

Record of Cabinet decisions

Tuesday, 28 September 2010

3.00pm to 4.00pm

Date of publication: 29 September 2010

Subject to call-in these decisions will be effective from 7 October 2010

Present:	Councillor Alan Jarrett	Portfolio Holder for Finance and Deputy Leader
	Councillor Janice Bamber	Portfolio Holder for Customer First and Corporate Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Tom Mason	Portfolio Holder for Adult Services
	Councillor Les Wicks	Portfolio Holder for Children's Services
	Councillor David Wildey	Portfolio Holder for Children's Social Care
In Attendance:	Neil Davies, Chief Executive	
	Rose Collinson, Director of Children and Adults	
	Robin Cooper, Director of Regeneration, Community and Culture	
	Mick Hayward, Chief Finance Officer	
	Wayne Hemingway, Cabinet Coordinator	
	Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance	
	Julie Keith, Head of Democratic Services	

Apologies for absence

Apologies were received from Councillors Rodney Chambers (Leader), Howard Doe (Housing and Community Services) and Mike O'Brien (Community Safety and Enforcement).

Record of decisions

The record of the meeting held on 7 September 2010 was agreed and signed by the Deputy Leader as correct.

Declarations of interest

Neil Davies (Chief Executive) declared a personal interest, on behalf of those staff present, on agenda item 4 (Medium Term Financial Plan), regarding the proposals as set out in paragraph 13.4 of the report.

Medium Term Financial Plan 2011/2014

This report set out the major financial issues facing the Council over the next three years. It was noted that the future budget requirement, incorporating investment in meeting strategic objectives allied with demographic change would exceed available resources, even without the threat of significant reductions in government support. The detail of the government funding would be announced on 20 October 2010 and Medway would be informed of its grant by the end of November/early December.

The report set out the assessment of likely available resources. This would be determined by the support from Central Government through formula grant, area based grant and dedicated schools grant, and also the amount raised locally by council tax.

The report provided details of the Council's spending priorities across the Council's directorates and it was noted that there was a proposal to freeze employees' progression on the Council's incremental scales.

The report provided details of the Council's Value for Money Strategy and appendix 1 to the report set out progress against its objectives.

The report also set out the timetable for the development of the draft budget setting proposals and it was noted that business and service planning would run concurrently leading to the development of the Council Plan.

<i>Decision number:</i>	<i>Decision:</i>
136/2010	The Cabinet endorsed the underlying aims of the Medium Term Financial Plan.
137/2010	The Cabinet endorsed the forecast level of overall funding outlined in Section 4 of the report.
138/2010	The Cabinet instructed Portfolio Holders and Directors to identify savings and efficiencies to achieve a balanced budget for 2011/2012.
139/2010	The Cabinet authorised the commencement of a consultation aimed at freezing incremental progression as set out in paragraph 5.2 of the report and, if approved, and implemented, this be kept under review.

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Reasons:

This is a preparatory document to meet the budget process and timetable set out within the constitution.

Council Plan Review (policy framework)

This report set out the proposed amendments to the Council Plan (policy framework document) in light of changes to some inspection regimes and in-year budget reductions agreed by Council on 29 July 2010.

The proposed amendments had been considered by Business Support Overview and Scrutiny Committee on 23 September 2010, in accordance with the Council's policy framework rules, and the Committee's views were set out in an addendum report.

Decision number:

Decision:

140/2010

The Cabinet recommended to Council to change the Council Plan actions and measures highlighted in appendix 1 to the report subject to the retention of the actions and indicators as recommended by the Business Support Overview and Scrutiny Committee, as set out in paragraph 1.6 of the addendum report, with the exception of:

- (i) Delivery of Phase 2 of the Playbuilder Programme resulting in the refurbishment of 22 play areas by 2012;**
- (ii) Number of Sure Start Children Centres and;**
- (iii) Implement a £1m per annum housing renovation programme for the poorest quality housing in Luton and All Saints.**

Reasons:

It is important that the Council Plan reflects the current position and reflects changes to some inspection regimes and in year budget reductions.

Woodlands School Extension

This report set out potential procurement and other issues that had arisen from works carried out at Woodlands Primary School, Gillingham and identified further work needed together with the budgetary provision to carry it out.

The report set out the detail of how the proposals to undertake the works had been developed including the authorisation for budget allocation, budget monitoring,

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project management, procurement for the works and the current position. The report also included an options appraisal to enable further works to be carried out.

An addendum report was tabled at the meeting which provided the Cabinet with information on the Children and Adults Capital Programme approval process and information on works at the school.

The Cabinet accepted this as an urgent matter to enable the required works to be carried out.

Decision number:

Decision:

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| 141/2010 | The Cabinet agreed Option D, as set out in the report, and that the Section 106 Contribution for Grange Farm be used to fund this work. |
| 142/2010 | The Cabinet agreed the proposed project approval process outlined in the addendum report. |
| 143/2010 | The Cabinet asked the Audit Committee to consider the control issues arising from this report noting that Cabinet has agreed the proposed project approval process outlined in the addendum report. |

Reasons:

To ensure that procedures are in place to protect the Council from any financial mismanagement and to ensure that it obtains value for money in all circumstances.

To ensure that Woodlands Primary School can continue to operate as a 2 form of entry (FE) school, at the lowest possible cost to the Council.

Revision to Contract Procedure Rules

This report set out proposed changes to the Council's Contract Procedure Rules and the Council's procurement framework to ensure that its processes were more streamlined, whilst remaining robust.

The Council had approved a move to a risk based procurement system in December 2006 and a number of revisions to this process were proposed given that since that time, the local government procurement landscape had changed considerably with greater exposure to risk and market challenge.

It was noted that the Audit Committee would also be considering this report on 28 September given that proposals for changes to codes of practice on tenders and contracts formed part of the Committee's terms of reference. The Committee's views would be submitted to Council on 14 October 2010 for consideration.

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A flowchart was tabled at the meeting which summarised the proposed changes to the procurement process.

The Cabinet accepted this as an urgent item to enable it to be referred to Council on 14 October 2010 for decision.

Decision number:

Decision:

144/2010

The Cabinet recommended that Full Council adopt the Contract Procedure Rules as set out in the attached appendix to the report.

Reasons:

The revised rules will ensure that the Council's procurement framework remains robust, whilst streamlining our processes.

Review of Healthy Eating Among Children and Young People in Medway

This report set out the key findings and recommendations of the Children and Adults Overview and Scrutiny Committee's in-depth review of healthy eating among children and young people in Medway. The Committee considered this report on 9 September 2010 and paid tribute to the efforts of headteachers, teachers and catering staff of schools that they had visited during the course of the review. It was noted that a Diversity Impact Assessment was included in appendix 2 to the report.

Decision number:

Decision:

145/2010

The Cabinet agreed that the Contract Manager for school catering explore further options to provide low income families with information about free school meals and ask the Benefits Team if it is possible to include leaflets with this information when mailing out to claimants and for schools (headteachers in particular) to further encourage, where possible, families who qualify to take up the free school meals.

146/2010

The Cabinet agreed that school meal caterers are encouraged to promote school meals such as providing tasting opportunities to encourage children to try food without wastage, promoting school meals in Medway town centres and attending parent evenings.

147/2010

The Cabinet agreed that when new schools are developed in Medway the buildings are designed and built, where possible, to include dining room facilities to provide a relaxed environment for students to enjoy their lunchtimes.

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- 148/2010** The Cabinet agreed that schools are developed to include food technology facilities which can also be used for extra curricular activities after school for students and the whole community to help teach young people and families how to cook easy, healthy meals on a budget and that when new schools are built they are designed to encourage activities outside P.E. lessons and provide space for storing bicycles.
- 149/2010** The Cabinet agreed the Portfolio Holder for Children's Services write to the Government to request that they maintain the national Healthy Schools programme, explaining its benefits.
- 150/2010** The Cabinet agreed that post the completion of current school reorganisations, all schools are encouraged to obtain healthy schools status, if the initiative is continued.
- 151/2010** The Cabinet agreed that the Youth Service explore with Medway Youth Parliament (MYP) the possibility of 'healthy eating' being the subject of a future MYP conference.
- 152/2010** The Cabinet agreed that the Council investigate the possibility of developing a Supplementary Planning Document restricting fast food outlets from operating near schools, parks and leisure centres or at areas that are already highly concentrated with fast food outlets.
- 153/2010** The Cabinet agreed that schools are encouraged to enforce stay on site policies at lunchtimes to help ensure young people are only buying food in school, which is restricted to nutritional standards.
- 154/2010** The Cabinet agreed that the Council investigate the opportunity of adding a requirement for contributions to allotment provision, where appropriate, to the Developer Contribution Guide Supplementary Planning Document.
- 155/2010** The Cabinet recommended the following to NHS Medway's Health Improvement Strategic Change Group:
- (a)** the Public Health Directorate work with Health Visitors and the Family Nurse Partnership to ensure they are referring and signposting to the breastfeeding peer support programme and Sure Start Centres which often provide sessions and support relating to breast feeding, weaning and healthy eating for young children.
 - (b)** the Public Health Directorate be encouraged to develop the allotment in Gillingham using the best

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practice identified at the Windmill Community Allotment Project in Thanet and that it be used, along with the produce grown there, for community cookery programmes and learning to grow your own.

- 156/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Public Health Directorate work with early years providers who are delivering healthy eating related sessions to children and their families, to ensure they are delivering the correct nutritional information.
- 157/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Healthy Schools Team and Public Health Directorate develop a more co-ordinated approach to working together with schools.
- 158/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Social Regeneration and the Public Health Directorate work together to help provide families with information and support on how to eat healthily, particularly on a low budget. Some of this work should focus specifically to help young people to make informed healthy choices.
- 159/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Youth Service work the Public Health Directorate and in particular, ensure youth workers access the Healthy Weight Team for their expertise in ensuring they are providing accurate, coherent advice on healthy eating and healthy lifestyles.
- 160/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Public Health Directorate work with GPs in particular, but also leisure centres and schools, to be more proactive in either referring or signposting to public health services, such as MEND.
- 161/2010** The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that all of Medway's leisure centres work more closely with Public Health, with particular focus on the following issues: -
- (a) to make better choices on the healthy options in vending machines (learning from ways in which this has been done in schools and hospitals) and in the cafes;**

(b) to offer and advertise free water;

(c) to ensure leisure centres are able to sign-post children, young people and their families to public health services for advice on nutrition and healthy lifestyles

(d) to provide, where possible, space for Public Health Directorate to operate in leisure centres to give advice and guidance.

162/2010 The Cabinet agreed (and recommended to NHS Medway's Health Improvement Strategic Change Group) that the Public Health Directorate are invited to participate in developing relevant and appropriate pages on the mixit website (<http://www.medway.gov.uk/mixitindex.htm>) to provide young people with further information and sign-posting about healthy eating and healthy lifestyles.

Reasons:

The review identified good provision and support available both locally and nationally to help and encourage children and young people to follow healthy diets and maintain a healthy weight. These decisions are designed to progress the areas that could benefit from improvement or development, along with increased communication between departments to become more 'joined up' in providing information and support on healthy diets.

Employment Land Review Consolidation Study

This report set out the results of an Employment Land Review Consolidation Study, which had been commissioned to inform the Local Development Framework and would also be important in delivering the Council's Economic Strategy. The Study followed guidance issued by Communities and Local Government and asked how much employment floorspace would be required in the future and was it of the right type and in the right location.

The report set out the conclusions of the study including a new jobs target of 21,500 by 2026 and that, overall, no further land releases were required to meet the overall needs of the area.

Decision number:

163/2010 The Cabinet endorsed the report and its findings and agreed that the jobs target in the current Economic Strategy be moderated, in accordance with the findings in the Employment Land Review Consolidation Study, to 21,500, as set out in paragraphs 3.3 and 3.4 of the report.

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164/2010 **The Cabinet agreed that the Director for Regeneration Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth be granted delegated authority to approve minor changes to the Consolidation Study to improve its clarity and consistency, prior to its formal publication.**

Reasons:

To provide an up to date and accurate evidence base for the preparation of the Local Development Framework and to facilitate the delivery of the Economic Development Strategy.

Revenue Budget Monitoring

This report gave details of the forecast outturn for the 2010/2011 financial year projected based on actual income and expenditure from April 2010 to July 2010.

It was noted that on 25 February 2010 the Council had set gross revenue spending at £625million and a General Fund net budget requirement of £182.713 million for 2010/2011. It was noted that Council agreed to revenue savings totalling £3.057 million on 29 July 2010 in response to the public expenditure reductions announced by the government in May 2010.

The monitoring report indicated that after management action, the outturn forecast for 2010/2011 stood at a £650,000 overspend. After excluding the forecast underspend on the dedicated schools grant funded services the overspend on the General Fund was £1.164 million. It was noted that the forecast overspend of £650,000 would be offset by any reserve contribution to meet the once-off costs associated with budget reductions, including any shortfall arising from part year effect. This was currently forecast to be £534,000.

An analysis of the budget position for each directorate was set out in the report and accompanying appendices.

Decision number: **Decision:**

The Cabinet noted the result of the second round of revenue monitoring for 2010/2011 and the proposed management action to achieve the target savings.

Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council. Where a budget overspend is forecast, Cabinet supported by the corporate management team must identify measures to remove any excess expenditure.

Capital Budget Monitoring

This report gave details of the capital monitoring position for the period from April 2010 to July 2010, with a forecast outturn for 2010/2011 and future years.

It was noted that on 25 February 2010 the Council had approved a capital programme for 2010/2011 and future years of £116m. Having incorporated schemes rolled forward from the 2009/2010 capital programme and some further funding announcements the capital programme now approached £124m.

The report commented on the delivery of the capital programme, which was now in excess of 200 individual schemes, and updated Members on a number of issues. The current forecast showed that £93 million of the programme was forecast for spend during 2010/2011. It was noted that Council (29 July 2010) agreed to a number of measures to compensate for a loss of £908,500 funding against the approved Local Transport Plan programme and the loss of £1,006,775 of expected Public Service Agreement reward grant.

Decision number: ***Decision:***

The Cabinet noted the spending and funding forecasts summarised at tables 1 and 3 in the report.

The Cabinet noted the additions to the Capital Programme and virements as detailed in paragraph 5.1 of the report.

Reasons:

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

Recruitment Freeze

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).

Appendix 1 to the report provided details of the posts and included supporting Portfolio Holder comments.

**Decision
number:**

Decision:

165/2010

The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:

Business Support

- a) Lawyer (Planning)
- b) Legal Support Assistant

Children and Adults

- c) Support Services Assistant (Chatham and Rochester Integrated Area Team)
- d) Support Services Assistant (Woodlands Place)
- e) Support Services Assistant (Darnley Road, Strood)
- f) Support Services Assistant (Looked After Children Team)

Regeneration, Community and Culture

- g) Neighbourhood Improvement Coordinator (INSPIRER - Improving Neighbourhood Sustainability with Participatory and Innovative Responses to Environmental Regeneration)
- h) SUCCES (Sustainable Uplifting Client Centred Employment Support) Employment Project Officer.

Reasons:

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

Gateway 1 Options Appraisal: Medway Council Consultancy Services Framework for Municipal, Highway and Civil Engineering Design

This report set out the options appraisal for the proposed procurement process for the provision of a Consultancy Services Framework which would encompass services in relation to the design of any relevant municipal, highways and civil engineering projects. The report had been considered by the Procurement Board on 8 September 2010 and its views were set out in paragraph 8 of the report.

An exempt appendix set out the finance and whole-life costing implications to the Council.

**Decision
number:**

Decision:

166/2010

The Cabinet approved option 5D (the procurement of 4-year multi-supplier Consultancy Framework with a prime contractor and between 3 and 6 supporting contractors) for a new Consultancy Services Framework for Municipal, Highways and Civil Engineering Design, as set out in paragraph 4.1 of the report

Reasons:

The proposed framework will: strongly support corporate, local, national and international objectives; represent best value and mitigates financial risk; represent an efficient and responsive method of procurement and contracting; be procured robustly and compliantly to mitigate the risk of future challenge and negates the risks associated with providing this service internally.

Gateway 4 Contract Management: Learning Platform

This report provided details of the management of the Learning Platform contract to date and how it was meeting its intended objectives. The Cabinet had awarded the contract to Uniservity in January 2008 and the report set out the history of the contract together with an analysis of contract performance and lessons learned. It was noted that the Procurement Board had considered this report on 8 September 2010 and its views were set out in paragraph 11 of the report.

**Decision
number:**

Decision:

The Cabinet noted the successful operation of the learning platform contract.

Reasons:

The contract is well within budget and is meeting the original objectives of the procurement.

The Learning Platform is enhancing opportunities for teaching and learning and supports Medway core values and priorities.

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Leader of the Council

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Date

Wayne Hemingway/Anthony Law, Cabinet Coordinators

Telephone: 01634 332509/332008

Email: democratic.services@medway.gov.uk