

Record of Cabinet decisions

Tuesday, 7 June 2022

3.00pm to 4.48pm

Date of publication: 8 June 2022

**Subject to call-in these decisions will be effective from 16 June 2022
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	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 Gary Hackwell	Portfolio Holder for Business Management
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Martin Potter	Portfolio Holder for Education and Schools
In Attendance:	Neil Davies, Chief Executive	
	Bhupinder Gill, Assistant Director, Legal and Governance	
	Teri Reynolds, Democratic Services Officer	

Apologies for absence

Apologies for absence were received from Councillors Rodney Chambers OBE and Jarrett.

Record of decisions

The record of the meeting held on 10 May 2022 was agreed by the Cabinet and signed by the Deputy Leader as correct.

Cabinet, 7 June 2022

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 8 (Medway Development Company Ltd – Six Monthly Update), because he is the Chairman of Medway Development Company 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.

Councillor Gulvin declared an OSI in agenda item 8 (Medway Development Company Ltd – Six Monthly Update), because he is a Director of Medway Development Company 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 2021/22

Background:

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2022. The report stated that these figures would form part of the Council's Statement of Accounts, which would be considered by the Audit Committee following completion of the External Audit.

The report advised that, at its meeting on 18 February 2021, the Council had set a total budget requirement of £351.862million for 2021/22. Following this, in response to the Covid-19 pandemic, additional grant funding related to the ongoing Covid-19 pandemic had been received, primarily to deliver the Restart Grants scheme to support Medway's businesses. These additions had taken the final revenue outturn budget requirement to a total of £371.472million.

The Council's Capital Programme for 2021/22 and beyond had also been agreed by the Council on 18 February 2021. The agreed value was £467.618million with additions and removals made during the year resulting in a final capital outturn budget of £476.971million.

The report also presented a summary of debts written off during the 2021/22 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 sought the Cabinet's agreement to write off an additional £33,047.01 of debt.

Cabinet, 7 June 2022

***Decision
number:***

Decision:

The Cabinet noted the 2021/22 revenue and capital outturn position.

73/2022

The Cabinet agreed that the debt in the value of £33,047.01 be written off against the Council's Debt Provisions as set out in Section 9 of the report.

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.

Maidstone Local Plan Review: Statement of Common Ground

Background:

This report provided information on the draft Maidstone Local Plan, which included a proposal for a Lidsing Garden Community on the border of Medway. Medway Council had objected to the proposals but was legally required to demonstrate constructive engagement with Maidstone Borough Council on cross border strategic planning matters, under the Duty to Cooperate.

The report responded to concerns raised by Cabinet Members when the matter had previously been considered on 10 May 2022. These had related to the detrimental impact that development of the Lidsing Garden Community would have on Medway roads and services, not least education provision and health services and Member views had been that the Statement of Common Ground should be more robust and explicit about the concerns and objections Medway had.

Following consideration by the Cabinet on 10 May 2022, the Statement of Common Ground had been revised and was attached to the report at Appendix 2. This document was due to be submitted to the planning inspector appointed to carry out the independent examination of the Maidstone Local Plan Review.

An addendum report set out a revised version of the statement of Common Ground, setting out the proposed amendments by Maidstone Borough Council which the Cabinet accepted as additional information at the meeting.

***Decision
number:***

Decision:

74/2022

The Cabinet approved the content of the Statement of Common Ground (as set out at Appendix 2 to the report) and agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Leader and the Portfolio Holder for Planning, Economic Growth and Regeneration, to

Cabinet, 7 June 2022

make any amendments necessary, following discussions with Maidstone Borough Council to finalise the Statement of Common Ground for signing and submission to the examination of the Maidstone Local Plan Review.

Reasons:

To provide a robust and effective governance process supporting the legal Duty to Cooperate.

Splashes Sports Centre

Background:

This report advised that in July 2021, the Cabinet had agreed to instruct officers to develop detailed proposals for a new Splashes Sports Centre in Rainham to provide modern, family-friendly sports and physical activity facilities in the east of Medway, complementing other Council sports facilities.

Following Cabinet's decision, the previous sports centre had been demolished and a professional design team appointed through open tender to design a fun, family-friendly sports centre on the site of the previous centre. This had been funded using the £5m funding for Splashes redevelopment within the existing capital budget.

The report asked the Cabinet to recommend Full Council to approve an addition to the capital budget to fund the development of the new Splashes Sports Centre.

Decision number:

75/2022

Decision:

The Cabinet recommended full Council to approve an addition of £12.850million to the Splashes Redevelopment Scheme in the Capital Programme to enable development of the new Splashes Sports Centre.

Reasons:

An addition to the capital budget of £12.850million will allow the development of Splashes Sports Centre to proceed in accordance with Cabinet approval from July 2021 and subsequent consideration by the Splashes project board.

Levelling-Up Fund Round 2

Background:

This report sought Cabinet approval of the business cases proposed for submission to central Government's Levelling-Up Fund Round 2.

Cabinet, 7 June 2022

The report set out that the March 2021 Budget had introduced the Levelling-Up Fund (LUF) as a major new funding stream for the UK. LUF was designed to invest capital in infrastructure that improved everyday life across the UK by giving people pride in their local communities, bringing more places across the UK closer to opportunity, and demonstrating that Government could visibly deliver against the diverse needs of all places and all geographies.

LUF Round 1 had supported £1.7 billion of projects across the UK with Medway having secured £14.4 million for the Chatham Package of cultural projects; The Brook Theatre, The Docking Station and The Fitted Rigging House South.

Details of LUF Round 2 had been announced in late March 2022. The fund had been refined, with a stronger focus on deliverability of outputs and outcomes. The report set out that LUF focused on capital investment in local infrastructure with the themes of Transport, Regeneration and town centres and Culture being the same as the themes for Round 1. Bids could respond to one or more of these themes with each bid totalling up to £20 million.

The report proposed that Medway Council submit two LUF bids during LUF Round 2, the business case submission deadline for which was 6 July 2022. Project summaries were set out at Appendix 1 to the report.

Decision number:

Decision:

76/2022

The Cabinet approved the two Levelling-Up Fund (LUF) business cases for submission to the Department for Levelling Up Housing and Communities (DLUHC), as set out at Appendix 1 to the report, in support of Medway's regeneration priorities, and to accept the funds for successful projects.

77/2022

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 for submission to DLUHC by the 6 July 2022 deadline.

Reasons:

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

Cabinet, 7 June 2022

Medway Development Company Ltd - Six Monthly Update

Background:

This report updated the Cabinet, as shareholder, about the range of developments being progressed by the Medway Development Company Ltd (MDC). These developments were Chatham Waterfront, Garrison Point, Mountbatten House and Britton Farm Residential. The report also provided an update on the Get Building Fund and Future High Street Fund projects.

The report was the sixth update report to the Cabinet as a shareholder of MDC, with the most recent update having been considered by Cabinet on 16 November 2021. A report had also been presented to the Cabinet on 15 December 2020 in relation to the Get Building Fund. An Audit review of MDC had recommended six monthly reporting to the Cabinet and so for 2022 this report would be the first of two updates.

Decision number:

Decision:

The Cabinet noted the progress being made as outlined in the report.

The Cabinet also noted the additional benefits that MDC had brought forward, specifically, the First Homes pilot bid, which had enabled additional affordable housing provision, helping first time purchasers acquire their first home.

Reasons:

To continue the regeneration of Chatham and Gillingham with the provision of high-quality housing and public realm works and an improved retail offer.

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 2022/23, the report proposed the establishment of two new Advisory Groups, the High Needs Block Recovery Advisory Group and the Medway Youth Justice Partnership. Details of these were set out in appendices 8 and 9 to the report.

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

An addendum report was tabled at the meeting which corrected a typographical error at paragraph 8.3 of the report and provided an updated Appendix 1 with some membership amendments. A further update was made at the meeting, replacing

Cabinet, 7 June 2022

Councillor Thompson with Councillor Potter on the membership list for the Corporate Parenting Board.

**Decision
number:**

Decision:

78/2022

The Cabinet agreed the re-establishment of the Cabinet Advisory Groups with the terms of reference set out in sections 3 to 8 and Appendices 2 to 7 to the report.

79/2022

The Cabinet agreed the establishment of the High Needs Block Recovery Advisory Group and the Medway Youth Justice Partnership Board as new Cabinet Advisory Groups, as set out in Appendices 8 and 9 of the report.

80/2022

The Cabinet agreed the appointment of Members to these bodies, as set out in the revised Appendix 1 to the addendum report, for 2022/23, subject to Councillor Thompson being replaced with Councillor Potter under the membership list for the Corporate Parenting Board.

Reasons:

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

Establishment of the High Needs Block Recovery Advisory Group and the Medway Youth Justice Partnership Board will ensure all activity is sufficiently monitored and managed.

Gateway 1 Procurement Commencement - Medway Adult Substance Treatment, Harm Reduction and Recovery Service

Background:

This report requested the Cabinet's agreement to commence the procurement of the Medway Adult Substance Treatment, Harm Reduction and Recovery Service Contract. This was a statutory clinical public health service, which would need to be provided in line with the requirements of the Health and Social Care Act 2012 and the national Drugs Strategy.

Cabinet, 7 June 2022

The report explained that Medway Council currently commissioned an adult substance misuse service through two contracts. The treatment element of the contract was provided by Turning Point, and the recovery and wellbeing element was provided by Open Road. The contract had been awarded in 2018 following a robust tendering process, for a 3-year initial term with 2 x 12-month extensions available.

The report advised that in order to improve transitions between the two services and improve the experience of service users, the new contract would use an integrated single-provider model of treatment and recovery. This would enable more efficient pathways and clearer routes to visible recovery while reducing challenges experienced between providers.

The initial term of the new contract would be for 36 months from 1 April 2023 to 31 March 2026, with the option of 2 x 12-Month Extensions, to 31 March 2028.

The report was accompanied by a Diversity Impact Assessment at Appendix 1 to the report. An Exempt Appendix set out key information in respect of financial analysis relating to the procurement.

Decision number:

81/2022

Decision:

The Cabinet noted the report and approved the commencement of the Open Procurement procedure as per the preferred option identified in paragraph 6.2.1.4 of the report

Reasons:

Cabinet approval will authorise the commencement of the procurement process to renew the service contract.

Gateway 3 Contract Award - Recycling Resource Management Contract

Background:

This report provided details of the outcome of the procurement exercise for the Recycling Resource Management Contract.

The report explained that the current Recycling Resource Management contract had been entered into with Veolia and had commenced in October 2019 for an initial term of two-years, with a further one-year extension until 30 September 2022.

The report advised that the new contract would cover a period of 48 months in total from October 1 2022, including a 24 month extension.

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.

Cabinet, 7 June 2022

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:**

82/2022

Decision:

The Cabinet agreed to award the contract to:

- Lot 1 – Veolia Environmental Services
- Lot 2 – Veolia Environmental Services

as they had been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation spreadsheet contained within 3.1 of the Exempt Appendix.

Reasons:

The bidder outlined in section 3.2 of the exempt appendix has been evaluated as the most economically advantageous against the Council's award criteria preferred procurement route. Securing a contract ready for 1 October 2022 will enable Medway Council to meet its statutory obligations.

.....
Leader of the Council

.....
Date

Jon Pitt, Democratic Services Officer/Teri Reynolds, Democratic Services Officer

Telephone: 01634 332715/332104
Email: democratic.services@medway.gov.uk