

# Record of Cabinet decisions

**Tuesday, 13 December 2022**

**3.00pm to 4.32pm**

**Date of publication: 14 December 2022**

**Subject to call-in these decisions will be effective from 22 December 2022  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	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 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
	<b>In Attendance:</b>	Neil Davies, Chief Executive
	Bhupinder Gill, Assistant Director, Legal and Governance	
	Jon Pitt, Democratic Services Officer	

## **Apologies for absence**

Apologies for absence were received from Councillor Chitty.

## **Record of decisions**

The record of the meeting held on 15 November 2022 was agreed by the Cabinet and signed by the Leader as correct.

## **Cabinet, 13 December 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 relation to agenda item no. 7 (Capital Strategy) as there were references to Medway Development Company Ltd within the report and Councillor Doe is the Chairman of the Company. Councillor Doe relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the related discussion and voting.

Councillor Gulvin declared an OSI in relation to agenda item no. 7 (Capital Strategy) as there were references to Medway Development Company Ltd within the report and Councillor Gulvin is a Director of the Company. Councillor Gulvin relied on a dispensation agreed by the Councillor Conduct Committee to enable him to take part in the related discussion and voting.

#### Other interests

There were none.

### **Update on the Safety Valve Intervention Programme**

#### **Background:**

This report outlined the plans to recover the Council's budget deficit in relation to the High Needs Block (HNB). These plans, which were developed with support and challenge from the Department for Education (DfE) and advisors from the Education and Skills Funding Agency (EFSA), had been submitted to the Secretary of State, subject to Cabinet's approval. The plans requested £17.7m investment as part of the Safety Valve Intervention Programme (SVIP), to support the delivery of these plans.

The report had been considered by the Children and Young People Overview and Scrutiny Committee at its meeting on 29 November 2022 and its comments were set out at section 6 of the report.

A Diversity Impact Assessment had been undertaken and was attached to the report at Appendix 1.

## Cabinet, 13 December 2022

**Decision  
number:**

**Decision:**

**The Cabinet noted the comments made by the Children and Young People Overview and Scrutiny, as set out in section 6 of the report.**

**140/2022**

**The Cabinet approved the Medway Safety Valve Intervention Plan, which had been submitted to the Secretary of State.**

**Reasons:**

The HNB budget remains under significant financial pressure and at the end of the financial year 21-22 had a cumulative deficit of £20.8m. If the plan is approved by the DfE, Medway Council will receive £17.7m investment as part of the Safety Valve Intervention Programme (SVIP), to support the delivery of a substantial plan for reform to its high needs systems.

### **Kent and Medway Interim Integrated Care Strategy**

**Background:**

This report presented details of the Integrated Care Strategy which set out how the assessed needs in relation to its area would be met, as required by the Health and Social Care Act, 2022.

The Inequalities Prevention and Population Health Committee (IPPHC) of the Kent and Medway Integrated Care Board had been tasked with developing the Integrated Care Strategy and had formed a steering group to develop the strategy, led by colleagues from the NHS, with representation from Public Health. The strategy required approval from Medway Council, Kent County Council and the Kent and Medway NHS Integrated Care Board, as the constituent authorities of the Integrated Care Partnership Joint Committee.

The report had been considered by the Health and Adult Social Care Overview and Scrutiny Committee at its meeting on 1 December 2022 and its comments were set out in an addendum report.

In relation to the proposed delegation to make any changes required to the Strategy following it having been considered by other Committees and partners, it was noted that changes would only be made in accordance with Medway's principles.

## Cabinet, 13 December 2022

**Decision  
number:**

**Decision:**

**The Cabinet noted the comments from the Health and Adult Social Care Overview and Scrutiny Committee, as set out in the addendum report.**

**141/2022**

**The Cabinet approved the Kent and Medway Interim Integrated Care Strategy, as set out at Appendix 1 to the report and delegated authority to the Director of Public Health, in consultation with the Portfolio Holder for Adults' Services, to make any changes required, following consideration of the Strategy by other Committees and partners.**

**Reasons:**

Approving the interim Integrated Care Strategy will enable Medway Council, Kent County Council and Kent and Medway Integrated Care Board to fulfil the requirement for an interim strategy to be published by December 2022.

### **Treasury Management Strategy Mid-Year Review Report 2022/23**

**Background:**

This report provided details of an overview of treasury management activity since 1 April 2022 and presented a review of the Treasury Strategy approved by Council on 24 February 2022.

This report had been considered by the Audit Committee at its meeting on 3 November 2022 and its comments were set out in section 8 of the report. The report would also be referred to Full Council on 19 January 2023.

The report included an economic update for the first part of 2022/20223 and reviews of: the Treasury Management Strategy Statement and Annual Investment Strategy; the Council's Investment Portfolio and Borrowing Strategy; any debt rescheduling undertaken and compliance with treasury and prudential limits.

**Decision  
number:**

**Decision:**

**The Cabinet noted the comments of the Audit Committee set out at section 8 of the report.**

**The Cabinet considered this report, noted its contents and noted that the report would also be referred to Full Council.**

**Reasons:**

In accordance with the Chartered Institute of Public Finance Accountancy's (CIPFA) Code of Practice for Treasury Management, there should be a review of the strategy at least half yearly.

**Capital Strategy**

**Background:**

This report presented the Capital Strategy, which set out the Council's priorities for capital investment to deliver its strategic aims and the process for formulating the capital programme.

The Capital Strategy was attached at Appendix 1 to the report and had been prepared with regard to the updated Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code. It sought to detail the framework within which decisions were made in respect of capital expenditure and funding, and the principles to which the Council adhered, in the context of the current capital budget.

***Decision number:***

**142/2022**

***Decision:***

**The Cabinet agreed the Capital Strategy, setting out the Council's priorities for capital investment and providing a framework for formulating the capital programme for approval by Full Council in February.**

**Reasons:**

The Capital Strategy sets out how the Council sets its priorities for capital investment and the process for formulating the capital programme. It is therefore an important part of the framework underpinning the budget setting process.

**Temporary Accommodation Purchasing**

**Background:**

This report provided details of a proposal to commence a pilot to purchase accommodation that would be used as temporary accommodation provision and presented the business case for consideration and approval. The report also sought approval for the Cabinet to recommend full Council to agree to additional borrowing of funds to support the pilot.

## Cabinet, 13 December 2022

**Decision  
number:**

**Decision:**

**143/2022**

The Cabinet agreed that a pilot be established to purchase approximately 20 two-bedroom properties. This project is estimated to cost £5,590,000. (Average cost £279,500 each property, allowing for purchase cost at £250,000 plus stamp duty, refurbishment and other fees).

**144/2022**

The Cabinet agreed to recommend Full Council to add £5,590,000 to the Capital Programme (funded by prudential borrowing) to facilitate the pilot as set out above, in decision no. 143/2022.

**145/2022**

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 authorise the purchase of properties as part of the pilot set out in decision no. 143/2022 above.

**Reasons:**

The purchase of property forms a sound basis for investment whilst meeting the Council's statutory obligations to provide temporary accommodation.

### **School Admissions Arrangements 2024**

**Background:**

This report provided details of the outcome of the consultation on the coordinated admission schemes and arrangements for primary and secondary schools for September 2024.

Section 3 of the report outlined the proposed changes to admissions arrangements.

The report explained that two responses to the consultation had been received. These and the officer responses were summarised in section 4 of the report.

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

## Cabinet, 13 December 2022

**Decision  
number:**

**146/2022**

**Decision:**

The Cabinet noted the outcome of the consultation process as set out in section 6 of this report and agreed the amendments to the admissions arrangements for 2024 as set out in section 3 of the report and approved:

- a) the co-ordinated scheme for admissions to secondary schools 2024 (Appendix 1).
- b) the co-ordinated scheme for admissions to primary schools 2024, incorporating the admissions arrangements for Community and Voluntary Controlled schools (Appendix 2).

**Reasons:**

Approving the proposed admissions arrangements would ensure that the Council meets its statutory duty to comply with admissions legislation.

### **Provisional Funding Formula for Mainstream Schools and Academies 2023-2024**

**Background:**

This report provided details of the 2023-24 funding arrangements for schools and academies and set out proposed changes to Medway's mainstream schools and academies provisional funding formula.

The report stated that the financial modelling had been built using the October 2021 census data but that the final budget allocations would be based on actual pupil numbers from the autumn census in October 2022. The data was due to be released by the Department for Education in Mid-December 2022.

The proposals had been considered by the Schools' Forum on 7 December 2022 and their comments and recommendation were set out in an addendum report.

**Decision  
number:**

**147/2022**

**Decision:**

The Cabinet noted the comments and recommendation from the Schools' Forum, as set out in section 1 of the addendum report.

The Cabinet instructed officers to implement the 2023-24 provisional funding formula, as detailed in paragraph 4.2 of the main report and 1.3 of the addendum report.

## **Cabinet, 13 December 2022**

### **Reasons:**

The local authority is required to implement the funding formula changes from 2023-24 in accordance with the regulations and to inform the Education Skills Funding Agency.

### **Authority Monitoring Report and Infrastructure Funding Statement**

#### **Background:**

This report presented the Annual Medway Authority Monitoring Report (AMR) 2022, which was set out at Appendix 1 to the report, which provided an assessment of development trends and wider social, economic and environmental indicators, together with progress on the preparation of the new Medway Local Plan.

A key measure reported in the AMR was the annual level of housebuilding in Medway, which was 1102 new homes being built in 2021-22. This was a continuation of the high rates over the last three years, however, it still fell short of the defined level of local housing needs for 1675 homes a year, following the standard method set by government.

The report also presented the Infrastructure Funding Statement (IFS) 2022, set out at Appendix 2, which set out details of funding agreed, received and spent through developer contributions, and proposed spend on infrastructure. A full breakdown of contributions spent in 2021/22 was set out in the Infrastructure Funding Statement.

#### **Decision number:**

**148/2022**

#### **Decision:**

**The Cabinet approved the Medway Authority Monitoring Report 2022, as set out at Appendix 1, and referenced at paragraph 4.1 of the Cabinet report, for publication.**

### **Reasons:**

To comply with the duty to compile and publish a planning monitoring report.

To satisfy the requirement to annually publish an Infrastructure Funding Statement.

### **Gateway 3 Contract Award: Medway Adult Substance Treatment, Harm Reduction and Recovery Service**

#### **Background:**

This report provided details of the outcome of the procurement exercise for the Medway Substance Treatment, Harm Reduction and Recovery Service Contract.

The report advised that the new contract would cover a period of 36 months from 1 April 2023, with the option for two 12 month extensions.



## **Cabinet, 13 December 2022**

The report had been considered by the Procurement Board on 16 November 2022.

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 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 the contract before the end of the standstill period.

***Decision  
number:***

**149/2022**

***Decision:***

**The Cabinet agreed to award the contract for the Medway Substance Treatment, Harm Reduction and Recovery Service to the Forward Trust.**

**Reasons:**

The provider has been evaluated as the most advantageous against the Council's award criteria as per the evaluation spreadsheet also contained within the Exempt Appendix.

**Gateway 3 Contract Award: Supported Accommodation and Floating Support for Care Leavers Aged 16-25**

**Background:**

This report provided details of the outcome of the procurement exercise for the award the first round of the Supported Accommodation and Floating Support Dynamic Purchasing System.

The report advised that the new contract would cover a period of 36 months, with the option for two 12 month extensions.

The report had been considered by the Procurement Board on 16 November 2022.

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. An Addendum Exempt Appendix set out updated information in relation to the 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 conclude the framework agreement before the end of the standstill period.

**Cabinet, 13 December 2022**

**Decision number:**     **Decision:**

**150/2022**     **The Cabinet agreed to admit the providers on to the Dynamic Purchasing System framework for the lots they had successfully tendered for as follows:**

Provider	Lot number					
	1	2	3	4	5	6
1st Staff Limited				x		x
Avidity Linx	x	x				
BEST2CARE	x	x				
Brighter Chances		x				
Capernaum Limited	x	x	x			
Care R Us (Essex) LTD Krossroads	x	x				
CAYSH	x	x	x	x		
CEEBEE INVESTMENTS LTD	x	x	x			
Crystal Care Solutions Ltd	x	x				
Elliot Leigh TLC	x	x	x			
Family Circles Services	x	x				
Great Future Support Ltd	x	x	x			
Hartin and Lee Healthcare Ltd	x	x				
Haven Care Support Services	x	x				
HCL (Holistic Care) Ltd	x	x				
Independence Way Ltd	x	x				
Inspire Support Services	x	x	x	x		
Jordan Xavier Ltd	x	x				
Kempshire Ltd	x	x	x			
L&W Support	x	x				
Maslow Residential Services	x	x				
My Life Semi Independent Project	x	x				
NOMASE CARE LTD	x	x				
Nomase Supported Limited	x	x				
NWANDO DOMICILIARY CARE	x	x	x			
Orbital Homes Ltd	x	x				
Place of Progress Ltd	x	x	x			
Provisions Initiative Limited	x	x				
Re-calibrate Care Ltd					x	
Retons Care and Training Services Ltd	x	x	x			
SEACREST CARE SERVCIES LTD	x	x	x			
TBN People Support Ltd	x	x				

**Cabinet, 13 December 2022**

Teaching Personnel							X
The Artemis Team	X	X	X				
The Phoenix Hub	X	X					
Triple Homes LTD	X	X					
Tripple Stars	X	X					
Wellspring Recruitment and Care Services Limited	X	X	X				

**Reasons:**

The providers identified meet the Council's evaluation criteria.

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**Leader of the Council**

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**Date**

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

Telephone: 01634 332715/332104

Email: democratic.services@medway.gov.uk