

COUNCIL

13 JANUARY 2011

LEADER'S REPORT

Rodney Chambers, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 25 November 2010.

He will include:

- Review of 2010
- Budget Setting 2011/2012
- City Status
- Decisions made by the Cabinet on 30 November 2010 and 21 December 2010.

Record of Cabinet decisions

Tuesday, 30 November 2010

3.00pm to 4.25pm

Date of publication: 1 December 2010.

**Subject to call-in these decisions will be effective from 9 December 2010
The record of decisions are subject to approval at the next meeting of the Cabinet**

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 Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Tom Mason	Portfolio Holder for Adult Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Enforcement
In Attendance:	Councillor Les Wicks	Portfolio Holder for Children's Services
	Robin Cooper, Director of Regeneration, Community and Culture	
	Mick Hayward, Chief Finance Officer	
	Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance	
	Julie Keith, Head of Democratic Services	
	Anthony Law, Cabinet Coordinator	
	Deborah Upton, Assistant Director, Housing and Corporate Services/Monitoring Officer	

Apologies for absence

Apologies were received from Councillor Rodney Chambers (Leader) and Councillor David Wildey (Children's Social Care).

Record of decisions

The record of the meeting held on 9 November 2010 was agreed and signed by the Deputy Leader as correct.

Cabinet, 30 November 2010

Declarations of interest

Councillor Jarrett declared a personal interest in agenda item 7 (Landscape Character Assessment), as he had an interest in a company which owns land referenced in the report.

Councillor Phil Filmer declared a personal interest in agenda item 18 (Gateway 3 Contract Award: Quality Public Transport Corridors Road Improvement Works – North Dane Way Improvement Scheme), as his company had some business dealings with one of the companies mentioned in the report.

Capital and Revenue Budget 2011/2012

This report set out the Council's draft capital and revenue budget for 2011/2012. In accordance with the Constitution, Cabinet was required to develop initial budget proposals and refer these to the Overview and Scrutiny Committees before finalising the budget and setting council tax levels in February 2011.

The draft budget was based on the principles contained in the Medium Term Financial Plan (MTFP) 2011/2014, which had been approved by Cabinet in September 2010. The report set out details of the influences upon the level of funding and it was noted that the Government's Spending Review 2010 had not provided the detail to inform the budget setting process.

The initial budget proposals showed a current forecast funding gap of over £21.5 million for both Dedicated Schools Grant and General Fund services. It was noted that the capital budget proposals for 2011/2012 had been confined to a continuation of the existing approved capital programme, as the Government had not yet announced funding allocations to individual authorities. Budget proposals incorporating pressures and current year savings were summarised within the appendices to the report, with major pressures identified in the report.

The report set out details and the main factors/assumptions that would form the basis of the 2011/2012 Housing Revenue Account (HRA) budget. It was noted that until notification of the final Housing Subsidy Determination, the HRA budget process could not be completed. A revised page 13 of the agenda was tabled at the meeting clarifying that a detailed HRA budget report would be presented to the Business Support Overview and Scrutiny Committee on 27 January 2011 and Cabinet on 15 February 2011. Council would set the Housing Revenue Account budget, rents and service charges for 2011/2012 on 24 February 2011. Furthermore, as part of the budget process, there would also be consultation with a Tenants Forum on 9 February 2011.

The Cabinet agreed to accept this report as an urgent item to facilitate the budget consultation process in accordance with the timescales in the Constitution.

Cabinet, 30 November 2010

Decision number:

Decision:

202/2010

The Cabinet agreed to forward the provisional draft revenue and capital budget to the Overview and Scrutiny Committees as work in progress inviting them to offer comments on the proposals outlined.

Reasons:

It is the responsibility of the Cabinet to develop draft budget proposals for consideration by Overview and Scrutiny Committees. These draft proposals are the first stage of the budget consultation process leading to further discussion by Cabinet on 15 February 2011 and formal council tax setting on 24 February 2011.

The Effectiveness and Future of Partners and Communities Together (PACTs) in Medway

This report requested Cabinet to consider the recommendations of the review undertaken by a task group of the Regeneration, Community and Culture Overview and Scrutiny Committee, into the effectiveness and future of Partners and Communities Together (PACTs) in Medway. The Committee had considered and recommended the review to Cabinet on 16 November 2010.

A copy of the review document had been circulated separately to Members.

The report detailed and commented upon the key findings from the review, as they related to:

- the provision of PACTs in Medway and best practice,
- the difficulty of the same issues being raised at meetings over time and whether each scheme's priorities were being achieved and maintained,
- the benefits and disadvantages of PACT schemes and engagement of partners in the process, especially when compared to areas not covered by a scheme and whether they benefited the communities involved,
- whether PACTS provided value for money and assisted with delivery of Local Area Agreement indicator NI 4 (% of people who feel they can influence decision-making in their locality),
- possible future work activities for PACT schemes.

In summary it was noted that the review had identified that, overall, PACTs worked well and were a good way of bringing residents together to develop priorities and action plans at neighbourhood level alongside other opportunities for community engagement currently on offer. A series of recommendations were proposed to improve and develop PACTs further.

The review document incorporating the key findings and recommendations would be referred to the Kent Police Authority and the Community Safety Partnership for consideration and response.

**Decision
number:**

Decision:

203/2010

The Cabinet agreed to support the recommendations as set out below and agreed to refer the review document, incorporating these recommendations, to the Community Safety Partnership (CSP) and the Kent Police Authority (KPA) for consideration:

- a) That the CSP should be asked to accelerate action to establish a database of Partners and Communities Together (PACTs), the areas they cover and contact details for each should be produced and published ward by ward;
- b) A protocol and guidance for PACTs in Medway should be produced by the CSP in consultation with PACT chairmen, to include a clear statement of purpose, basic operational standards and advice on how to access support and resources;
- c) A toolkit should be developed by the CSP to assist PACT Chairman and neighbourhood teams to run meetings, record priorities, actions and outcomes;
- d) The protocol for PACTs should include a requirement that Councillors are automatically invited to become members of any PACT within their ward and provided with sufficient notice of meetings;
- e) Consideration should be given to facilitating contact between PACT Chairmen by establishing a Medway-wide Forum to enable them to share experience and best practice and to coordinate priorities across wards;
- f) As part of its annual scrutiny of the Community Safety Partnership the Regeneration, Community and Culture Overview and Scrutiny Committee should be provided by the CSP with an update on PACTs, including the priorities, actions and outcomes from them on a ward by ward basis with some evaluation of effectiveness;
- g) That the CSP should develop some analysis and comparative information to assist in evaluating the impact of PACTs and other forms of public engagement on the incidence of crime and anti social behaviour ward by ward with a view to providing this information in the quarterly news ward profile

information provided to Councillors;

- h) That the CSP should recommend the Police to continue to fund support for PACTs and extend this to the development of evaluation and analysis of their effectiveness in line with commitment made in the Sustainable Communities Strategy and Community Safety Plan;
- i) That the Equalities and Cohesion Group should be asked to support the CSP in developing guidance to encourage and achieve participation by the widest cross section of people;
- j) In addition to ongoing publication of PACT data there should be an opportunity for local residents to periodically provide feedback on the operation of their local PACT and, in particular, the extent to which they feel able to influence decision-making at meetings;
- k) That the CSP should encourage and support each PACT to hold an 'open meeting' (with no issues pre-arranged for discussion) specifically to involve local young people and neighbours of different ages and/or ethnic background in order to gain a real understanding of the issues and priorities for those groups;
- l) That the CSP should be asked to progress the idea of Youth PACTs with membership invited from every secondary school, and the Youth Parliament;
- m) The CSP is recommended to invite all partners to review their community engagement strategies and the groups and organisations they support to eliminate duplication and maximise the use of, and support for, PACTs where possible and appropriate;
- n) That the CSP should be invited to consider launching a Medway annual PACT recognition award scheme to help raise the public profile of PACTs, particularly in the local press;
- o) That the CSP Media Officer should be asked to develop some guidelines and offer practical support to PACTs with production and publication of advertising material for meetings.

Reasons:

The review identified that overall PACTs work well and are a good way of bringing residents together to develop priorities and action plans at neighbourhood level alongside other opportunities for community engagement currently on offer. The recommendations are designed to progress the areas that could benefit from improvement to or development of PACTs, to allow meaningful analysis of the priorities and outcomes of each PACT and to facilitate contact between PACT Chairmen to establish best practice in Medway.

Annual Review of Risk Management Strategy and 6 Monthly Review of the Council's Corporate Business Risk Register

This report provided details of a review of the Council's Risk Management Strategy and Risk Register. The report provided some proposed amendments to the Risk Register following review by the Strategic Risk Management Group and the Council's Management Team.

The Business Support Overview and Scrutiny Committee considered this report on 4 November 2010 and its comments were set out in paragraph 5 of the report.

Decision number:

204/2010

The Cabinet approved the Risk Management Strategy, as set out in appendix A to the report, and the amendments to the Council's Risk Register detailed in appendix C to the report.

Reasons:

The establishment of a corporate framework for risk management is recommended by CIPFA and SOLACE and will complement and support the work already being carried out within each directorate to manage risks.

Medway Landscape Character Assessment

This report set out details of the Medway Landscape Character Assessment. A copy of the assessment had been circulated separately to Members.

The assessment was a technical document to support landscape-related planning decisions within Medway's countryside and urban-rural fringe areas. It provided an evidence base in support of the landscape and countryside policies within the Local Development Framework Draft Core Strategy. It also set out landscape guidance for planning officers, developers and the local community when considering proposed development within the rural and urban-rural fringe areas of Medway.

Cabinet, 30 November 2010

An extensive consultation process had been undertaken that sought the views of statutory consultees in the planning process and key stakeholders and it was noted that the study had received a high level of support from all parties.

The report proposed that the Director of Regeneration, Community and Culture was delegated authority to make minor amendments to the assessment, as detailed within the Diversity Impact Assessment accompanying the report. During the discussion on this item it was also agreed that the entry for Motney Hill, on pages 94 and 95 of the supplementary agenda, would be reconsidered under this delegated authority; specifically clarifying the designation as a Designated Country Park and the inclusion of wildfowling uses as an issue/problem.

Decision number: ***Decision:***

205/2010 **The Cabinet approved the Medway Landscape Character Assessment as an evidence base for Medway's landscape and countryside policies and as a landscape planning guidance document, and delegated authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, to make any minor amendments.**

Reasons:

The landscape guidance document will enable better informed planning decisions.

Support for People in Temporary Accommodation

This report set out the recommendations from the Business Support Overview and Scrutiny Committee, following consideration of a feasibility study into the potential for developing an assessment centre for people requiring temporary accommodation in Medway. The Cabinet had requested the study was undertaken when considering the findings of the Temporary Accommodation Task Group in November 2009.

The feasibility study set out the advantages and disadvantages of the three options: taking no action, developing an assessment centre or improved procurement of temporary accommodation.

It was noted that to take forward the proposal for a procurement process by way of a framework of providers, officers would undertake a formal procurement process starting with a Gateway 1 Options Appraisal.

Decision number: ***Decision:***

206/2010 **The Cabinet noted the outcome of a study into the provision of an assessment centre and instructed officers**

to undertake a procurement process for temporary accommodation by way of a framework of providers, as set out in the appendix to the report.

Reasons:

Provision of temporary accommodation through a framework of providers offers the possibility of greatest flexibility, cheapest residual unit cost and quality and level of service.

Innovation Centre Medway

This report sought delegated authority to let vacant space within the Innovation Centre upon commercial terms.

Cabinet had considered a report in November 2008 setting out proposals for letting the commercial floor space within the building. At that time it was proposed the ground and first floors would be operated as an innovation centre and the top floor would be let to one or more anchor tenants. It was now proposed that in order to maximise the buildings potential that the top floor was divided and incorporated within the Innovation Centre facility.

As a standing delegation this would be added to the Employee Scheme of Delegation, as set out in the Council's Constitution.

Decision number:

207/2010

Decision:
The Cabinet agreed to delegate authority to the Assistant Director (Housing and Corporate Services) to grant licences, tenancy agreements, or leases at the Innovation Centre Medway, on the best terms reasonably obtainable subject to these being for no more than 7 years.

Reasons:

To enable the Council to act quickly and secure occupational tenants for the Innovation Centre and the consequential rental income.

Playbuilder Year 2 Sites

This report presented a list of nine sites for investment in Year 2 of the Playbuilder Programme.

It was noted that Cabinet had originally approved the Year 2 sites on 30 March 2010. However, following government announcements and then confirmation as to a revised funding allocation for Medway, the grant allocation had been reduced to £381,518. The proposed Year 2 sites for Playbuilder investment were set out in table 1 of the report. Appendix 1 to the report showed the geographical spread of the

Cabinet, 30 November 2010

Playbuilder programme (Year 1 and 2) and other playground investment that had been made through the Big Lottery Fund Programme and the Member Priority Scheme.

A Diversity Impact Assessment (DIA) had been carried out on the proposals and the findings indicated that the Playbuilder programme did not need a full diversity impact assessment.

Decision number:

Decision:

208/2010

The Cabinet approved the revised sites proposed for investment in Year 2 of the Playbuilder Programme, as set out in table 1 of the report.

Reasons:

The implementation of the Playbuilder Programme will help to meet a number of the Council's wider aspirations and results in the refurbishment of a number of play areas across Medway.

The proposed sites have been identified through a rigorous process including public consultation, assessment of existing play quality and indices of multiple deprivation.

Quarter 2 Council Plan Monitoring

This report presented details of the Council's performance for the second quarter of 2010/2011. In particular it included performance against indicators and actions agreed in the Council Plan 2010/2011.

It was noted that of the 53 key measures that could be reported this quarter 33 (62%) had achieved or outperformed the target and a further 8 (15%) were below target but within acceptable variance limits. 12 (23%) key measures were below target and outside acceptable variance limits.

The report also explained how the Council Plan 2011-14 would be developed to ensure it reflected the current financial situation, priorities for Medway and likely funding reductions. The plan would be developed alongside the budget setting process.

Decision number:

Decision:

The Cabinet noted performance for Quarter 2 2010/11 having reviewed outcomes achieved against priorities.

The Cabinet noted the proposed process for developing the Council Plan 2011-2014, as set out in paragraph 3.3 of the report.

Reasons:

Full and accurate performance reporting to Members is consistent with best practice, and allows them to review the Council's performance.

Revenue Budget Monitoring 2010/2011

This report summarised the revenue monitoring position for the current year based on actual income and expenditure to September 2010.

It was noted that on 25 February 2010 the Council had set gross revenue spending at £625 million and a General Fund net budget requirement of £182.713 million for 2010/2011. It was noted that Council had revisited this 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 currently stood at a £1.236 million overspend, which all related to general fund services. After allowing for the approved reserve contribution towards achieving the spending reductions, the forecast for general fund services would be for an overspend of £0.897 million.

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 third 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 2010/2011

This report presented the capital monitoring for the period to September 2010, with an outturn forecast for 2010/2011. This incorporated the latest notified public spending reductions.

It was noted that on 25 February 2010 the Council had approved a capital programme for 2010/2011 and future years of £116 million. Having incorporated some further funding announcements the capital programme now approached £128 million.

Cabinet, 30 November 2010

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 £90.148 million of the programme was forecast for spend during 2010/2011. Details of five schemes that had been added, or vired, to the capital programme under delegated authority were given, together with two schemes that would be referred to Council for approval.

Decision number: **Decision:**

The Cabinet noted the:

- a) spending and funding forecasts summarised at Tables 1 and 3 of the report and
- b) additions to the capital programme and virements as detailed in paragraph 5.1 of the report.

209/2010 The Cabinet recommended to Council the additions to the capital programme as detailed in paragraph 5.2 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.

Decision number: **Decision:**

210/2010 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:

Children and Adults

- a) Temp – Admin / Researcher

Regeneration, Community and Culture

- b) Flexible New Deal Job Broker
- c) URBACT II Project Assistant
- d) Community Inclusion Co-ordinator
- e) Markets Officer.

Reasons:

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

Gateway 1 Options Appraisal: Sir Joseph Williamson's Mathematical School New Design/Technology Building

This report sought permission to commence the procurement process to invite tenders for the Sir Joseph Williamson's Mathematical School new design/technology building scheme from contractors selected from the Medway Council approved framework.

This project would provide better quality accommodation for English, Science, Design Technology and Art and would support the Council's 14 – 19 strategy.

A programme timeline and risk register was attached to the report. An exempt appendix set out the finance and whole life costing implications to the Council.

The Procurement Board had considered this report on 20 October 2010 and referred it to Cabinet for formal consideration and approval.

Decision number: ***Decision:***

211/2010 **The Cabinet agreed that tenders are invited from approved contractors on the KCC select list for the construction of the new facilities for English, Design Technology, Art and Science at Sir Joseph Williamson's Mathematical School, under a single stage tender using a standard Joint Contracts Tribunal (JCT) form of contract.**

Reasons:

The new facilities are required to enable the school to deliver the quality of curriculum offer for the key subjects as described in the business case section of the report and the capital programme approved by Cabinet in February 2010 included funding for the project.

Gateway 3 Contract Award: Bailiff Services

This report set out the outcome of the procurement process to secure two year contracts for bailiff services with an option for a two year extension.

Cabinet, 30 November 2010

The contracts would include the recovery of council tax, national non-domestic rates, housing benefit overpayments, parking fines and sundry debts.

An exempt appendix set out a summary of the award of contract from initial expression of interest to the contract award including tender evaluation.

It was noted that the Procurement Board had considered this report on 10 November 2010 and referred the matter to Cabinet for approval.

**Decision
number:**

Decision:

212/2010

The Cabinet agreed that:

- a) **the Revenues & Benefits services will be allocated into two parcels of work on a geographical basis (one parcel to include Chatham and Rochester, with the other parcel including Gillingham, Strood and the parishes) whilst work for Parking Services will be allocated on a 50/50 basis.**
- b) **for the Revenues and Benefits service the contracts be awarded to Rundles and Co and Chandlers Ltd as these two companies submitted the most economically advantageous tenders for this service and received the two highest scores.**
- c) **for the Parking services the contracts be awarded to Newlyns Ltd and Loxstock Ltd T/A Davies Enforcement as these two companies submitted the most economically advantageous tenders for this service and received the two highest scores.**
- d) **the contract term for all contracts is to be two years with an option to extend for a further two years subject to satisfactory performance and to the current terms and conditions of contract.**

Reasons:

The procurement process identified that bailiff services for Revenues and Benefits required different skills to those needed for parking services and as such different contractors are needed for these services.

The ability to monitor and benchmark performance is a key requirement to a service that is both critical to the Council's cash flow but also highly visible and potentially a risk to the Council's reputation.

Cabinet, 30 November 2010

In accordance with the published evaluation criteria, the contractors submitted the most economically advantageous tenders for the specified services.

Gateway 3 Contract Award: Public Lighting Maintenance Works

This report recommended the award of the tender for routine maintenance works in connection with public lighting and traffic signs for the period 1 April 2011 to 31 March 2016 including provision for a 24 month extension.

The contract would enable the Council to meet its duty of care obligations in respect of public lighting and facilitate the installation of new lighting and the maintenance and upgrading of existing stock. The contract would also enable effective response to customer requests for service and complaints.

A procurement timeline was attached to the report and an exempt appendix identified the tenderers for the contracts and provided details of the procurement and evaluation process.

The Procurement Board had considered and recommended this report to Cabinet on 10 November 2010.

Decision number: ***Decision:***

213/2010 **The Cabinet, based upon the outcome of the evaluation in accordance with the published evaluation criteria, awarded the Routine Maintenance Works contract in connection with public lighting and traffic signs for the period 1 April 2011 to 31 March 2016 to Cartledge on the basis that they submitted the most economically advantageous tender.**

Reasons:

After the evaluation of all tenders received in accordance with the Council's published evaluation criteria, the tender submitted by the contractor was considered to be the most economically advantageous. The award of the contract will ensure that service continuity can be adequately planned and financial award decisions made through the 2011 budget setting process.

Gateway 3 Contract Award: Quality Public Transport Corridors Road Improvement Works - North Dane Way Improvement Scheme

This report detailed the reasons for the engagement of the recommended contractor, Interserve, for the completion of works for the North Dane Way Quality Public Transport Corridor QPTC improvement scheme. The preferred contractor has been procured through the Highways Agency East and South East Asset Management Framework.

Cabinet, 30 November 2010

The scheme involved the provision of a new northbound bus lane along North Dane Way to its junction with Capstone Road, by-passing the roundabout, improved pedestrian crossing facilities and cycle route enhancements.

An exempt appendix detailed the reason for the engagement of the recommended contractor and set out financial information detailing the costings used for the original tendering of the Highways Agency East and South East Asset Management Framework.

The Procurement Board had considered and recommended this report to Cabinet on 10 November 2010.

Decision number: ***Decision:***

214/2010 **The Cabinet agreed that the contractor Interserve be engaged for works in relation to Quality Public Transport Corridors improvement works as follows: North Dane Way bus priority measures provided their price is within the budget envelope of £800,000.**

Reasons:

This procurement process is part of a wider strategy to improve the reliability, quality and attractiveness of public transport across Medway. For works to be completed by 31 March 2011, and for funding to be retained, it was imperative be considered by Cabinet on 30 November 2010.

Gateway 4 Contract Management: Floating Support Service for Young Adults

This report provided details of the performance of the contract awarded in 2008 for a Floating Support service for Young Adults on behalf of the Council.

It was noted that this was a key service for Medway's residents in terms of the Council's priority for vulnerable young people maintaining their independence. The report explained how the contract was being managed and the lessons learnt.

The Procurement Board had considered and recommended this report to Cabinet on 10 November 2010.

Decision number: ***Decision:***

215/2010 **The Cabinet approved the continuation of the floating support contract for young people and agreed to the continuing development of the relationship with the existing service provider.**

Cabinet, 30 November 2010

Reasons:

It is important to continue this contract so that continuity of service is maintained and to allow for the development of this service. This will ensure that a high quality service is delivered that is increasingly responsive to the needs of the service users and contributes to the preventative agenda.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Cabinet Coordinators

Telephone: 01634 332509/332008

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 21 December 2010

3.00pm to 4.35pm

Date of publication: 22 December 2010

**Subject to call-in these decisions will be effective from 5 January 2011
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers	Leader of the Council	
	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 Howard Doe	Portfolio Holder for Housing and Community Services	
	Councillor Phil Filmer	Portfolio Holder for Front Line Services	
	Councillor Tom Mason	Portfolio Holder for Adult Services	
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Enforcement	
	Councillor Les Wicks	Portfolio Holder for Children's Services	
	Councillor David Wildey	Portfolio Holder for Children's Social Care	

In Attendance: 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
Deborah Upton, Assistant Director, Housing and Corporate Services/Monitoring Officer

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 30 November 2010 was agreed and signed by the Leader as correct.

Declarations of interest

Councillor Wildey declared a personal and prejudicial interest in agenda item 13 (Gateway 1 Options Appraisal: Lordswood School Primary Strategy Project) because he is a Governor at the school, and left the meeting for the duration of the consideration of the item.

Licensing Act 2003 - Review of Statement of Licensing Policy (Policy Framework)

This report provided details of the review of the Council's Statement of Licensing Policy following its last major review in 2007. The report stated that the Policy worked well in achieving the promotion of the four licensing objectives: prevention of crime and disorder; public safety; prevention of public nuisance and protection of children from harm.

The report set out the consultation process and representations together with officers' responses. A number of changes to the Policy were proposed as a result of legislative changes, responses to consultation and general housekeeping.

It was noted that a Diversity Impact Assessment had been undertaken and that a full assessment was not required, however, a couple of actions had been identified for future reviews, as set out in appendix 2 to the report.

The comments of the Licensing and Safety Committee were set out in the report and the views of the Business Support Overview and Scrutiny Committee were set out in an addendum report.

Decision number: **Decision:**

The Cabinet noted the views of the Licensing and Safety Committee and the Business Support Overview and Scrutiny Committee.

216/2010 The Cabinet recommended the proposed changes to the Licensing Policy as set out in paragraphs 5.1.1 – 5.1.5 to Council on 13 January 2011 for approval as part of the Council's policy framework.

Reasons:

The Council must review its Statement of Licensing Policy every three years. The proposed changes to the Policy reflect legislative changes and the outcome of consultation.

Provisional Local Government Settlement 2011/2013

This report provided Cabinet with details of the provisional Local Government settlement announced by Government on 13 December 2010, with consultation undertaken by central government until 17 January 2011. The report set out the impact of the settlement on Medway: for formula grant, the figure for 2011/2012 was £86.097m which represented a cut of 11.9%. For 2012/2013 the figure was £78.286m which represented a further reduction of £7.811m or 8.3%.

It was noted that for schools the provisional increase for the Dedicated Schools Grant was 3%, which translated into a zero cash per pupil increase due to increased pupil numbers. The report also referred to other Department for Education grants, including the pupil premium, funding for academies, sixth form funding and the early intervention grant (including Sure Start).

The report stated that the capital settlement announcement reflected a reduction in core funding with the overall allocation for Medway reducing from £33.254m in 2010/2011 to £14.751m in 2011/2012.

Overall, the Council faced a funding gap of £23.5m for 2011/2012, and paragraph 6 of the report set out the initiatives the Council was undertaking to mitigate this.

The Cabinet accepted this as an urgent item to enable officers to commence formal consultation with staff on the financial implications of the Local Government Settlement, as set out in this report, as soon as possible.

Decision number: ***Decision:***

The Cabinet noted the provisional settlement as an essential part of the budget setting process for 2011/2012.

217/2010 The Cabinet instructed Directors and Assistant Directors to commence formal consultation with staff in respect of the financial implications of the Local Government Settlement as set out in this report.

Reasons:

These provisional levels of grant form a fundamental component of the 2011/2012 budget, and their announcement is a further stage in the process of preparing a balanced budget.

Annual Audit Letter 2009/2010

This report provided details of PKF's (the Council's Auditors) Annual Audit Letter 2009/2010. The letter summarised the key issues arising from the work PKF had

Cabinet, 21 December 2010

carried out during the year and related to their responsibilities in Finance and Governance matters.

It was noted that PKF had issued an unqualified opinion on the 2009/2010 Statement of Accounts on 7 October 2010. PKF had issued an unqualified value for money conclusion and are satisfied that proper arrangements have been made to secure economy, efficiency and effectiveness in the use of resources. In addition, PKF stated that the Council had made good progress in implementing the improvement plan following the use of resources review in 2009.

During the debate Members asked that the Chief Executive write to staff congratulating them on their performance.

Decision number: ***Decision:***

218/2010 **The Cabinet noted the content of the Annual Audit Letter for 2009/2010 and recommended that the Audit Committee accept the report.**

Reasons:

The Cabinet has a key role in monitoring the performance of the Council and the Annual Audit Letter summaries the Auditor's assessment of the Council, drawing on audit, inspection and performance assessments.

Annual Performance Assessment - Adult Social Care

This report provided details of the outcome of the Annual Performance Assessment of Adult Social Care in Medway for 2009/2010, undertaken by the Care Quality Commission. A copy of the assessment was attached to the report.

The report set out the overall grades for the seven outcomes and it was noted that the Council was performing well in six of the outcomes and was performing adequately in the remaining outcome. The report also set out areas of strength, together with an update on progress in those areas which had been identified for development.

The views of the Health and Adult Social Care were set out in an addendum report.

During debate Members asked that the Chief Executive write to staff congratulating them on their performance.

Decision number: ***Decision:***

The Cabinet noted the outcome of the Annual Performance Assessment of Adult Social Care in Medway, undertaken by the Care Quality Commission for performance year

Cabinet, 21 December 2010

2009/10 and noted the progress made in the key areas identified for development.

Reasons:

The Annual Review report has to be presented to a meeting of the Council's Executive.

Children's Services Assessment 2010

This report provided details on the outcome of Medway's 2010 Children's Services Assessment. The report stated that the overall rating for Medway's Children's Services was "performing well", which represented an improvement over the previous two years. The report set out areas of progress or good performance, together with key areas for further improvement.

The views of the Children and Young People Overview and Scrutiny Committee were set out in an addendum report.

During debate Members asked that the Chief Executive write to staff congratulating them on their performance.

Decision number: ***Decision:***

The Cabinet noted the Children's Services Assessment letter attached at Appendix A to the report.

Reasons:

To inform the Cabinet of the annual assessment of Children's Services.

Local Development Framework: Annual Monitoring Report

This report provided details of the Council's Annual Monitoring Report on progress against a range of indicators associated with the adopted Development Plan and the emerging Local Development Framework, in accordance with the Planning and Compulsory Purchase Act 2004. The report set out the main findings, including the level of house building, the stock of employment land available, renewable energy proposals, and socio-economic data.

The Annual Monitoring Report (Appendix 1 to the report) was circulated separately to Cabinet Members.

Cabinet, 21 December 2010

Decision number:

Decision:

219/2010

The Cabinet approved the 2010 Annual Monitoring Report for submission to Government by 31 December 2010.

Reasons:

To satisfy the requirements of the Planning and Compulsory Purchase Act 2004 and associated guidance.

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.

Decision number:

Decision:

220/2010

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

Regeneration, Community and Culture

- a) **Admin Assistant – Processing and Income Recovery (maternity cover)**
- b) **Admin Assistant – Processing and Income Recovery.**

Reasons:

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

Rochester Riverside Phase 1A - Grant of Lease(s)

This report provided details of a proposal to grant a lease or leases at Rochester Riverside Phase 1A in light of the exclusivity agreement having lapsed with Crest Nicholson. The proposal would allow Hyde Housing Group to develop part of Phase 1A, and they had indicated their desire to carry out direct development of the first three (mainly) affordable housing blocks, to secure the £4.6m Homes & Communities Agency's (HCA) affordable housing grant which must be drawn down before the end of March 2011.

An exempt appendix provided information and advice on the proposed grant of lease.

Cabinet, 21 December 2010

The Cabinet accepted this as an urgent item to enable officers to progress the proposals at the earliest opportunity.

Decision number:

Decision:

221/2010 **The Cabinet agreed to grant delegated authority to the Chief Executive, in consultation with the Leader, to grant a lease or leases and any necessary preliminary agreements, of or relating to part of Phase 1A of Rochester Riverside within the area as shown edged black on the plan set out in the report, together with any associated rights, for a term of not exceeding 999 years to a company or companies within the Hyde Housing Group on the best terms reasonably achievable.**

Reasons:

The decision is intended to protect the £4.6m HCA affordable housing grant for Rochester Riverside and is in keeping with the Council's priorities for delivering development on its flagship regeneration site.

Rochester Riverside Phase 1A - Funding and Provision of Infrastructure

This report provided details of a proposal to fund a road, services and infrastructure at Rochester Riverside to facilitate the delivery of affordable housing on the site and also reducing the risk of the remainder of the phase for future developers. This would add value to the site and the Council would subsequently be able to sell part of the site with the benefit of the road and affordable housing.

An exempt appendix provided commercially sensitive financial information and legal advice regarding the provision of funding and infrastructure for Phase 1A of Rochester Riverside.

The Cabinet accepted this as an urgent item to enable Full Council on 13 January 2011 to give consideration to approving the scheme as an addition to the Capital Programme in 2011/2012.

Decision number:

Decision:

222/2010 **The Cabinet recommended to Full Council that a sum of £2.5m be included in the 2011/2012 Capital Programme and to delegate authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance and Deputy Leader, to proceed with the prudential borrowing subject to reaching satisfactory agreement with the South East England Development Agency (SEEDA) and the Department for Communities and Local Government**

(DCLG) as to recovering of the funding from future sales on Rochester Riverside.

223/2010 **The Cabinet agreed to delegate authority to the Assistant Director, Housing and Corporate Services, in consultation with the Portfolio Holder for Finance and Deputy Leader, to enter into any legal agreements required to ensure the recovery of the £2.5m funding.**

Reasons:

The decision will further reduce the risks surrounding the site and see development activity at Rochester Riverside and is in line with the Council's priorities for delivering development on its flagship regeneration site. It will also help protect the £4.6m HCA affordable housing grant for Rochester Riverside.

Gateway 1 Options Appraisal: Lordswood School Primary Strategy Project

This report provided details of the options appraisal for the building works to support the amalgamation of Lordswood Infant and Junior Schools.

An exempt appendix set out the whole life costings/budgets for the project together with the risk register.

The Procurement Board considered this report on 1 December 2010 and referred it to Cabinet for formal consideration and approval.

Decision number: **Decision:**

224/2010 **The Cabinet approved progress to Gateway 2 – Competitive Process, using the single stage tender, as set out in paragraph 7.3 of the report.**

Reasons:

The new facilities are required to support the amalgamation of the predecessor schools and support the achievement of improved outcomes for students. The capital programme approved by Council in February 2010 includes funding for the project.

Gateway 3 Contract Award: Woodlands School - Improvements to Nursery, School Reception and SEN Provision

This report provided details of the procurement process to complete the works at Woodlands Primary School to improve nursery provision, children's centre family spaces, reception and SEN provision.

Cabinet, 21 December 2010

An exempt appendix set out the evaluation of tenders and identified the tenderers for the contract.

The Procurement Board considered this report on 1 December 2010 and referred it to Cabinet for formal consideration and approval.

Decision number: **Decision:**

225/2010 **The Cabinet approved the appointment of B W May and Son Limited to complete phase 1 of the building works at Woodlands School for a contract sum of £293,938 starting with the area 1 works and that areas 2, 3 and 4 be subject to Full Council approval of the addition to the Capital Programme as detailed in paragraph 1.2 of the report.**

Reasons:

The approval of the award of contract to B W May Limited will enable the building works to be completed at Woodlands School, providing a more suitable environment for teaching and learning.

Gateway 4 Contract Management: Bishop of Rochester Academy Environmental Improvement Works

This report provided a review of the contract to undertake environmental improvement works at Bishop of Rochester Academy to enable it to open as a new Academy on 1 September 2010.

The Procurement Board considered this report on 1 December 2010 and referred it to Cabinet for formal consideration and approval.

Decision number: **Decision:**

The Cabinet noted the report.

Reasons:

The Council's contract rules set out that Cabinet consider those Gateway 4 Contract Management reports which have been classified as high risk.

Gateway 4 Contract Management: Brompton Academy Environmental Improvement Works

This report provided a review of the contract to undertake environmental improvement works at New Brompton College to enable it to open as Brompton Academy on 1 September 2010.

Cabinet, 21 December 2010

The Procurement Board considered this report on 1 December 2010 and referred it to Cabinet for formal consideration and approval.

Decision number: **Decision:**

The Cabinet noted the report.

Reasons:

The Council's contract rules set out that Cabinet consider those Gateway 4 Contract Management reports which have been classified as high risk.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Cabinet Coordinators

Telephone: 01634 332509/332008

Email: democratic.services@medway.gov.uk