of The Rowans.

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The report stated that the Council would be the decision maker on the proposals to close Will Adams and the Regional Schools Commissioner (RSC) would be the decision maker on the expansion of The Rowans.

It was proposed, subject to the outcome of the period of consultation, to formally implement the changes during or after the summer term 2020.

A Diversity Impact Assessment (DIA) had been undertaken on these proposals and was set out as Appendix 1 within Supplementary Agenda No.2.

Decision number: ***Decision:***

91/2019 **The Cabinet instructed the Director of People - Children and Adults Services to commence the period of consultation for the proposed changes which will result in a restructure of Alternative Provision in Medway as set out in paragraph 5.2 of the report.**

Reasons:

Approval to proceed to a period of consultation will ensure the Council has considered the views of stakeholders when making changes to service delivery.

Request to Consult on Proposals to Amalgamate Park Wood Infant and Park Wood Junior Schools

Background:

This report provided details of the proposals to amalgamate Park Wood Infant and Junior Schools by way of statutory prescribed alterations. The report explained that the schools had stated that they wished to amalgamate. As community schools, they had requested that the Local Authority made the statutory proposal on their behalf. The amalgamation process would be led by the Local Authority, who would also be the decision maker.

The proposals were:

- to change the upper age range at Park Wood Infant School from 7 to 11 years old, to enable them to admit the older children from the junior school;
- the enlargement of the premises at Park Wood Infant School to enable it to incorporate the buildings currently occupied by Park Wood Junior School; and
- the closure of Park Wood Junior School.

It was proposed, subject to the outcome of the period of statutory representation, to formally implement the changes on 1 September 2020, when the school would become known as Park Wood Primary School.

A Diversity Impact Assessment (DIA) would be completed after the informal consultation and would accompany the outcomes of consultation report.

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**Decision
number:**

Decision:

92/2019

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

Reasons:

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

Medway Commercial Group Ltd - Six Monthly Report

Background:

This report outlined Medway Commercial Group (MCG) Limited's achievements and performance over the past eight months. The report explained that a review of the company and its trading had been undertaken.

As a result of this review, the report proposed changes within the governance and Board structure of the LATCo, which were explained in detail in section 3.1 of the report. It was also proposed that the Assistant Director Transformation be designated as client representative to improve the two way communication between the MCG Board and Medway Council Corporate Management Team and Elected Members.

The report stated that there was a clear business case for continuing to operate the four key business areas within MCG. In addition, a clear process had been established to ensure any additional work to be undertaken by MCG would be agreed by the Board after seeing and approving a return on investment business case. The ongoing priorities of MCG were set out in section 3.5 of the report.

**Decision
number:**

Decision:

The Cabinet noted a review has been undertaken led by the Chairman of MCG, Councillor Howard Doe, and the subsequent actions taken to improve Medway Commercial Groups operating procedures and financial position.

93/2019

The Cabinet agreed that the proposed changes to the governance arrangements and the MCG Board are needed, and approved the designation of the client representative as the Assistant Director Transformation.

The Cabinet noted that an updated business plan will be

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presented for approval at a future meeting.

Reasons:

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

Revenue Budget Monitoring 2019/20 - Round 1

Background:

This report presented the results of the first round of revenue budget monitoring 2019/20. The report noted that, after management action, the forecast outturn for 2019/20 represented a forecast pressure of £6.262 million. Management action plans were being formulated by directorate management teams and it was anticipated that this figure would be reduced significantly as the year progresses.

The report set out an explanation of the pressures being faced and the corrective management action proposed by directorate management teams. The report also provided details of irrecoverable debts which had been incurred and were required to be written off with no impact on the revenue budget monitoring.

Decision number: **Decision:**

The Cabinet noted the results of the first round of revenue budget monitoring for 2019/20.

The Cabinet noted the proposed variation and addition to the charges for Private Sector Housing Enforcement set out at paragraph 5.3.7 of this report.

94/2019 The Cabinet approved the write-off of the three irrecoverable sums against the corporate bad debt provision of £145,729.98; £115,223.47 and £106,932.13, as detailed in sections 4.2.7, 5.3.6 and 5.3.9 of this report.

Reasons:

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

Capital Budget Monitoring 2019/20 - Round 1

Background

This report presented the results of the first round of the Council's capital budget monitoring for the financial year 2019/20. The approved capital programme for 2019/20 was £281.369 million.

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Decision number:

Decision:

The Cabinet noted the results of the first round of capital budget monitoring for 2019/20.

95/2019 The Cabinet agreed to recommend to Full Council that the S106 and revenue contribution identified to fund the overspend on the Family Hubs and Wellbeing Centre scheme is added to the capital programme, as set out at paragraph 3.3 of the report.

96/2019 The Cabinet agreed to recommend to Full Council that the capital programme is reduced by £1.339 million, as outlined at paragraph 3.10 of the report.

Reasons

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

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:

97/2019 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the main report:

Business Support Department

- a) Electoral Services Manager
- b) Mayor's PA
- c) Civic and Ceremonial Officer
- d) Technical Finance Officer
- e) Capital Projects Manager
- f) Buildings FM and Compliance Manager
- g) Senior Information Governance Officer

Children and Adults

- h) Executive Support Assistant to the Director, People – Children and Adults

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Public Health

- i) Workforce Training & Projects Officer**

Regeneration, Culture, Environment and Transformation

- j) Workforce Development Assistant**
- k) Bird Wise Seasonal Ranger**
- l) Business Intelligence Analyst**

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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