

# **Record of Cabinet decisions (Virtual Meeting)**

**Tuesday, 9 June 2020**  
**3.00pm to 4.34pm**

**Date of publication: 10 June 2020**

**Subject to call-in these decisions will be effective from 18 June 2020**  
**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	
	<b>In Attendance:</b>	Neil Davies, Chief Executive	
		Wayne Hemingway, Principal Democratic Services Officer	
		Perry Holmes, Chief Legal Officer/Monitoring Officer	

## **Apologies for absence**

There were none.

## **Record of decisions**

The record of the meeting held on 12 May 2020 and urgent decisions on 4 May 2020 and 22 May 2020 were agreed by the Cabinet and signed by the Leader as correct.

## Declarations of Disclosable Pecuniary Interests and Other Significant Interests

### Disclosable pecuniary interests

There were none.

### Other significant interests (OSIs)

Councillor Turpin declared an OSI in agenda item 9 (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.

## Revenue and Capital Budget Outturn 2019/20

### **Background:**

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2020. The report stated that these figures would form part of the Council's Statement of Accounts, which due to the government extension granted in response to the disruption caused by Covid-19, would be considered by the Audit Committee in Autumn 2020.

The report stated that despite the disruption caused by Covid-19 late in the financial year, the continued work to manage expenditure, allied to the review of the Minimum Revenue Provision (MRP) and Medway's share of the Government surplus on the business rates levy meant that the final outturn represented a net underspend on services of £2.8million, which would be transferred to the Council's usable general fund reserves.

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

**The Cabinet noted the 2019/20 revenue and capital outturn position.**

### **Reasons:**

Cabinet is the body charged with the executive management of the Council's budget and it is therefore important for the final outturn to be reported to Cabinet.

## Cabinet, 9 June 2020

### COVID-19 Response

#### Background:

The Cabinet agreed to accept this as an urgent item to ensure that the Cabinet was formally apprised of the process for managing the restarting of services post lockdown and longer term recovery at the earliest opportunity.

This report provided details of the Council's response to the COVID-19 (Coronavirus) global pandemic. It also outlined the approach in the coming weeks as priorities around the Council's response which would alter to reflect the partial lifting of the lockdown and the moves to restart the economy and reopen businesses and schools.

The report provided detailed information as to how the Council had managed the response to the pandemic, the requirement to develop a COVID-19 Local Outbreak Control Plan, and the Council's work with the voluntary and community sector.

The report also provided detailed information, at a service level (critical or non-critical), in terms of the Council's response to the pandemic.

#### **Decision number:**

#### **Decision:**

**The Cabinet noted the Council's response to the COVID-19 pandemic**

**60/2020**

**The Cabinet agreed to delegate authority to the Director of Public Health in consultation with the Leader to submit the Outbreak Control Plan, as described in section 4 of the report.**

#### Reasons:

### Outcome of HMIP Inspection of Youth Offending Team

#### Background:

The Cabinet agreed to accept this report as urgent to ensure that it could consider the outcome of the HMIP Inspection at the earliest opportunity.

This report provided details of the outcome of the HMIP inspection of the Youth Offending Team (YOT), which took place during 24 to 28 February 2020, and was published on 4 June 2020. Overall, Medway YOT had been rated as: 'Requires improvement'. This rating had been determined by HMIP following their assessment of the YOT in three specific areas of its work, referred to as 'domains'. Although Medway was rated "requires improvement", based on the inspection framework and scoring mechanism, it was only one point away from a 'good' judgement

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The report stated that there were 12 'standards' shared across the domains. Each standard reflected a specific evidence based element of YOT work underpinned by existing models or particular frameworks that should inform the work of the YOT and wider partnership. They were designed to drive improvements in the quality of work with children and young people who had offended. An Improvement Plan which responded to the inspection, was set out in Appendix B to the report.

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

**61/2020**      **The Cabinet noted the findings of the HMIP Inspection of the Youth Offending Team and agreed the Youth Offending Team Improvement Plan, as set out in Appendix B to the report.**

### Reasons:

To formally notify the Cabinet of the outcome of the inspection and to show Medway's commitment to responding to the inspection's findings.

### S75 Update: Better Care Fund

#### Background:

The Cabinet agreed to accept this report as urgent to ensure that it could finalise the Better Care Fund S75 Agreement at the earliest opportunity to ensure the continuation of the services funded by the Better Care Fund and the delivery of coronavirus funding from Central Government.

This report provided details of the Better Care Fund S75 agreement for 2020/21 which had been updated to reflect the new Kent and Medway CCG arrangements. In addition, this report set out a proposal for a variation to the S75 agreement for 2020/21 to include the Covid 19 (Coronavirus) funding in relation to hospital discharges and out of hospital work, as detailed in section 4 of the report.

The report also provided details of the proposal to extend the existing Better Care Fund arrangements of 2019/20 until the new policy framework and planning guidance was issued for this financial year.

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

**62/2020**      **The Cabinet agreed the revision of the S75 arrangements to include reference to the new Kent and Medway CCG and to pool the Coronavirus funding as detailed in section 4 of the report for the period from 1 April 2020 to 31 March 2021.**

**63/2020**      **The Cabinet agreed an extension of the existing BCF plan to cover the interim period until planning guidance is**

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**issued and to delegate authority for the development and delivery of Medway's Better Care Fund programme during 2020/2021 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 2020 to 31 March 2021 will enable the arrangements and services that sit within the Better Care Fund to be dealt with as seamlessly as possible as soon as the policy framework and planning guidance from Central Government is received. This has been delayed due to the Coronavirus Pandemic.

Given the severity of the Covid-19 pandemic and the funding available to Medway Council it is appropriate for the Council to introduce these measures.

### **Housing Infrastructure Fund (HIF) New Routes to Good Growth - Project Delivery**

#### **Background:**

The Cabinet agreed to accept this as urgent to meet the target date for signing the Grant Determination Agreement by 30 June 2020.

This report provides an update on the progress of Medway's Housing Infrastructure Fund (HIF) Bid – New Routes to Good Growth, which will provide much needed infrastructure to enable growth in and around the Hoo Peninsula.

The report provided details of a proposal to enable, in principle, should it become necessary, for the Council to utilise compulsory acquisition powers to ensure delivery of the required infrastructure of road, rail and Strategic Environmental Management Scheme (SEMS) that was to be supported by the Housing Infrastructure Fund.

The report stated that as this was an in principle decision, a further report would be presented to Cabinet at a later date detailing the full acquisition programme and seeking approval for the detailed acquisition proposals.

An exempt appendix provided details of the High Level Compulsory Acquisition Strategy and the indicative timeline.

#### **Decision number:**

**64/2020**      **The Cabinet agreed, in principle, that should it become necessary it will utilise compulsory acquisition powers to ensure delivery of the required infrastructure of road, rail and Strategic Environmental Management Scheme (SEMS). As this is an in principle decision a further report will be**

## Cabinet, 9 June 2020

**presented seeking approval for the detailed acquisition proposals.**

**The Cabinet noted the high-level strategy and timeline for use of compulsory acquisition powers.**

### **Reasons:**

In order to enter into the Grant Determination Agreement the Council is required to demonstrate commitment to use compulsory acquisition powers should it become necessary.

### **Renewal of Lease at Northbank House**

#### **Background:**

This report provided details of a proposal to renew the lease and grant agreement in respect of Northbank House on the Medway City Estate. The original lease was granted from 30 December 1996 for a term of 10 years, which expired on 29 December 2006. Subsequent leases had been granted with the last 7 year lease granted on 30 September 2013 and expiring on 1 October 2020. The report provided details of the benefits that IPS International Ltd, the lessee, had delivered in Medway.

An exempt appendix provided further information in respect of the financial and legal analysis of the renewal of the lease of Northbank House.

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

**65/2020**      **The Cabinet agree to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources to:**

- (i) serve any necessary notices, to take a surrender of the current lease and to grant a new lease or leases and any necessary supplementary agreement(s) in respect of Northbank House.**
- (ii) use the 2003 consent order, so that the property can be let at less than best consideration.**

### **Reasons:**

To maintain the Council's income flow from the property.

To help the tenant to continue to deliver training services for the benefit of the area.

## **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 third and fourth quarters of the 2019/2020 financial year.

The report also included an update on the Joint Venture's achievements and financial performance prepared by the Partnership Director at Medway Norse.

The report provided a breakdown of performance for each service area covered by Medway Norse.

### **Decision number:**

### **Decision:**

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

### **Reasons:**

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

## **Council Plan Monitoring and Risk Register Review 2019/2020 - Quarter 4**

### **Background:**

This report provided details of how the Council had performed in 2019/20 against the Council's three priorities using 44 key measures of success and 13 programmes which supported these priorities.

It was explained that, with regards to quarter 4, it was only possible to report on 39 of the key measures of success as 1 measure was data only and 4 measures were not currently available. It was noted that 59% of key measures of success had met or exceeded the target, 15% were slightly below the target and that 26% of key measures of success were significantly below target.

In addition, the report set out how the Council's response to Covid-19 had been controlled using the principles and tools of the Risk Management Strategy.

Cabinet Members highlighted a number of key issues during discussion.

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**Decision  
number:**

**Decision:**

The Cabinet noted note the Q4 2019/20 performance against the measures used to monitor progress against the Council's priorities.

The Cabinet noted that during Q4 2019/20 risks have been managed through the Council's Emergency Planning process.

The Cabinet noted that the Strategic Risk Management Group will resume monitoring strategic risks during quarter 1 2020/21.

**Reasons:**

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

### **Cabinet Advisory Groups**

**Background:**

This report provided a review of the various Cabinet Advisory Groups and asked the Cabinet to agree to the re-establishment of the Groups for 2019/2020 and sought approval to the establishment of two new Groups.

The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive Councillors.

**Decision  
number:**

**Decision:**

**66/2020**

The Cabinet agreed the re-establishment of the Cabinet Advisory Groups with the terms of reference set out in sections 2 to 12 and Appendices 2 to 4 to the report.

**67/2020**

The Cabinet agreed the establishment of the Medway Special Educational Needs and Disabilities (SEND) Partnership Board as a Cabinet Advisory Group, with the terms of reference and membership set out in Appendix 5 to the report.

**68/2020**

The Cabinet agreed the establishment of the New Routes to Good Growth Housing Infrastructure Fund (HIF) Delivery Board as a Cabinet Advisory Group, with the terms of reference and membership set out in Appendix 6 to the report.



## Cabinet, 9 June 2020

**69/2020      The Cabinet agreed the appointment of Members to these bodies, as set out in Appendix 1 to the report, for 2020/21.**

### **Reasons:**

The re-establishment of these groups will support the Cabinet in decision-making and the development of policies.

Establishment of the Medway Special Educational Needs and Disabilities (SEND) Partnership Board will inform and champion the delivery of the SEND Strategy and Accelerated Improvement Plan.

Establishment of the New Routes to Good Growth Housing Infrastructure Fund (HIF) Delivery Board will ensure effective monitoring and management of the HIF's delivery.

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**Leader of the Council**

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**Date**

**Wayne Hemingway, Principal Democratic Services Officer**

Telephone: 01634 332509

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

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