

# **COUNCIL**

**23 JANUARY 2020**

## **LEADER'S REPORT**

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 10 October 2019.

He will include:

- Regeneration
- Ofsted inspections
- 2019 festival/events review
- Decisions made by the Cabinet on 22 October 2019, 19 November 2019, 17 December 2019 and 14 January 2020 (circulated separately).



# Record of Cabinet decisions

**Tuesday, 22 October 2019**

**3.02pm to 3.12pm**

**Date of publication: 23 October 2019**

**Subject to call-in these decisions will be effective from 31 October 2019  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Rupert Turpin	Portfolio Holder for Business Management

**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  
James Williams, Director of Public Health

## **Apologies for absence**

An apology for absence was received from Councillor Martin Potter (Education and Schools).

## Record of decisions

The record of the meeting held on 24 September 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

Councillor Turpin declared an interest in agenda item 4 (Annual Review of the School Place Planning Strategy 2018-22) because he has a child with Special Educational Needs (SEN).

## Annual Review of the School Place Planning Strategy 2018-22

### **Background:**

This report provided details on progress made against the School Place Planning Strategy 2018-22, highlighted areas of emerging demand for school places and set out recommendations to ensure that a sufficient supply of good quality school places would be maintained.

The report also referred to the motion agreed at Full Council on 18 July 2019 in relation to rural and village schools as set out in section 6 of the report.

The report was considered by the Children and Young People Overview and Scrutiny Committee on 3 October 2019. The comments of this Committee were set out at section 4 of the report.

Diversity Impact Assessments would be undertaken on individual proposals brought forward as a result of actions arising from this report.

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

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee set out at section 4 of the report.**

**The Cabinet noted the continued excellent progress made against the School Organisation Plan and School Place Planning Strategy frameworks, which have ensured that**

**the Council has met its duty and sufficient school places are currently available to meet the increasing demand.**

**121/2019 The Cabinet agreed to authorise officers to undertake further feasibility studies and statutory consultations as necessary to ensure that plans are in place to meet demand as and where it emerges.**

**The Cabinet noted the ongoing work being undertaken to ensure sufficient Special Educational Needs and Disabilities (SEND) provision is available within Medway.**

**The Cabinet noted the limited funding position for providing school places and to support officers' efforts in acquiring additional funding or identifying alternative means of ensuring sufficient school places continue to be available. In particular in the short term:**

- **primary provision in Peninsula West through a 1FE expansion of Hundred of Hoo Academy**
- **selective secondary provision through expansion of current schools wherever possible, or through the establishment of an annexe of one of Medway's Grammar Schools**
- **a range of special school provision to meet increasing wide ranging need.**

**122/2019 The Cabinet agreed to commit to keeping rural and village schools open for the benefit of the local communities so far as its powers allow, in accordance with the motion agreed at Full Council on 18 July 2019 and on the basis set out in section 6 of the report.**

**Reasons:**

By approving the recommendations, the Cabinet will be ensuring that the Council meets its statutory duty to ensure sufficient good quality school places are available.

**Review of The Old Vicarage Children's Home Provision**

**Background:**

This report provided information relating to the Old Vicarage Children's Home for young people experiencing emotional and behavioural difficulties and its sustainability in the current economic climate.

The report stated that the aim of reviewing the Old Vicarage provision was to ensure that Looked After Children (LAC) placements were available and aligned to their

## Cabinet, 22 October 2019

needs, were less likely to break down, and that those placements supported those children to achieve better outcomes.

The report explained that given the monthly costs (approximately £59,000), and the reduced cohort set out in detail in section 2 of the report, it was proposed to close the Old Vicarage in its current form and with its current purpose, with a closing date of 7 February 2020. As this proposal would directly affect service users and staff, consultations were essential. The consultation proposals were set out at section 6 of the report.

A Diversity Impact Assessment (DIA) had been completed for this stage of the process as set out at Appendix 1 to the report. Following consultation the DIA would be reviewed and presented to the Children and Young People Overview and Scrutiny Committee on 9 January 2020 and Cabinet on 14 January 2020.

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

**123/2019**      **The Cabinet agreed to instruct the Director of People – Children and Adults Services to commence a period of consultation to examine the future use of the Old Vicarage provision as set out in section 6 of the report.**

**124/2019**      **The Cabinet agreed that the outcome of consultation be reported to the Children and Young People Overview and Scrutiny Committee on 9 January 2020 for consideration and to the Cabinet on 14 January 2020 for consideration and determination.**

**Reasons:**

As Corporate Parents, it is important that Medway Council does everything it can to give our Children a good start in life.

The recent Inspection of Local Authority Children's Services concluded that too many vulnerable children and young people wait too long for intervention. The Old Vicarage is unable to meet this evolving demand, and this is leading to too many young people being placed outside of Medway, often at considerable distance and expense.

**Recruitment Freeze**

**Background:**

This report presented information on 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 post were set out within Appendix 1 to the report.

**Cabinet, 22 October 2019**

**Decision  
number:**

**125/2019**

**Decision:**

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

**Children and Adults**

**a) Senior Administrator**

**Public Health**

**b) Workplace Health Project Coordinator (Suicide Prevention)**

**c) Programme Manager.**

**Reasons:**

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

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

.....  
**Date**

**Jade Milnes, Democratic Services Officer**

Telephone: 01634 332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

This page is intentionally left blank



# Record of Cabinet decisions

**Tuesday, 19 November 2019**

**3.00pm to 5.14pm**

**Date of publication: 20 November 2019**

**Subject to call-in these decisions will be effective from 28 November 2019  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services	
	Councillor David Brake	Portfolio Holder for Adults' Services	
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships	
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation	
	Councillor Adrian Gulvin	Portfolio Holder for Resources	
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)	
	Councillor Martin Potter	Portfolio Holder for Education and Schools	
	Councillor Rupert Turpin	Portfolio Holder for Business Management	

**In Attendance:** Neil Davies, Chief Executive  
Katey Durkin, Head of Finance Strategy  
Wayne Hemingway, Principal Democratic Services Officer  
Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive  
Perry Holmes, Chief Legal Officer/Monitoring Officer  
Julie Keith, Head of Democratic Services  
Ian Sutherland, Director of People - Children and Adults Services  
James Williams, Director of Public Health

## **Apologies for absence**

Apologies for absence were received from Councillors Alan Jarrett (Leader of the Council) and Phil Filmer (Portfolio Holder for Front Line Services).

## Cabinet, 19 November 2019

### Record of decisions

The record of the meeting held on 22 October 2019 was agreed by the Cabinet and signed by the Deputy Leader and Portfolio Holder for Housing and Community Services as a correct record.

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

#### Disclosable pecuniary interests

There were none.

#### Other significant interests (OSIs)

Councillor Doe declared an OSI in agenda items 4 (Draft Capital and Revenue Budget 2020/21), 12 (Revenue Budget Monitoring – Round 2 2019/20) and 13 (Capital Budget Monitoring – Round 2 2019/20) with regards to any reference to Medway Commercial Group Ltd (MCG) (and their subsidiaries) and Medway Development Company Ltd (MDC) because he is the Chairman of both companies and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussions and votes on these items.

Councillor Gulvin declared an OSI in agenda items 4 (Draft Capital and Revenue Budget 2020/21), 12 (Revenue Budget Monitoring – Round 2 2019/20) and 13 (Capital Budget Monitoring – Round 2 2019/20) with regards to any reference to Medway Development Company Ltd (MDC) because he is a Director of MDC and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussions and votes on these items.

Councillor Turpin declared an OSI in agenda items 4 (Draft Capital and Revenue Budget 2020/21), 12 (Revenue Budget Monitoring – Round 2 2019/20) and 13 (Capital Budget Monitoring – Round 2 2019/20) with regards to any reference to Medway Commercial Group Ltd (MCG) and Medway Norse Ltd because he is a Director of MCG and the Chairman of Medway Norse Ltd and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussions and votes on these items.

#### Other interests

There were none.

### Draft Capital and Revenue Budget 2020/21

#### Background:

This report provided details of progress towards setting the Council's draft capital and revenue budgets for 2020/21. It was noted that the draft budget was based on the principles contained in the Medium Term Financial Strategy (MTFS) 2019-2024, which had been approved by Cabinet on 24 September 2019 and reflected the latest

## Cabinet, 19 November 2019

formula grant assumptions. Draft budget requirements for the directorates in 2020/21 were set out in Appendices 1-3 to the report.

It was reported that there was currently a £5.956 million revenue budget deficit for 2020/21, increasing to £17.327 million by 2023/24 which would need to be addressed through the budget setting process. Whilst officers had been working with Portfolio Holders to formulate savings proposals to address the projected revenue budget deficit, little of this work had progressed sufficiently to be reflected in the draft budget proposals. In addition, the latest revenue budget monitoring report for round 2 was set out at agenda item 12.

In relation to the capital programme, it was reported that the existing programme, totalling £295.867 million, reflected planned capital expenditure over the medium term. This did not incorporate recommended additions to the Capital Programme which were detailed at agenda item 13 (Capital Budget Monitoring – Round 2 2019/20) and were due to be reported to Council on 23 January 2020 for approval.

In accordance with the Constitution, this report was the first stage of the budget consultation process leading to further consideration by Cabinet on 4 February 2020 and formal budget and council tax setting by Council on 20 February 2020. Budget proposals would now be submitted to the Council's overview and scrutiny committees, as set out in paragraph 13.2 of the report.

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

**126/2019**      **The Cabinet agreed to instruct officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2020/21 and beyond.**

**127/2019**      **The Cabinet agreed to refer the draft capital and revenue budgets to overview and scrutiny committees as work in progress, inviting them to offer comments on the proposals outlined.**

**Reasons:**

It is the responsibility of Cabinet to develop draft budget proposals for consideration by overview and scrutiny committees. These draft proposals are the first stage of the budget consultation process leading to further consideration by Cabinet on 4 February 2020 and formal council tax setting by Council on 20 February 2020.

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

Business Support	28 November 2019
Children and Young People	3 December 2019
Regeneration, Culture and Environment	5 December 2019
Health and Adult Social Care	16 January 2020
Business Support	30 January 2020

## Cabinet, 19 November 2019

Cabinet  
Council

4 February 2020  
20 February 2020

### Medway Children and Young People's Plan 2019-2021

#### Background:

This report provided details of the Medway Children and Young People's Plan. The report stated that the Plan set a shared vision for everyone working with children and young people in Medway. It stated that the vision was for Medway to have a child-focussed future in which all children and young people would be 'thriving, healthy and learning well'. The Plan focussed on the three key outcomes:

- Thriving in our community;
- A healthy start;
- Learning well.

The report set out details of the consultation process, as set out in section 8 of the report.

The Plan was considered by the Children and Young People Overview and Scrutiny Committee on 25 July 2019 and the Health and Wellbeing Board on 5 November 2019, details of which were set out in sections 4 and 5 of the report respectively.

A Diversity Impact Assessment had been undertaken on the Plan, details of which were set out in Appendix 5 to the report.

#### **Decision number:**

#### **Decision:**

**The Cabinet noted the comments made by the Children and Young People Overview and Scrutiny Committee and the Health and Wellbeing Board and the responses from the Director of People – Children and Adults Services, as set out at sections 4 – 6 of the report.**

**128/2019 The Cabinet approved the Medway Children and Young People's Plan, as set out at Appendix 1 to the report and the accompanying documents attached at Appendices 2 and 3 to the report.**

#### Reasons:

The Medway Children and Young People's Plan sets key strategic priorities for partnership action to improve outcomes for Medway's children and young people and help them achieve their potential. It maintains Medway Council's momentum in promoting good practice as well as its commitment to ensuring a child-focused future for Medway. Central to this is that the Council helps Medway's children and young people to be "Thriving, Healthy and Learn Well".

## Joint Special Educational Needs and Disabilities Strategy

### Background:

This report provided details of the Joint Special Educational Needs and Disability (SEND) Strategy, which had been developed by the Council and Medway Clinical Commissioning Group (CCG). This Strategy set out the local area's vision, guiding principles and the key areas of development that would be the focus for Medway's children and young people with SEND over the coming five years.

The report provided details of the Strategy's vision for children and young people in Medway:

- Be happy, healthy and safe;
- Achieve their potential;
- Be part of, and contribute to, their communities;
- Be resilient and as independent as possible and be able to make choices about their future.

The report also provided details of the Strategy's seven joint strategic priorities and a set of principles for children and young people with SEND, as set out in paragraphs 2.4 and 2.5 of the report.

The report set out details of the consultation process, as set out in section 5 of the report.

The Strategy had been considered by the Children and Young People Overview and Scrutiny Committee on 3 October 2019 and the Health and Wellbeing Board on 5 November 2019, details of which were set out in sections 7 and 8 of the report.

A Diversity Impact Assessment had been undertaken on the Strategy, details of which were set out in Appendix 5 to the report.

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

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee and the Health and Wellbeing Board, set out at sections 7 and 8 of the report.**

**129/2019      The Cabinet approved the Strategy, as set out at Appendix 1 to the report.**

### Reasons:

The Strategy is a Local Area Joint Strategy, reflecting shared strategic direction of travel for the local area, including key partners in health and education settings. The Strategy was informed by the views of parents and young people and focuses on key areas for improvement across the Council, health, social care and education

## Cabinet, 19 November 2019

with the key aim of improving the opportunities for young people with SEND to live fulfilled lives and achieve independence in or near their local community.

### **Homelessness and Rough Sleeper Strategy 2019-2024**

#### **Background:**

This report provided details of the Homelessness and Rough Sleeper Strategy 2019-2024. The Strategy responded to the Homelessness Reduction Act 2017, government guidance on homelessness and rough sleeping and current practice in Medway.

The report stated that the Strategy addressed five main themes, reflecting the advice of the current Homelessness Code of Guidance for Local Authorities:

- Providing advice and information to prevent homelessness;
- Identifying households at risk of homelessness early;
- Intervening before homelessness occurs;
- Preventing recurring homelessness;
- Working with partner agencies.

The report set out details of the consultation process, as set out in section 6 of the report.

The Strategy had been considered by the Business Support Overview and Scrutiny Committee on 24 October 2019, details of which were set out in section 7 of the report.

A Diversity Impact Assessment had been undertaken on the Strategy, details of which were set out in Appendix 2 to the report.

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

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

**130/2019      The Cabinet approved the Homelessness and Rough Sleeper Strategy 2019-24 as set out at Appendix 1 to the report.**

#### **Reasons:**

The Homelessness Act 2002 requires all local housing authorities to carry out a review of homelessness and provide and publish a strategy based on its findings.

This Strategy meets that requirement and is named and planned in accordance with the government's Rough Sleeper Strategy 2018 and is considered suitable by the

## Cabinet, 19 November 2019

Ministry for Housing, Communities and Local Government's rough sleeper initiative adviser.

### **Risk Strategy Annual Review**

#### **Background:**

This report provided details of the annual review of the Risk Strategy. The report stated that the Strategy was reviewed annually to ensure that it remained up to date and continued to reflect the Council's approach to risk management. In particular, this review brought the Strategy in line with the International Standard in Risk Management (ISO 31000:2018(E)), which provided a common approach to managing any type of risk and could be applied to any activity and updated the format to be consistent with other Council strategies.

The report also stated that the Strategic Risk Register was now subject to an increased frequency of reviewing the risk register, which would enable risks to be reported alongside performance and budget monitoring and therefore support decision making.

The annual review was considered by the Audit Committee on 26 September 2019 and the Business Support Overview and Scrutiny Committee on 24 October 2019, details of which were set out in section 4 of the report.

#### **Decision number:**

**The Cabinet noted the comments of the Audit Committee and the Business Support Overview and Scrutiny Committee set out at section 4 of the report.**

**131/2019 The Cabinet approved the Risk Management Strategy as set out at Appendix 1 to the report.**

#### **Reasons:**

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

### **Future High Street Fund Chatham - Business Case Development**

#### **Background:**

This report provided details of an update on the development of the Business Case for the Future High Streets Fund Chatham funding bid. The report stated that in early 2019, the Council had developed and submitted an Expression of Interest (EOI) for funding to regenerate and re-imagine Chatham's High Street and town centre working closely with key partner organisations. During early August 2019, the Ministry for Housing, Communities and Local Government (MHCLG) had informed

## Cabinet, 19 November 2019

the Council that the EOI had been successful and the Council had been invited to develop and submit an outline business case by 15 January 2020 and a final business case by 30 April 2020.

The report provided details of the further work required to develop and submit the outline and final business cases as well as the projects being scoped as part of this process.

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

- 132/2019**      **The Cabinet agreed to support the development and submission of the outline and final Future High Street Chatham Business Cases in accordance with paragraphs 2.2 and 2.3 and section 3 of the report.**
- 133/2019**      **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 Planning, Economic Growth and Regulation to develop, finalise and approve the outline and final Business Cases and submit them to the Ministry of Housing, Communities and Local Government by the deadlines set out in paragraph 2.8 of the report.**

**Reasons:**

To enable the Future High Streets Fund bid to be submitted to the Ministry of Housing, Communities and Local Government in line with the deadlines set out at paragraph 2.8 of the report.

To support the priorities within Medway Council's Strategy in regenerating Chatham as Medway's Waterfront University City Centre.

### **South East Local Enterprise Partnership (SELEP) Future Board Structure**

**Background:**

This report provided details of the Government's reforms to Local Enterprise Partnerships (LEPs) and the necessary steps required to be taken by the South East Local Enterprise Partnership (SELEP) to comply with the changes.

The report provided details of the outcome of the Government's review of the LEPs and included details of the required changes to them, as set out in paragraph 2.4 of the report. This included the requirement that LEPs must become companies to allow them to enter into legal commitments to take on further responsibilities in the future, as well as a number of other requirements.



## Cabinet, 19 November 2019

The report also provided details of the progress made by SELEP on the required changes, noting that a further report would be submitted to Cabinet on 14 January 2020 on this matter.

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

**134/2019**      **The Cabinet agreed to reaffirm its ongoing commitment to, and involvement in, the South East Local Enterprise Partnership (SELEP) and give its support in principle for the proposals for new governance arrangements, including:**

- **the establishment of a new legal personality;**
- **the refresh of the Joint Committee agreement; and**
- **the nomination of a Cabinet representative as Company Director**

**135/2019**      **The Cabinet agreed that the related suite of governance documentation should be submitted to Cabinet for full consideration and approval in due course.**

**Reasons:**

The alternative option (departing from SELEP) would jeopardise future funding for Medway, and significantly limit Medway Council's ability to prioritise its strategic aims within regional and national agendas.

### **Secondary Surge Classes for September 2020**

**Background:**

The Cabinet accepted this item as urgent to enable officers to commence the design and tender process for the projects required to provide the surge classes in readiness for September 2020 at the earliest opportunity, notwithstanding that Full Council approval was required for the virement for scheme 9, as set out in paragraph 6.7 of the report.

This report provided details of the position regarding secondary school places for the intake in September 2020, setting out the proposed solutions, and sought approval for the commencement of the programme to create an additional 248 year 7 non-selective school places to ensure that demand would be met.

The report stated that whilst Medway, working in partnership with Academy Trusts, had been successful with recent bids for new secondary schools, the delay in the opening of Leigh Academy Rainham until 2021 had resulted in a need for the Council to identify a number of surge classes to meet demand for school places. The report provided details of 9 schemes, as set out in paragraph 6.7 of the report.

## Cabinet, 19 November 2019

The report provided details of the proposed funding source for these schemes, as detailed in paragraphs 3.7 and 3.8 of the report.

The report also stated that Diversity Impact Assessments would be provided for individual proposals brought forward as a result of actions from this report.

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

- 136/2019**      **The Cabinet agreed the commencement of the design and tender process for the projects required to provide the surge classes in readiness for September 2020.**
- The Cabinet noted the virement from the SEND school budget of the funding required for schemes 3, 4 and 5, as shown in the table at paragraph 6.7 of the report, under the Director's delegation.**
- 137/2019**      **The Cabinet agreed a virement from the SEND school budget of the funding required for schemes 6, 7 and 8 as shown in the table at paragraph 6.7 of the report.**
- 138/2019**      **The Cabinet recommended to Council the approval of a virement from the SEND school budget of the funding required for scheme 9, as shown in the table at paragraph 6.7 of the report.**

**Reasons:**

By approving the recommendations in section 8, the Cabinet will be ensuring that the Council meets its statutory duty to ensure sufficient good quality school places are available.

The rules relating to the virement of capital funding are set out in the Council's Constitution.

### **Revenue Budget Monitoring - Round 2 2019/20**

**Background:**

This report provided details of the second round of revenue budget monitoring 2019/20. The report noted that, after proposed management action, the forecast outturn for 2019/20 represented a forecast pressure of £6.695 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 progressed.

The report set out an explanation of the pressures being faced and the corrective management action proposed by directorate management teams. The report also stated that the round 2 monitoring was considered by Corporate Management Team

## Cabinet, 19 November 2019

on 16 October and in addition to service managers being tasked with formulating a significant package of management action, all members of Corporate Management Team had resolved to exercise much tighter scrutiny and management over expenditure.

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

**139/2019**      **The Cabinet noted the results of the second round of revenue budget monitoring for 2019/20 and agreed to continue to work with senior officers to identify a range of measures to reduce expenditure within their portfolio areas.**

### **Reasons:**

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

### **Capital Budget Monitoring - Round 2 2019/20**

#### **Background**

This report provided details of the second round of the Council's capital budget monitoring for the financial year 2019/20. The approved capital programme for 2019/20 was £295.867 million. The report also provided details of a number of proposed additions to the capital programme, details of which were set out in section 3 of the report.

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

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

**140/2019**      **The Cabinet recommended to Full Council that the capital programme is increased by £102,259 in respect of the additional cost identified for Mercury Abatement as set out in paragraph 3.5 of the report, funded from borrowing.**

**141/2019**      **The Cabinet recommended to Full Council that the budget for Command of the Heights is increased by £397,259 reflecting additional resources as set out in paragraph 3.6 of the report.**

**142/2019**      **The Cabinet recommended to Full Council that the capital programme be increased by £22,942 in respect of the additional costs on Rochester Station Totem as set out in paragraph 3.8 of the report, to be funded from capital receipts.**

## Cabinet, 19 November 2019

- 143/2019** The Cabinet recommended to Full Council that the capital programme be increased by £4.1 million for the HRA new Build Phase IV as set out in paragraph 3.11 of the report, to be funded 70% from borrowing and 30% from 'Right to Buy' capital receipts in line with the existing scheme.
- 144/2019** The Cabinet recommended to Full Council that the capital programme be increased by £300,000 to create the HRA Buy Back scheme, to be funded from HRA Reserves and Right to Buy receipts, as set out in paragraph 3.12 of the report.
- 145/2019** The Cabinet agreed that £200,000 be vired from the Strood Town Centre SELEP funded scheme to the Medway City Estate Connectivity SELEP funded scheme, as set out in paragraph 3.13 of the report.
- 146/2019** The Cabinet recommended to Full Council that the Capital Programme be increased by £380,000 in respect of the ICT Data Centre works, to be funded from prudential borrowing as set out in paragraph 3.14 of the report.

### Reasons:

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

### Council Plan Performance Monitoring Report and Risk Register Review Quarter 2 2019/20

#### Background:

This report provided details of how the Council had performed during quarter 2 in 2019/20 against the Council's three priorities and the actions being taken to improve performance. There were 44 Council Plan measures for 2019/20, of which it was currently possible to report on 36 as two were data only and 6 were not available for the reporting quarter.

In summary, 24 out of 36 measures had met or exceeded target, 6 were slightly below target and 6 were significantly below target.

The report also presented the quarter 2 2019/20 review of the Strategic Risk Register. Proposed amendments to the Risk Register were set out in paragraphs 2.2 and 2.3 of the report and the revised Risk Register was attached at Appendix 5 to the report.

It was noted that this report would be considered by the Overview and Scrutiny Committees November 2019 – January 2020.

Cabinet Members highlighted a number of key issues during discussion.

## Cabinet, 19 November 2019

**Decision  
number:**

**Decision:**

The Cabinet noted the Q2 2019/20 performance against the measures used to monitor progress against the Council's priorities.

**147/2019**

The Cabinet agreed the amended Strategic Risk Register as set out in Appendix 5 to the report including the following:

- The proposed changes to the current residual risk score for risks SR33, SR34, SR35, SR38 and SR21, as detailed in paragraph 2.2 of the report.
- The proposal to remove risk ref SR38: the transfer of the waste contract to Medway Norse, as detailed in paragraph 2.3 of the report.

**Reasons:**

Regular monitoring of performance by management and Members is best practice and ensures achievement of corporate objectives.

**Recruitment Freeze**

**Background:**

This report presented information on 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:**

**148/2019**

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

**Public Health**

- a) Data Quality and Monitoring Claims Officers x 3.

**Reasons:**

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

**Cabinet, 19 November 2019**

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

.....  
**Date**

**Wayne Hemingway, Principal Democratic Services Officer**

Telephone: 01634 332509

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

# Record of Cabinet decisions

**Tuesday, 17 December 2019**

**3.00pm to 4.30pm**

**Date of publication: 18 December 2019**

**Subject to call-in these decisions will be effective from 31 December 2019  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Martin Potter	Portfolio Holder for Education and Schools
	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**

There were none.

## **Record of decisions**

The record of the meeting held on 19 November 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)

Councillor Doe declared an OSI in any reference to Medway Development Company Ltd (MDC) because he is the Chairman of MDC and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in any discussions and vote accordingly.

Councillor Gulvin declared an OSI in any reference to Medway Development Company Ltd (MDC) because he is a Director of MDC and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in any discussions and vote accordingly.

Councillor Turpin declared an OSI in agenda item 12 (Medway Norse Update), because he is the Chairman of Medway Norse Ltd and he relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the discussion and vote on this item.

### Other interests

There were none.

## **Community Mental Health Support**

### **Background:**

This report provided details of options for people who currently used the Community Resource Centre at 147 Nelson Road, Gillingham. The report stated that the facility aimed to deliver centre based support to adults with social care needs in relation to their mental health. The team provided a structured programme of daytime group activities, in addition to some 1-1 outreach support. In addition, the team aimed to support service users in the recovery of their mental health through engaging them in opportunities to develop resilience and independence skills.

The report provided details of three options for the future provision of this service and sought approval to undertake public consultation on these options:

- Option 1 – do nothing;
- Option 2 – development of the service;
- Option 3 – closure of the centre.



## Cabinet, 17 December 2019

The report stated that public consultation would be undertaken for a period of 8 weeks whilst staff consultation would be undertaken for a period of 30 days. The report also provided details of an initial Diversity Impact Assessment which had been completed, as set out in Appendix 1 to the report. This would be revised and updated following consultation, taking into account views raised during the consultation.

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

**149/2019**      **The Cabinet agreed to instruct the Director of People – Children and Adults Services to commence a period of consultation to examine the future use of 147 Nelson Road as set out in paragraph 6.1 and section 7 of the report.**

**150/2019**      **The Cabinet agreed that the outcome of consultation be reported to the Health and Adult Social Care Overview and Scrutiny Committee in March 2020 for consideration, and to the Cabinet in April 2020 for consideration and determination.**

**Reasons:**

The aim of the proposed process is to agree service improvements that will enable people who use 147 Nelson Road to access education, training and recreational opportunities whilst also receiving support tailored to their social care needs. Where appropriate, it will also seek to achieve service efficiencies.

### **Medway Joint Adult Learning Disability Strategy**

**Background:**

This report provided details of the Medway Joint Adult Learning Disability Strategy 2019 - 2024 which had been co-designed with a range of stakeholders including people with learning disabilities and their families and carers. It set out the vision for reducing inequalities and improving outcomes for people with learning disabilities in Medway. The Strategy directly highlighted existing inequalities and detailed how, through the ten priorities, people with learning disabilities would be supported to live the life they chose, with the support they needed in their local community.

The report stated that outcomes would be achieved through delivery of the ten priorities, effective management, strengthened commissioning and continued partnership with stakeholders in co-designing delivery plans.

The report had been considered by the Health and Adult Social Care Overview and Scrutiny Committee on 15 October 2019 and the Health and Wellbeing Board on 5 November 2019 and the comments of these Committees were set out in section 5 and 6 of the report respectively.

## Cabinet, 17 December 2019

The report also provided details of a Diversity Impact Assessment which had been undertaken on the Strategy, as set out in Appendix B to the report.

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

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

**151/2019      The Cabinet approved the Medway Joint Adult Learning Disability Strategy 2019 – 2024 as set out at Appendix A to the report.**

### **Reasons:**

Approval of the Strategy will ensure that needs of people with learning disabilities sit at the heart of all the Council does and will set the direction for addressing inequalities and improving outcomes.

### **Planning Policy Update**

#### **Background:**

This report provided details of an update on the preparation of the new Medway Local Plan, including an update to the programme set out in the Local Development Scheme, and publication of evidence base documents.

The report also sought authority to publish the annual Medway Authority Monitoring Report, which provided an assessment of development trends and wider social, economic and environmental indicators, together with progress on the preparation of the new Local Plan.

In addition, the report also identified opportunities to streamline some processes relating to Neighbourhood Planning, through extending the officer scheme of delegation.

Appendices 1-9 to the report were set out in Supplementary Agenda No.1. A Diversity Impact Assessment was included at Appendix 9 to the report.

The following site maps, which formed part of Appendix 7 (Medway Strategic Land Assessment, December 2019) to the report, were tabled at the meeting:

- A plan combining the information included in the site maps as set out in pages 509 and 512-525 of Supplementary Agenda No.1 entitled Medway Strategic Land Availability Assessment (SLAA), 2019: Development pipeline sites (residential and commercial land, with planning consent/under construction) in blue outline and residential sites meeting SLAA criteria (Suitable, Available and Achievable) in red outline.

## Cabinet, 17 December 2019

- A plan combining the information included in the site maps as set out in pages 512-525 of Supplementary Agenda No.1 entitled Medway Strategic Land Availability Assessment (SLAA), 2019: Included employment sites (including new SLAA sites and reassessed existing employment sites).

**Decision number:**

**Decision:**

- 152/2019**      **The Cabinet approved the Medway Local Development Scheme, December 2019, as set out at Appendix 1 to the report, as an updated programme for the preparation of the Medway Local Plan, to take effect from 31 December 2019.**
- 153/2019**      **The Cabinet approved the 2019 Authority Monitoring Report, as detailed in paragraph 4.1 of the report, for publication.**
- 154/2019**      **The Cabinet approved the Town Centre Masterplans for Chatham, Strood and Gillingham as set out at Appendix 4, Appendix 5 and Appendix 6 to the report respectively as part of the evidence base for the Medway Local Plan.**
- 155/2019**      **The Cabinet approved the Medway Strategic Land Availability Assessment, 2019 as set out at Appendix 7 to the report and the Medway Playing Pitch Study as set out at Appendix 8 to the report as part of the evidence base for the Medway Local Plan.**
- 156/2019**      **The Leader agreed to amend the Employee Scheme of Delegation to provide for a delegation to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive to deal with any future applications for designations of neighbourhood planning areas and forums, as set out in paragraph 4.9 of 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.

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

To provide for an up to date and robust evidence base for the Medway Local Plan.

To provide for efficient decision making on the designation of Neighbourhood Areas and Neighbourhood Forums.

## Castle Concerts Analysis and Future Options

### Background:

This report provided details of the Castle Concerts' recent financial challenges and provided details of a viable option to ensure the Council removed the financial risks associated with delivering a commercial music concert series.

The report included details of the financial analysis of the Castle Concerts since 2009/10 which stated that expenditure had consistently outweighed income with the exception of 2017, when Craig David played two nights and a surplus of the income of £3,000 was generated. The report also provided details of ticket sales, costs of event marketing, costs of event performers, costs of event staging, ticket prices and the average margin per ticket.

The report provided details of three options for consideration with option 3 (third party delivery) representing the recommended way forward.

The Regeneration, Culture and Environment Overview and Scrutiny Committee considered this report on 5 December 2019 and its comments were set out in section 6 of the report.

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

### **Decision number:**

### **Decision:**

**The Cabinet noted the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out in section 6 of the report.**

**157/2019**     **The Cabinet agreed that the Council withdraw from the direct delivery of the Rochester Castle Concerts and agreed to instruct officers, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to work with a third-party (option 3) to deliver a commercial music concert series in Medway removing the Council from future financial risk.**

### Reasons:

This will enable a continued commercial music concert offer in Medway whilst removing the Council from future financial risk.

## School Admission Arrangements 2021

### Background:

This report provided details of the outcome of the consultation on the coordinated admission schemes and arrangements for primary and secondary schools for September 2021.

The report stated that there were no proposed changes to secondary admissions and primary admissions other than the revision of dates to fit the 2021 admission timeline.

The Children and Young People Overview and Scrutiny Committee considered this report on 3 December 2019 and its comments were set out in section 7 of the report.

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

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

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

**158/2019      The Cabinet approved the proposed 2021 admissions arrangements and schemes set out in Appendices 1 and 2 to the report.**

### Reasons:

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

## **Outcomes of Statutory Consultation for the Proposed Prescribed Alterations at St. Nicholas Church of England (VC) Infant School**

### Background:

This report provided details of the outcome of the formal consultation (statutory representation) period on the Council's proposal to change St Nicholas Church of England Voluntary Controlled Infant School from an infant to a primary school, by way of statutory prescribed alteration. The proposals (change of age range and enlargement of the premises) were set out in section 3 of the report.

The report stated that there had been four responses to the proposals, three of which were supportive whilst one response objected to the proposals. The objection was detailed in paragraph 5.11 of the report with the officer response to the objection set out in paragraph 5.12 of the report.

## Cabinet, 17 December 2019

The Children and Young People Overview and Scrutiny Committee considered this report on 3 October 2019, details of which were set out in section 6 of the report.

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

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

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in section 6 of the report.**

**159/2019      The Cabinet considered and noted the responses to the formal and informal consultations, together with the advice and analysis from officers and recommended the following proposals to the Schools Adjudicator:**

- **A ‘Change of age range’. This will extend the upper age range at the school from 7 to 11. This element is proposed by the school’s Governing Body, with the Local Authority usually the decision maker.**
- **The ‘Enlargement of the premises’ to ensure sufficient physical capacity is available for the school when full with a 210 pupil capacity. This element is proposed by the Local Authority, which is also usually the decision maker.**

### **Reasons:**

Where an objection has been made during formal consultation to the proposals for prescribed alterations to a School, the Cabinet must consider the objection and decide whether to recommend the proposals.

Subject to Cabinet’s recommendation and the Office of the Schools Adjudicator determination, approval to proceed with the proposals would ensure that the Council meets its statutory duty to provide sufficient school places.

### **Provisional Funding Formula for Mainstream Schools and Academies 2020-2021**

#### **Background:**

This report provided details of the 2020-21 funding arrangements for schools’ and academies’ and set out proposed changes to Medway’s mainstream schools and academies provisional funding formula, following consideration by the Schools Forum on 6 November 2019.

## Cabinet, 17 December 2019

The report stated that the financial modelling had been built using the October 2018 census data but the final budget allocations would be based on actual pupil numbers from the Autumn census in October 2019, which was due to be released by the Department for Education in December 2019.

The Schools Forum's recommendations were detailed in paragraph 4.2 of the report, which represented a staged move towards option ii (to adjust and match the unit costs attached to each of the funding factors used within the Local Funding Formula to the National funding rates with the exception of the lump sum).

Supplementary Agenda No.2 provided details of the unit costs for the funding factors for years 2019/20 and 2020/21.

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

**160/2019**      **The Cabinet agreed to instruct officers to implement the 2020-21 provisional funding formula, as detailed in paragraph 4.2 of the report, and to note that the Schools Forum, on 15 January 2020, will recommend approval of the final funding formula to Cabinet.**

**Reasons:**

The Local Authority is required to implement the funding formula changes from 2020-21 in accordance with the regulations and to inform the Education Skills Funding Agency.

**"Healthy Minds, Healthy People: Wellbeing Across the Life Course in Medway"  
- Director of Public Health's Annual Report 2018-19**

**Background:**

This report provided details of the Director of Public Health's Annual Public Health Report (APHR) for 2018/19. The report stated that this edition of the APHR focused on mental wellbeing across the life course in Medway:

- Key information about what is known about the wellbeing of Medway's residents at different stages in the life course (young people, adults of working age and older people).
- Information about services, support and community assets in Medway that support residents to achieve and maintain good mental wellbeing.
- Ways in which local people, communities, schools, workplaces and health and care professionals can improve their mental wellbeing.
- Recommendations for future actions for partners to further improve mental wellbeing among Medway's population.

## Cabinet, 17 December 2019

- An update on progress against recommendations in the 2017-19 Director of Public Health's Annual Report on Health Protection.

The report stated that the main focus of the APHR was mental wellbeing (mental health promotion at a population level) rather than mental illness and its treatment.

The APHR had been considered by the Health and Adult Social Care Overview and Scrutiny Committee on 15 October 2019 and the Health and Wellbeing Board on 5 November 2019, details of which were set out in sections 5 and 6 of the report.

**Decision number:**

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

**The Cabinet noted the Annual Public Health Report, including its findings and recommendations.**

### Reasons:

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

### Medway Norse Update

#### Background:

This report provided details of a review of the performance of the Medway Norse Joint Venture from the perspective of the Council client for the second quarter of the 2019/20 financial year. The report was accompanied by an update on the Joint Venture's achievements and financial performance, prepared by the Partnership Director, as set out in Appendix 1 to the report.

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

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

**Decision number:**

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



## Cabinet, 17 December 2019

### Reasons:

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

### Recruitment Freeze

#### Background:

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

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

#### **Decision number:**

**161/2019**      **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:**

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

**a) Administrative Support Officer**

**b) Education Outreach Officer x 3**

#### **Public Health**

**c) Senior Commissioning Officer.**

### Reasons:

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

### **Gateway 3 Contract Award: Support to Live at Home Service - Home Care and Extra Care Framework**

#### Background:

This report provided details of the outcome of the procurement exercise for the procurement of the Support to Live at Home Service.

The report stated that the service would provide long-term and enablement homecare and support to people in their own home and to those living in the five extra care schemes across Medway.

An Exempt Appendix provided details of the financial analysis of the submissions and the outcome of evaluation.

## Cabinet, 17 December 2019

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:**

**162/2019**      **The Cabinet approved the appointment of providers outlined below for the provision of the Support to Live at Home service for a period of four years.**

Home Care		
Provider	Locality	Postcodes
London Care Ltd	1	ME7 and ME8
Agincare Ltd	1	ME7 and ME8
Independent Care Ltd	1	ME7 and ME8
Scott Care Ltd	1	ME7 and ME8
Rosemont Care Ltd	1	ME7 and ME8
Agincare Ltd	2	ME4 and ME5
Accessible Care Ltd (Clece Care Ltd)	2	ME4 and ME5
Rosemont Care Ltd	2	ME4 and ME5
Boldglen Ltd	2	ME4 and ME5
Rapid Care Ltd	2	ME4 and ME5
London Care Ltd	3	ME1, ME2 and ME3
Independent Care Ltd	3	ME1, ME2 and ME3
Scott Care Ltd	3	ME1, ME2 and ME3
Austen Allen Homecare	3	ME1, ME2 and ME3
Accessible Care Ltd (Clece Care Ltd)	3	ME1, ME2 and ME3

Extra Care	
Provider	Scheme
Everycare Ltd	Atlas Place
Everycare Ltd	Bellerophon House
Everycare Ltd	Montgomery Court
Everycare Ltd	Prospect Place
Everycare Ltd	Rogallo Place

### Reasons:

The procurement of the Support to Live at Home Service will deliver a Homecare and Extra Care service that will enable the following:

- High Quality – enhanced service for Medway residents.
- Basket of Hours – greater flexibility for the service user in the way care is planned and delivered.

**Cabinet, 17 December 2019**

- Outcomes Focused Care – to ensure the care received meets the service users' desired outcomes.
- Ongoing Development - the ability to develop the service, in line with innovative approaches.

These providers have demonstrated the ability to deliver services at, or exceed, the minimum standard required. They have also demonstrated the ability to deliver services at cost effective rates within the price cap published as part of the tender exercise.

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

.....  
**Date**

**Wayne Hemingway, Principal Democratic Services Officer**

Telephone: 01634 332509

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

This page is intentionally left blank