

Record of Cabinet decisions

Tuesday, 8 June 2021

3.00pm to 4.40pm

Date of publication: 9 June 2021

**Subject to call-in these decisions will be effective from 17 June 2021
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 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
	Jan Guylar, Interim Assistant Director, Legal and Governance	
	Teri Reynolds, Democratic Services Officer	

Apologies for absence

An apology for absence was received from Councillor Rodney Chambers OBE.

Record of decisions

The record of the meeting held on 4 May 2021 and of the urgent decisions taken by the Leader on 11 May 2021 and 13 May 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 Doe declared an OSI in agenda item 4 (Revenue and Capital Budget Outturn 2020/21), because he is the Chairman of Kyndi and Medway Development Company 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.

Councillor Gulvin declared an OSI in agenda item 4 (Revenue and Capital Budget Outturn 2020/21), because he is a Director of Medway Development Company 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.

Councillor Turpin declared an OSI in agenda item 4 (Revenue and Capital Budget Outturn 2020/21) and in agenda item 9 (Medway Norse Update), because he is a Director of Kyndi Limited 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 discussion and vote on these items.

Other interests

There were none.

Revenue and Capital Budget Outturn 2020/21

Background:

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2021. The report stated that these figures would form part of the Council's Statement of Accounts, which would be considered by the Audit Committee in Autumn 2021.

The report also presented a summary of debts written off during the 2020/21 financial year, in line with the constitutional requirement to submit a report to Cabinet on an annual basis setting out details of all debt written off.

The report advised that, at its meeting on 20 February 2020, the Council had set a total budget requirement of £323.365million for 2020/21. Following this, in response to the Covid-19 pandemic more than £108million of additional grant funding including the second, third and fourth tranches of non-ringfenced grant worth £16.441million, had been added to the revenue budget, taking the final outturn budget requirement to a total of £429.840million. In addition, the second claim against the Government's income compensation scheme had been submitted during the year with a third completed in May 2020. An estimate of £7.033million had been included within the outturn position in respect of that scheme.

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The report also requested that the Cabinet approve a budget virement of £750,000 in relation to the High Needs Special Places Provision Scheme and a virement of £499,000 in relation to the Britton Farm Residential Scheme.

Decision number: **Decision:**

The Cabinet noted the 2020/21 revenue and capital outturn position.

54/2021 The Cabinet approved the virement of £750,000 from the SEN School scheme to fund the pressure on the High Needs Special Places Provision scheme, as set out in section 8.2 of the report.

55/2021 The Cabinet approved the virement of £499,000 from the Britton Farm Residential Scheme to the Medway Development Co Ltd holding scheme, to fund expenditure on future Medway Development Company (MDC) schemes, as set out in section 8.5 of the report and detailed in the Round 3 Capital Budget Monitoring Report presented to Cabinet on 2 March 2021.

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.

Splashes Leisure Centre

Background:

This report requested Cabinet approval for the demolition of the existing Splashes Leisure Centre building to allow for a future Leisure facility on that site. The report also requested that part of the existing capital budget allocated to Splashes be used to fund the demolition costs of £343,000 and that the name of the scheme be changed to Splashes Replacement.

The report advised that should approval be given for the demolition of the existing facility, a further report would be presented to a future meeting of the Cabinet in relation to the business case and any further capital addition required.

Decision number: **Decision:**

56/2021 The Cabinet approved the demolition of the existing Splashes Leisure Centre building, Option 2 of the report, to allow for a future Leisure facility on that site.

57/2021 The Cabinet agreed that the demolition costs of £343,000,

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inclusive of professional fees, are funded from the existing £5 million capital scheme, Splashes Refurbishment 2020/21, to enable the demolition of the existing Splashes Leisure Centre building for future development on that site.

58/2021 The Cabinet agreed that the existing Splashes scheme, Splashes Refurbishment 2020/21, be renamed Splashes Replacement.

Reasons:

To enable the demolition of Splashes Leisure Centre and remove the risks of building collapse, vandalism / anti-social behaviour and ongoing maintenance costs.

Re:Fit Programme Public Works Loan Board (PWLB)

Background:

This report provided details of the Re:Fit programme; a building retrofit and energy generation programme which would provide considerable revenue savings and deliver on the Council's Climate Emergency Declaration. This would be achieved by an 'invest to save' model where the Re:Fit Framework contractor, Scottish and Southern Energy – SSE, would guarantee the savings.

The report set out that the Re:Fit Programme comprised a number of phases, with Phase 1 works due to commence this summer 2021. The business case for Phase 1 indicated a maximum cost of £3.5m with minimum annual revenue savings of £274K. The net revenue saving in year 1 was circa £14,000, with this increasing significantly by year four of the estimated 20 year useful life of the assets.

The report advised that the carbon savings associated with Re:Fit Phase 1 were 503 tonnes of carbon and that the programme was expected to deliver in excess of 2,000 tonnes of carbon savings in total. Re:Fit was an integral part of the Climate Change Action Plan [agenda item number 8 refers].

Exempt Appendix 1 to the report set out the Phase 1 Business Case of the Re:Fit programme.

Decision number: ***Decision:***

59/2021 The Cabinet approved the Re:fit programme, including the business case for phase 1 of the programme as set out at Exempt Appendix 1 and Appendix 2 of the report.

60/2021 The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Portfolio Holder for Resources, to deliver the Re:fit programme, including the submission of bids for grant funding if and where necessary.

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- 61/2021** The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader of the Council, to approve the business case for each further phase of the Re:fit programme (phases 2-4) and agree to release the required funding.
- 62/2021** The Cabinet agreed to recommend that the Chief Executive, using urgency powers (in place of referring this matter to full Council), agrees to add up to £3.5m to the Council's Capital Programme, funded from Prudential Borrowing to deliver the first phase only of the Re:fit programme.
- 63/2021** The Cabinet agreed to recommend to full Council on 22 July 2021 to agree the addition of up to £8.5 million to the Council's Capital Programme, funded from Prudential Borrowing to deliver phases 2 to 4 of the Re:fit programme.

Reasons:

To provide revenue savings and carbon reduction, to provide a delivery vehicle for the works associated with the Climate Emergency in council stock (including HSA and schools), to be ready to apply for carbon reduction grant funding.

Levelling-Up Fund and Community Renewal Fund Business Case Submission

Background:

The Cabinet accepted this report as urgent to enable consideration of the matter at the earliest opportunity (the next scheduled Cabinet meeting was due to take place on 13 July 2021) as the deadline for submission of a bid to the Levelling-Up and Community Renewal Funds was 18 June 2021.

This report sought approval of the business cases proposed for submission to central Government's Levelling-Up Fund (LUF) and Community Renewal Fund (CRF). The report and appendices were set out in Supplementary Agenda No.1

The report advised that the March 2021 Budget had introduced these two major new funding streams within the UK. The CRF would operate in 2021/22 only, with £204m for investment across the UK. The funding available was 90% revenue and 10% capital with individual projects asked to reflect this balance. All projects needed to demonstrate a contribution to the Government's net zero or wider environmental considerations. Lead authorities were required to produce a shortlist of projects for submission to Government, up to a maximum value of £3m. Medway's shortlist was set out at Appendix 1 to the report.

The report set out that the LUF focused on capital investment in local infrastructure with round one focusing on the themes of transport, regeneration and town centres and culture. Bids could respond to one or more of these themes. LUF projects had to be delivered by 31 March 2024, although exceptional projects can continue until 31

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March 2025. Across all LUF rounds, Medway Council was eligible to submit three bids across any of the themes, including one shared with Tonbridge and Malling Borough Council and one transport-focussed bid. LUF projects were also required to demonstrate a contribution to the Government's net zero or wider environmental considerations. Project summaries were set out at Appendix 2 to the report.

Decision number: ***Decision:***

64/2021 **The Cabinet approved the suite of Community Renewal Fund (CRF) and Levelling-Up Fund (LUF) business cases for submission to the Ministry of Housing, Communities and Local Government, as set out in Appendices 1 and 2 to the report.**

65/2021 **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Regeneration, Inward Investment and Partnerships, to finalise and approve the business cases and submit them to the Ministry of Housing, Communities and Local Government by the 18 June 2021 deadline.**

Reasons:

To enable the LUF and CRF bids to be submitted to government, in support of Medway Council's established regeneration priorities.

Climate Change Action Plan and Medway Net Zero Carbon Baseline Report

Background:

This report requested that the Cabinet agree to adopt the Climate Change Action Plan, as set out in Appendix 1 to the report. Development of the Strategy had followed the Council having declared a Climate Change Emergency in April 2019 and committing to establishing a clear action plan for Medway to deal with climate change, setting out an achievable and clear timeline.

The report also provided an overview of the Medway Net Zero Carbon – Baseline and Pathway Report, which had been commissioned so that the Council could understand its current carbon footprint and how it could reduce its emissions by 2050. This provided the evidence base which underpinned the draft Climate Change Action Plan, setting out a series of interventions to reduce the Council's emissions by 95% by 2050.

A Diversity Impact Assessment had been carried out and was set out at Appendix 3 to the report.

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Decision number: **Decision:**

66/2021 **The Cabinet agreed to adopt the current Climate Change Action Plan as set out at Appendix 1 to the report.**

67/2021 **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to establish arrangements for oversight of the Climate Change engagement and consultation programme as the next phase of activity.**

Reasons:

To support and uphold the Climate Emergency declaration and action against the net zero carbon targets.

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 2020/21 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. This was set out at Appendix 1 to the report.

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.

Cabinet Advisory Groups

Background:

This report provided a review of Cabinet Advisory Groups. As well as asking the Cabinet to agree to the re-establishment of the Groups for 2021/22, the report proposed an update to the Regeneration, Culture and Environment Member Project

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Advisory Board to consolidate this Board with the Chatham and Strood Regeneration Boards, details of which were set out in section 12 of the report.

The report also proposed the establishment of a new Advisory Group, called the Town Centres Board, details of which were set out in section 13 of the report.

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:***

- 68/2021** **The Cabinet agreed the re-establishment of the Cabinet Advisory Groups with the terms of reference set out in sections 2 to 11 and Appendices 2 to 6 to the report.**
- 69/2021** **The Cabinet agreed the establishment of the of the refreshed Regeneration, Culture and Environment Member Project Oversight and Advisory Board as a Cabinet Advisory Group, as set out in section 12 of the report.**
- 70/2021** **The Cabinet agreed the establishment of the Town Centres Board as a Cabinet Advisory Group, as set out at section 13 of the report.**
- 71/2021** **The Cabinet agreed the appointment of Members to these bodies, as set out in Appendix 1 to the report, for 2021/22, subject to the following amendments:**
- **Corporate Parenting Board – Cllr Thompson should be replaced with Cllr Potter as the substitute for Cllr Mrs Josie Iles;**
 - **Innovation Park Medway Delivery Board – the membership should also include Councillor Rupert Turpin, Portfolio Holder for Business Management;**
 - **Medway Skills Partnership Board – the membership should also include Councillor Howard Doe, Deputy Leader and Portfolio Holder for Housing and Community Services.**

Reasons:

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

Establishment of the refreshed Regeneration, Culture and Environment Member Project Oversight and Advisory Board will ensure all projects are sufficiently monitored and managed.

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Establishment of the Town Centres Board will ensure all developments taking place in our town centres are monitored and managed appropriately.

Gateway 3 Contract Award: Medway Children's Residential Assessment Unit

Background:

This report provided details of the outcome of the procurement exercise for the provision of the Medway Children's Assessment Unit.

The report explained that the Outline Sufficiency Report issued in October 2020 had set out the challenges and trends affecting children in and leaving care. One of the report's recommendations was to develop an assessment unit and consider the remodelling of existing Council premises to support the reunification of children back with families or into a more suitable and longer-term arrangement.

The Cabinet report outlined the options available to Medway Council in implementing that recommendation and recommended an option to utilise the Old Vicarage property with a commissioned service to a partner/provider for a period of a year and a half, thereafter moving to two more suitable smaller units.

An Exempt Appendix set out key information in respect of financial analysis, the tender process and evaluation and made a recommendation to award a contract.

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 enter into the contract before the end of the standstill period.

Decision number: ***Decision:***

72/2021 **The Cabinet approved the appointment of Five Rivers Child Care.**

Reasons:

The preferred provider meets the criteria set out within the tender and is also the best value for money.

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Leader of the Council

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Date

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