

Record of Cabinet decisions

Tuesday, 2 March 2021

3.00pm to 4.15pm

Date of publication: 3 March 2021

Subject to call-in these decisions will be effective from 11 March 2021

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 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
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Jon Pitt, Democratic Services Officer	

Apologies for absence

Apologies for absence were received from Councillor Rodney Chambers OBE.

Record of decisions

The record of the meeting held on 2 February 2021 and of the urgent decision taken by the Leader on 18 February 2021 were agreed by the Cabinet and signed by the Leader as correct records.

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Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Howard Doe declared an OSI in agenda item 6 (Revenue Budget Monitoring Report - Round 3 2020/21), agenda item 7 (Capital Budget Monitoring Report - Round 3 2020/21) and agenda item 8 (Council Plan Monitoring and Risk Register Review 2020/21 - Quarter 3 2020/21) because he is the Chairman and Director of Medway Development Company (MDC) Ltd and of Medway Commercial Group Ltd (to be renamed Kyndi Ltd). Councillor Doe relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and votes on items 6, 7 and 8.

Councillor Adrian Gulvin declared an OSI in agenda item 6 (Revenue Budget Monitoring Report - Round 3 2020/21), agenda item 7 (Capital Budget Monitoring Report - Round 3 2020/21) and agenda item 8 (Council Plan Monitoring and Risk Register Review 2020/21 - Quarter 3 2020/21) because he is a Director of Medway Development Company (MDC) Ltd. Councillor Gulvin relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in the discussion and votes on items 6, 7 and 8.

Councillor Rupert Turpin declared an OSI in any reference to Medway Commercial Group Ltd (to be renamed Kyndi Ltd) as he is a Director of Medway Commercial Group Ltd. He also declared an OSI in agenda item 10 (Medway Norse Update) because he is the Chairman of Medway Norse. Councillor Turpin relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any discussions and votes thereon.

Other interests

There were none.

Discretionary Council Tax Relief for Care Leavers

Background:

This report provided details of the proposed Care Leavers Council Tax Discretionary Relief Policy. The report explained that other local authorities had introduced measures to assist care leavers with council tax following the recommendations made in the Government's care leavers strategy, Keep on Caring, which encouraged local authorities to do so.

The report explained that this was an issue that had been raised by the Corporate Parenting Board and had been considered at a joint problem-solving meeting between officers from Children's Social Care and Housing, chaired by the Chief

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Legal Officer. There was broad support from a Member and officer perspective that change should be affected to benefit Medway's care leavers.

The report stated that the Policy would stand alone. It would be reviewed yearly and presented to Cabinet as required. This meant that provision was not affected by changes to Medway's Council Tax Discretionary Relief Policy. The Policy would also be sustained and operated outside the Council Tax Reduction Scheme (CTRS), meaning that care leavers would not be affected by changes to the scheme.

The report provided four options, as set out at section 3 of the report. The preferred option was Option 3. This would empower and encourage the care leaver to apply for appropriate reductions, such as council tax reduction, single person discount or disregards. The Council would subsequently reduce the liability to nil after the statutory reductions were made.

An addendum report, set out in Supplementary Agenda Number 1, provided further clarity in relation to the proposed discretionary council tax relief policy for care leavers. The Cabinet was requested to approve implementation of Option 3, set out in paragraph 3.3 of the main report and to agree adoption of the Policy, as set out in Appendix 1 to the addendum report.

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

Decision number: ***Decision:***

33/2021 **The Cabinet approved the implementation of Option 3, set out at paragraph 3.3 of the main report, together with the discretionary council tax relief policy for care leavers set out in Appendix 1 to the addendum report from 1 April 2021 to 31 March 2022.**

The Cabinet noted that, if agreed, this policy will be reviewed annually, and any proposed changes referred to cabinet for consideration.

Reasons:

As the corporate parent to care leavers, Medway Council has the responsibility to provide financial support and guidance.

Better Care Fund

Background:

This report provided details of the Better Care Fund (BCF) Plan for 2021-2022. The report explained that local areas were required to keep their existing BCF Plans (2017-2019) in place to cover the 2020/21 financial year, due to the response to the Covid-19 Pandemic. It was anticipated that the current BCF arrangements and S75

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would need to be extended again to allow the services that sit within the BCF to continue to operate seamlessly until Government issued new planning guidance for 2021-22. Areas would need to produce a new BCF plan for assurance locally and nationally upon release of this guidance.

Decision number: **Decision:**

34/2021 **The Cabinet agreed an extension of the existing Better Care Fund Plan and S75 arrangements to cover the financial year 2021/22, until a new arrangement can be established following receipt of government guidance.**

35/2021 **The Cabinet agreed to delegate authority to the Director of People - Children and Adults Services, in consultation with the Portfolio Holder for Adults' Services, the Chief Legal Officer and the Director of Medway and Swale ICP (on behalf of the Kent and Medway CCG) to oversee production of any new BCF plans in line with government guidance and the for the development and delivery of Medway's Better Care Fund programme.**

Reasons:

This will enable the services which sit within the BCF to continue to operate seamlessly until Government issue new planning guidance for 2021/22.

Following receipt of national policy guidance requiring significant revisions to the existing BCF plan, a reporting timetable to return to Cabinet and Health and Wellbeing Board will be established. The Health and Wellbeing Board will be asked to support any new BCF plan. The delivery of the Plan's programme of works will be considered and monitored by the Joint Commissioning Management Group and highlight papers will go to the Kent and Medway Clinical Commissioning Group's Governing Body.

Revenue Budget Monitoring Report - Round 3 2020/21

Background:

This report presented the results of the third round of the Council's revenue budget monitoring for 2020/21. The report explained that this forecasted an underspend of £3.412million. The speed and effectiveness of the Council's distribution of Government provided Covid-19 grants was highlighted.

Decision number: **Decision:**

The Cabinet noted the results of the third round of revenue budget monitoring for 2020/21.

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Reasons:

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

Capital Budget Monitoring Report - Round 3 2020/21

Background:

This report presented the results of the third round of the Council's capital budget monitoring for the financial year 2020/21. The report explained that this forecasted an underspend of £1.746million.

Decision number:

Decision:

The Cabinet noted the results of the third round of capital budget monitoring for 2020/21.

36/2021

The Cabinet agreed to recommend to Full Council the virement of £499,000 from the Britton Farm Residential Scheme to the Medway Development Co Ltd (MDC) holding scheme, to fund expenditure on future MDC schemes as set out in paragraph 7.3.3 of the report.

Reasons:

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

Council Plan Monitoring and Risk Register Review 2020/21 - Quarter 3 2020/21

Background:

This report provided details of how the Council had performed during quarter 3 in 2020/21 against the Council's three priorities and the actions being taken to improve performance. The report also presented the quarter 3 review of strategic risks.

There were 48 Council Plan measures for 2020/21, of which it was currently possible to report on 37 as one measure was data only and 10 were not available this quarter. In summary, 27 out of 37 measures met or exceeded target, four out of 37 measures were slightly below target and six out of 37 measures were significantly below target.

The report was due to be considered by the Overview and Scrutiny Committees during March 2021.

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Decision number:

Decision:

The Cabinet noted the Q3 2020/21 performance against the measures used to monitor progress against the Council's priorities.

37/2021

The Cabinet agreed the amended Strategic Risk Register set out at Appendix 5 to the report and in doing so:

- a) noted the addition of a new risk to the Strategic Risk Register - SR49: Income Reduction due to Covid19.
- b) agreed the proposal to add a new risk for the Housing Infrastructure Fund at quarter 4 risk monitoring.

Reasons:

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

Referral from the Regeneration, Culture and Environment Overview and Scrutiny Committee - 20mph Pilot Scheme in Medway

Background:

The report provided details of a referral from the Regeneration, Culture and Environment Overview and Scrutiny Committee meeting held on 14 January 2021 in relation to a pilot 20mph scheme in Medway.

The comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee were set out in section 2 of the report. The Committee recommended that Cabinet be requested to use the Members' Priorities Fund to introduce a 20mph pilot scheme in Medway, taking an evidence-based approach but ideally in an area where several schools were located.

The report noted that if the Cabinet agreed the request of the Regeneration, Culture and Environment Overview and Scrutiny Committee, a Diversity Impact Assessment would be undertaken during the development of a pilot 20mph scheme.

Decision number:

Decision:

38/2021

The Cabinet did not agree the recommendation from the Regeneration, Culture and Environment Overview and Scrutiny Committee that a 20mph scheme be piloted in Medway, but noted that permanent 20mph schemes remained a viable option for consideration by officers and the Portfolio Holder for Frontline Services on a case-by-case basis.

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Reasons:

The success of existing 20mph schemes in Medway indicates that a pilot scheme is not necessary at the present time, and permanent 20mph schemes will be considered by officers and the Portfolio Holder for Frontline Services where the evidence indicates this is the most appropriate solution to road safety issues in a particular 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 quarter of the 2020/2021 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.

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Leader of the Council

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Date

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