

Record of Cabinet decisions

Tuesday, 4 August 2020

3.00pm to 4.26pm

Date of publication: 5 August 2020

Subject to call-in these decisions will be effective from 13 August 2020 (with the exception of decision numbers 85/2020, 86/2020, 87/2020 and 88/2020)

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	
	Councillor Rupert Turpin	Portfolio Holder for Business Management	
	In Attendance:	Neil Davies, Chief Executive	
		Jade Hannah, Democratic Services Officer	
		Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Teri Reynolds, Democratic Services Officer		

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 7 July 2020 was 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)

There were none.

Other interests

There were none.

COVID-19 Recovery

Background:

This report provided an overview of the Council's Covid-19 Recovery Plan, the emerging workstreams, the work undertaken to date and the Council's desire to return to a 'back to better' position.

Decision number:

The Cabinet noted the approach to the Council's Covid-19 Recovery and progress to date across the various workstreams.

Reasons:

To highlight the approach the Council is taking in managing the recovery from the Covid-19 pandemic and the processes in place for restarting of services post lockdown and longer-term recovery.

Innovation Park Medway Local Development Order - Request to Consult

Background:

This report sought permission to undertake further consultation on the Draft Innovation Park Medway (IPM) Local Development Order (LDO). The draft IPM LDO builds upon the masterplan to set principles for development which would allow developers and businesses to bring forward high quality development in the high-value technology, engineering, manufacturing, and knowledge-intensive sectors.

The report stated that an initial public consultation process was undertaken in 2019, which received comments from public and statutory consultees. Liaison had since

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been ongoing with statutory consultees to ensure their concerns are addressed prior to adoption of the LDO. This resulted in some changes to the LDO, Environmental Statement and supporting documentation, which would require re-consultation as a legislative requirement. The report added that ongoing liaison with Highways England (HE) and Natural England (NE) in particular, had led to changes to the Design Code and transport assessment work.

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. The Chairman of the Regeneration, Culture and Environment Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in as this would enable officers to undertake consultation at the earliest opportunity.

The report noted that following public consultation, the LDO and supporting documents would be presented to Cabinet and Full Council for adoption.

Decision number: ***Decision:***

- 85/2020** **The Cabinet approved consultation on the draft Local Development Order as set out in this report.**
- 86/2020** **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Leader, the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships and the Portfolio Holder for Planning, Economic Growth and Regulation to finalise and approve the Local Development Order, Environmental Statement and Design Code prior to public consultation, as set out in paragraph 2.8 of the report, in the interest of satisfying Environmental Impact Assessment requirements.**
- 87/2020** **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Leader, the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships and the Portfolio Holder for Planning, Economic Growth and Regulation to approve any necessary amendments to the draft Local Development Order prior to public re-consultation as a result of representations from Highways England, Natural England and/or Tonbridge and Malling Borough Council.**
- 88/2020** **The Cabinet agreed that decision numbers 85/2020, 86/2020 and 87/2020 were considered urgent and therefore should not be subject to call-in.**

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Reasons:

Public consultation on the LDO and Environmental Statement is necessary in order to adopt the LDO, allowing high quality development to come forward at IPM.

Planning Policy Update

Background:

This report provided an update on two aspects of the Planning Service's work. It presented a revised timetable to produce the Medway Local Plan in a Local Development Scheme (LDS). It also set out a Housing Delivery Test (HDT) Action Plan that considered measures to help boost the supply of housing in Medway.

The report explained that the updated Medway LDS, set out at Appendix 1 to the report, reflected the additional work on the Strategic Transport Assessment, in line with the advice from Highways England as a statutory consultee. It also presented the ongoing work on the preparation of Neighbourhood Plans in Medway.

The report stated that the key stages of the programme to adoption of the Local Plan are as follows:

Key Stage	Date
Publication of draft Plan (Regulation 19)	Spring 2021
Submission to Secretary of State (Regulation 22)	December 2021
Independent Examination (Regulation 24)	Spring 2022
Adoption (Regulation 26)	December 2022

The report explained that publication of the HDT Action Plan, attached at Appendix 2 to the report, by August 2020 was required by the Government. It was explained that the predicted results show that Medway will pass the HDT in 2022 if it delivers the number of homes set out in the housing trajectory based on market intelligence and analysis of past trends. The timing would coincide with adoption of the Local Plan and would mean Medway would be able to make decisions based on the adopted policies including the sites allocated for housing in favour of other sites.

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

Decision number: **Decision:**

89/2020 **The Cabinet approved the Medway Local Development Scheme, 2020, to provide clarity on an updated programme for the preparation of the Medway Local Plan.**

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90/2020 **The Cabinet approved the publication of the Medway Housing Delivery Test Action Plan, 2020, as set out at Appendix 2.**

Reasons:

Cabinet is requested to approve the Medway LDS, 2020, to provide clarity on an updated programme for the preparation of the Medway Local Plan.

Cabinet is requested to approve the publication of the Medway HDT Action Plan, 2020, to meet requirements set by Government.

Voluntary Sector Task Group

Background:

This report presented the Task Group report titled 'The Voluntary Sector in Medway' which was set out at Appendix A to the report. The report provided details of the scope of the review, including the key lines of enquiry and the methodology together with the conclusions and recommendations of the Task Group.

The Business Support Overview and Scrutiny Committee considered the report at its meeting held on 2 July 2020 and its comments were set out in paragraph 5.4 of the report.

A Diversity Impact Assessment had been undertaken. This was included as Appendix 2 to the Task Group report.

During discussion of this matter Cabinet Members considered the impact of the Covid-19 pandemic and the needs of the community and voluntary sector in response.

Decision number: **Decision:**

The Cabinet noted the recommendations made by the Voluntary Sector Task Group set out at Appendix A.

The Cabinet noted the update on activity within the voluntary sector and the Council since March 2020 in response to the Covid-19 pandemic.

The Cabinet noted that the Business Support O&S Committee has agreed that a report on progressing the actions agreed by Cabinet be submitted to this Committee in January 2021 and that this update be given in the context of the latest situation with regard to the Council's

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Covid-19 Recovery Plan.

91/2020 **The Cabinet, in light of the impacts of Covid-19, instructed officers to undertake a full assessment of the recommendations arising from the Voluntary Sector Task Group and report back on the effect the pandemic has had on the needs of the sector.**

Reasons:

The recommendations seek to continue the Council's aim to help the voluntary sector by recognising that, in order to strengthen the relationship between the Council and the sector, a full review of the impacts of Covid-19 is needed to best understand the lessons that can be learned from the pandemic period and to accurately evaluate the needs of the sector.

Ofsted Update Report - Children's Services in Medway

Background:

This report provided the Cabinet with a progress update on improvement activity since the Ofsted Inspection of Local Authority Children's Services. The report explained that the current Improvement Plan, attached at Appendix 1 to the report, had been refreshed and updated to reflect the progress made and the priorities for moving the service forward over the next twelve months.

The Portfolio Holder for Children Services (Lead Member) also confirmed that the first Ofsted monitoring visit, which had been delayed earlier in the year due to the Covid-19 pandemic, had been rescheduled for 20 and 21 August 2020.

Decision number: **Decision:**

The Cabinet noted the content of this report, the improvement steps taken so far, and the progress made, and noted the updated Improvement Plan, attached at Appendix 1 to the report.

Reasons:

To formally notify the Cabinet of the progress made in relation to improving Children's Social care services.

To ensure Cabinet are aware of the feedback from and the ongoing involvement of the Children's Services Commissioner and the Statutory Direction from the Secretary of State.

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Gateway 3 Contract Award: Support to Live at Home Service - Extra Care Services

Background:

This report provided details of the tender and evaluation process for the Support to Live at Home Service - Extra Care element of the contract.

The report explained that the Support to Live at Home Service would replace the current framework agreements for the provision of Homecare and Extra Care services. The retendering of the Extra Care element of this framework had been required due to an inability to successfully appoint providers to the five Extra Care Schemes across Medway in January 2020.

The report had been considered by the Procurement Board on 15 July 2020, details of which were set out in section 8 of the report.

The Council's decision to award this contract 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 enter into this framework agreement before the end of the standstill period.

Decision number:

92/2020

Decision:

The Cabinet approved the appointment of providers outlined below for the Support to Live at Home Service, Extra Care Framework.

Extra Care	
Provider	Scheme
London Care PLC	Lot 1 - Atlas Place
Care Outlook Ltd	Lot 2 - Bellerophon House
Independent Care and Support Ltd	Lot 3 - Montgomery Court
Independent Care and Support Ltd	Lot 4 - Prospect Place
London Care PLC	Lot 5 - 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.
- **Outcomes Focused Care** – to ensure the care received meets the service users' desired outcomes.

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- **Ongoing Development** - the ability to develop the service, in line with innovative approaches

The recommended 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.

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Leader of the Council

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Date

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