



Record of Cabinet decisions

Tuesday, 7 February 2023

3.00pm to 5.06pm

Date of publication: 8 February 2023

Subject to call-in these decisions will be effective from 16 February 2023

Present:	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 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	
	Jon Pitt, Democratic Services Officer	

Apologies for absence

An apology for absence was received from Councillor Jarrett.

Record of decisions

The record of the decisions from the Cabinet meeting held on 10 January 2023 was agreed by the Cabinet and signed by the Deputy Leader as correct.

Cabinet, 7 February 2023

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 items No.7 (Treasury Management Strategy 2023/24), No.8 (Revenue Budget Monitoring - Round 3 2022/23), No.9 (Capital Budget Monitoring - Round 3 2022/23), No.10 (Housing Revenue Account Capital and Revenue Budgets 2023/24) and No.11 (Capital and Revenue Budgets 2023/24) because he is the Chairman and a Director of Medway Development Company. Councillor Doe relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any related discussion and voting.

Councillor Gulvin declared an OSI in relation to in relation to agenda items No.7 (Treasury Management Strategy 2023/24), No.8 (Revenue Budget Monitoring - Round 3 2022/23), No.9 (Capital Budget Monitoring - Round 3 2022/23), No.10 (Housing Revenue Account Capital and Revenue Budgets 2023/24) and No.11 (Capital and Revenue Budgets 2023/24) because he is a Director of Medway Development Company. Councillor Gulvin relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any related discussion and voting.

Other interests

There were none.

Council Plan Refresh 2023/24

Background:

This report set out the refreshed Council Plan. The report advised that the Council Plan was the delivery plan which set out the measures that would be used to track performance against the Council's key priorities.

The report asked the Cabinet to recommend to Full Council on 23 February 2023, adoption of the refreshed Council Plan, as set out in Appendix 1 to the report.

The Business Support Overview and Scrutiny Committee had considered the report on 25 January 2023 and its comments, along with officer responses to some of the points raised by the Committee, were set out in an addendum report.

A Diversity Impact Assessment (DIA) had been completed in relation to the updated Council Plan, as set out in Appendix 2 to the report.

Cabinet, 7 February 2023

**Decision
number:**

Decision:

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee, as set out in the addendum report.

9/2023

The Cabinet recommended to Full Council the adoption of the refreshed Council Plan measures as set out at Appendix 1 to the report, subject to the ILAC7 target (the percentage of Children's Social Care Audits graded good or outstanding) remaining at 80% rather than be lowered to 50%.

The Cabinet noted that those Council Plan measures still awaiting a proposed target would be further considered by the Corporate Management Team and that Full Council would be asked to delegate authority to the Chief Executive, in consultation with the Portfolio Holder for Resources, to agree the final measures.

Reasons:

The Council Strategy sets the high-level objectives for the Council and is underpinned by the Council Plan which includes the detailed performance measures and delivery plans explaining how the strategic objectives are to be met. Agreement of the Council Plan measures will ensure continued delivery of the objectives and effective monitoring of performance.

Final Funding Formula for Mainstream Schools and Academies 2023 - 2024

Background:

This report provided details of the final funding proposals for Medway's schools and academies for 2023/24. Officers, working with the Schools Forum, had consulted with schools and academies on the proposed new funding formula options for 2023/24.

It was noted that the Schools Forum had met on 11 January 2023 and recommended Cabinet to approve the implementation of the final funding formula, as set out at section 3 of the report.

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In this case, the deadline for the submission of the final funding formula to the Education and Skills Funding Agency (ESFA) was 20 January 2023. It was therefore proposed that call-in be waived to prevent any further delay in confirming the Cabinet's decision to the ESFA

Cabinet, 7 February 2023

and to allow the authority to implement the funding formula changes in accordance with the regulations. The Chairman of the Children and Young People Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number:

Decision:

10/2023

The Cabinet instructed officers to implement the Final 2023-24 Funding Formula for mainstream schools and academies, as set out in section 3 of the report.

11/2023

The Cabinet agreed that recommendation 8.1 was considered urgent and therefore should not be subject to call in.

Reasons:

The local authority is required to implement the funding formula changes from 2023-24 in accordance with the School and Early Years Finance (England) Regulations 2014. This is a Cabinet function.

The deadline for the submission of the final funding formula to the Department for Education was 20 January 2023.

Council Tax Reduction Scheme 2023-2024 and Council Tax Discretionary Policy for Care Leavers

Background:

The Cabinet accepted the report as urgent to enable consideration of the matter at the earliest opportunity given that the final budget would be submitted to the next scheduled Council meeting on 23 February 2023.

This report informed the Cabinet of proposed changes to the Council Tax Reduction Scheme for 2023/24. It also recommended a continuation of the Council Tax Discretionary Policy for Care Leavers and sought approval for a delegation to allow the implementation of the discretionary element of the newly announced Council Tax Support Fund.

A Diversity Impact Assessment (DIA) had been completed for both the proposed Council Tax Reduction Scheme for 2023/24 and for the Discretionary Policy for Care Leavers, which were attached at Appendices 3 and 4 to the report.

Cabinet, 7 February 2023

***Decision
number:***

Decision:

12/2023

The Cabinet recommended Full Council to adopt the Council Tax Reduction Scheme (CTRS) 2023/24, reflecting income bands updated for CPI, as set out in Appendix 1 to this report.

13/2023

The Cabinet agreed to delegate authority to the Chief Operating Officer, in consultation with the Leader of the Council and the Portfolio Holder for Business Management, to implement the Council Tax Support Scheme in line with government guidance, to grant a mandatory £25.00 rebate to each recipient of the CTRS for 2023/24, as set out in paragraph 5.3 of the report.

14/2023

The Cabinet agreed the Care Leavers Discretionary Relief policy as set out at Appendix 2 to become permanent from 1 April 2023.

Reasons:

The scheme continues to balance the need for supporting those currently in receipt of CTRS and the ability of the Council to fund the scheme within the current budgetary constraints. The Council's Council Tax Discretionary Relief for Care Leavers scheme provides vital support to the most vulnerable care leavers.

Treasury Management Strategy 2023/24

Background:

This report provided details of the Council's Treasury Management Strategy for 2023/24. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code and set out the Council's borrowing requirement and strategy in respect of investments. It also provided details of the Council's current portfolio position and set out the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The Audit Committee had considered this report on 10 January 2023 and its comments were set out in section 4 of the report.

A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, as set out in Appendix B to the report.

Cabinet, 7 February 2023

**Decision
number:**

Decision:

The Cabinet noted the comments from the Audit Committee, as set out in section 4 of the report.

15/2023

The Cabinet recommended the Treasury Management Strategy 2023/24, as set out in Appendix A to the report, to Full Council for approval.

16/2023

The Cabinet approved the Treasury Management Practices, as set out in Appendix C to the report.

Reasons:

Cabinet has the responsibility to make recommendations to Full Council on the approval of the Council's Treasury Management, Investment Strategy and Minimum Revenue Provision Policy Statement and has responsibility for the implementation of the Treasury Management Practices and associated schedules.

Revenue Budget Monitoring - Round 3 2022/23

Background:

This report presented the results of the third round of the Council's revenue budget monitoring process for 2022/23. The report set out that at its meeting on 24 February 2022, Full Council had set a total budget requirement of £351.982million for 2022/23. Since approval of the budget, additional grant funding relating to Council Tax Support for Energy Bills. These additions had taken the Round 3 budget requirement to a total of £373.535million. The forecast outturn for 2022/23 currently represented a pressure of £12.333million, an improvement of £1.686million compared to the position reported at Round 2. It was noted that Members and officers had worked hard to address this pressure.

**Decision
number:**

Decision:

17/2023

The Cabinet noted the results of the third round of revenue budget monitoring for 2022/23 and instructed senior management to continue to exercise tight control to reduce expenditure within their areas and to identify a range of management actions in order to reduce expenditure or increase income.

Reasons:

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

Cabinet, 7 February 2023

Capital Budget Monitoring - Round 3 2022/23

Background:

This report presented the results of the third round of the Council's capital budget monitoring process for 2022/23. The report explained that this forecast an overspend of £591,000 in the Children and Adults Directorate and an overspend of £420,000 in the Regeneration, Culture and Environment Directorate. The Business Support Directorate was forecast to overspend by £1,000.

The report also requested that the Cabinet agree a budget virement and to recommend to Full Council a number of additions to the Capital Programme. Details of these were set out in the report.

Decision number:

Decision:

18/2023

The Cabinet noted the results of the third round of capital budget monitoring for 2022/23, and the management actions to resolve the projected overspend in Children and Adults, which would be the subject of a future report to both Cabinet and Council.

19/2023

The Cabinet agreed a virement of £748k between the Abbey Court scheme and the Bradfields scheme.

20/2023

The Cabinet requested Full Council to agree an addition of £14k to the Maundene scheme to be funded by s106 contributions (MC/07/0032 Land at Hoo Road, Liberty Park), for which funds had been received.

The Cabinet requested Council to agree an addition of £25k to the Wayfield Basic Need scheme, to be funded from Basic Need grant.

Reasons:

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

Housing Revenue Account Capital and Revenue Budgets 2023/24

Background:

This report provided details of the proposed Housing Revenue Account (HRA) capital and revenue budgets for 2023/2024 including rent, garage rent and service charge levels. The report gave a breakdown of the factors taken into account when formulating the budgets for 2023/2024. The report also provided an update on the HRA Business Plan in accordance with the requirement to ensure the Plan met the

Cabinet, 7 February 2023

Government's fit for purpose criteria. The report stated that tenants had been informed of the proposals, as set out in section 16 of the report.

The Business Support Overview and Scrutiny Committee had considered the report on 25 January 2023 and its comments were set out in an addendum report. A Diversity Impact Assessment had been carried out on the proposed budgets, as set out in Appendix F to the report.

**Decision
number:**

Decision:

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee, as set out in the addendum report.

21/2023

The Cabinet recommended the following to full Council for approval:

- a) **A proposed social rent increase of 7% as per the cap set by the Government for year 2023/24 (which is below the allowed CPI of 10.1 plus 1%) for the social rent housing stock as set out in Appendix A (based on 52 collection weeks) with effect from 3 April 2023. All new tenancies issued during 2023/24, to be set at either the formula rent or rent cap for social rent dwellings, whichever is lower.**
- b) **A proposed affordable rent increase of the lower of LHA rate or 7% (which is below the allowed CPI of 10.1 plus 1%) for the affordable rent properties as set out in Appendix B (based on 52 collection weeks) with effect from 3 April 2023. All new tenancies during 2023/24 to be set at either 80% of market rent or the LHA rate for affordable rent dwellings, whichever is lower.**
- c) **A proposed rent increase of 10% to be applied to all garage tenure types with effect from 3 April 2023 as stated in section 4 of the report.**
- d) **That the service charges increases/decreases as set out in Appendix C of the report for 2023/24 be approved.**
- e) **That a 50% rebate on the increase from 2022/23 electricity and gas service charges to be issued to the tenants affected by those increases set out in recommendation D.**

Cabinet, 7 February 2023

- f) That the revenue budget for the HRA service for 2023/24 as per Appendix D be approved.**
- g) That the proposed new budget of £12m (as set out in section 8.5.3 & 8.5.4 which is £6.25m for new purchases, £0.5m for Phase 4 and £5.25m for Phase 6 budgets).**
- h) A virement of remaining budget (approximately £0.3m) from Phase 4 to Phase 5 new build programme budget be approved.**
- i) That the provision for the estimated repayment of debt based on annuity-based payment of £0.358m, on the HRA's outstanding debt for 2023/24 be approved.**
- j) That an estimated repayment of £0.5m of debt from 1-4-1 RTB receipts capital (as explained in section 11.1) on the HRA's outstanding debt for 2023/24 be approved.**
- k) To delegate authority to the Director of Place and Deputy Chief Executive to agree weekly rental values presented by the Head of Housing for any in-year completed HRA acquisitions and/or new builds during 23/24.**
- l) That Members approved the revised 30-year HRA Business Plan model as attached at Appendix E.**

Reasons:

The Council is required to carry out a review of rents and notify tenants not less than 28 days prior to the proposed date of change. The Council is required under the Local Government and Housing Act 1989 to ensure that the Housing Revenue Account does not fall into a deficit position.

Capital and Revenue Budgets 2023/24

Background:

The Cabinet accepted the report as urgent to enable consideration of the matter at the earliest opportunity given that the final budget was due to be submitted to the next scheduled Council meeting on 23 February 2023.

This report presented proposals for the capital and revenue budgets for 2023/2024. It was noted that the Cabinet had considered initial budget proposals on 15

Cabinet, 7 February 2023

November 2022, which had identified a potential revenue shortfall of £28.683million in 2023/2024.

The report stated that at the time of writing, there was still a deficit of £2.026million to resolve. Options were being considered to address this prior to the Council's budget setting meeting on 23 February 2023 and if measures to address the deficit were not identified, then it would need to be met from the Council's reserves.

The current capital programme for 2022/2023 was £427.356 million, with a further £2.070million estimated for proposed additions to the programme for the next financial year, as detailed at section 14 of the report. It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views together with the recommendations of the Business Support Overview and Scrutiny Committee (25 January 2023) were set out for Cabinet at Appendix 1 to the report.

The report set out the requirements under equality legislation and it was noted that an overarching Diversity Impact Assessment would be included in the budget report to Full Council on 23 February 2023.

***Decision
number:***

Decision:

The Cabinet noted the comments from the overview and scrutiny committees as summarised in Appendix 1 to the report.

22/2023

The Cabinet recommended to Full Council that the net revenue budget summarised at Appendix 2, should be set at £390.205million, and that this should be funded by a 4.994% increase in Council Tax for 2023/24 with the equivalent Band D figure at £1671.23 per annum.

23/2023

The Cabinet recommended to Full Council the transfer of £3million from general reserves to a new earmarked reserve, to be used in the event the Deficit Recovery Plan did not reduce the DSG Deficit in line with the agreement with the Safety Valve Intervention Programme, as set out in Section 4.8.3 of the report.

24/2023

The Cabinet agreed to the cessation of funding to landlords to provide sheltered housing, with a six month notice period from 1 April 2023, as set out in Section 7.4 of the report.

Cabinet, 7 February 2023

The Cabinet noted that on 24 January 2023, Employment Matters Committee recommended to Full Council:

- a general cost of living increase of £1,000 (pro-rata) for all staff,
- creation of a gap in pay ranges 1-4 through the introduction of a £500 gap, as detailed in paragraphs 7.6-7.8 of that report, and
- Full Council delegate to the Chief Executive the authority to agree the competency-based awards for staff assessed under MedPay at Levels 1A and 1B.

25/2023 The Cabinet recommended to Full Council the capital budget proposals, as set out in Table 7 of the report.

26/2023 The Cabinet recommended to Full Council the fees and charges set out at Appendix 7 to the report.

27/2023 The Cabinet recommended to Full Council the Flexible Use of Capital Receipts Strategy set out at Appendix 8 to this report.

28/2023 The Cabinet requested the Chief Operating Officer to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 23 February 2023.

The Cabinet noted its earlier recommendation to Full Council (decision 135/2022 refers) that when setting the Council Tax, the following changes would be applied to Council premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 4.4.3 of the report:

- the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two; and
- a 100% premium may be charged for properties that are unoccupied but furnished (referred to as second homes).

Reasons:

The Constitution required that Cabinet's budget proposals must be referred to Council for consideration and approval. The Council is required by statute to set a

Cabinet, 7 February 2023

budget and Council Tax Levels by 11 March each year.

Adult Social Care - Fair Cost of Care

Background:

This report updated the Cabinet on the latest position in relation to the Fair Cost of Care nationally and locally in Medway. It explained that the Council was required to publish the Cost of Care Exercise Reports on the Medway Council website. It was also required to submit and publish its final Market Sustainability Plan.

The report explained that the Government's Autumn Statement had announced a delay to the national rollout of the social care charging reforms. The Department of Health and Social Care (DHSC) had confirmed maintaining current levels of Fair Cost of Care funding for local authorities for the next two years.

An Exempt Appendix to the report set out the draft Market Sustainability Plan. It was noted that the final version of the Plan would be published on the Council's website by 27 March 2023.

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. In this case, there was an urgent need to publish the Cost of Care Exercise reports on the Council's website in order to meet DHSC requirements. On this occasion it was proposed that the call-in period be waived to prevent any further delay in publishing the reports. The Chairman of the Health and Adult Social Care Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number:

Decision:

29/2023

The Cabinet approved the publication of the Cost of Care Exercise Reports, as set out at Appendix 2 and Appendix 3 to the report.

30/2023

The Cabinet agreed in principle the publication and submission to the Department of Health and Social Care of the Market Sustainability Plan, as set out in the Exempt Appendix of the report and agreed to delegate authority to the Director of People - Children and Adults, in consultation with the Portfolio Holder for Adults' Services, to finalise the Market Sustainability Plan following receipt of feedback from the Department for Health and Social Care.

31/2023

The Cabinet agreed that recommendation 10.1 was considered urgent and therefore should not be subject to call-in.

Cabinet, 7 February 2023

Reasons:

This report updated the Cabinet on the latest position in relation to the Fair Cost of Care nationally and locally in Medway. The Council is required to publish the Cost of Care Exercise Reports on the Medway Council website. It is also required to submit and publish its final Market Sustainability Plan.

Waiving of call-in enables publication of the Cost of Care Exercise reports on the Council's website in order to meet DHSC requirements.

Hoo Development Framework - Outcome of Consultation

Background:

This report presented the findings of the consultation held in the last quarter of 2022 on the draft Hoo Development Framework. It outlined the consultation programme and the main themes of the comments received. This had followed consideration of the proposed consultation document by Members. Details of the consultation methodology and a summary of the responses received were set out at Appendix 1 to the report.

The report explained that the 147 written responses received during the consultation had been published on the Council's website to coincide with the publication of the Cabinet agenda. The report also advised that three staffed exhibitions had been held in High Halstow, Hoo and Chattenden, with a total of over 120 people having attended the staffed exhibitions.

Decision number:

Decision:

The Cabinet noted the outcomes of the consultation on the draft Hoo Development Framework.

Reasons:

To communicate outcomes of the consultation process.

Cliffe and Cliffe Woods Neighbourhood Plan - Request to Send to Referendum

Background:

This report set out the Examiner's assessment of the submitted Cliffe and Cliffe Woods Neighbourhood Plan, which included some modifications to the Plan.

The report explained that Cliffe and Cliffe Woods Parish had been designated as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan in June 2015. The Cabinet had considered the draft plan at its meeting on 8 March 2022 and approved the publication of the plan at Regulation 16. The Council had subsequently arranged for the independent examination of the plan.

Cabinet, 7 February 2023

The report recommended that the Examiner's recommendations be accepted and the Plan be modified accordingly. It was noted that acceptance of the recommendations would require that the draft plan be put to a referendum. It was proposed that this would take place on 4 May 2023 to coincide with local elections.

**Decision
number:**

32/2023

Decision:

The Cabinet approved that the Neighbourhood Plan be modified in accordance with the Examiner's report and that the Neighbourhood Plan, as modified, proceed to Referendum on Thursday 4 May 2023.

Reasons:

To enable timely decision making in the Neighbourhood Plan process.

Highway Asset Management Policy and Strategy

Background:

This report sought approval for the adoption of a new Highway Asset Management Policy and supporting Strategy. This would provide the Department for Transport (DfT) with the necessary evidence of the Council's commitment to asset management, in order for the Council to be able to receive Incentive Funding.

The report explained that the Highway Asset Management Policy and Strategy had been initially adopted in 2015 and that the refreshed documents would embed Medway's commitment to using good asset management practice to manage and maintain its assets based on the fundamental principles of lifecycle planning.

The report had previously been considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 17 January 2023 and its comments were set out at section 5 to the report.

**Decision
number:**

33/2023

Decision:

The Cabinet agreed the adoption of the new Highway Asset Management Strategy and Policy, as set out at Appendix 1 and Appendix 2 of the report.

Cabinet, 7 February 2023

Reasons:

Agreement of the Highway Asset Management Strategy and Policy helps to maintain a Band 3 Self-Assessment Score which will continue to maximise the 100% level of capital funding we currently secure through the Department for Transport Incentive Fund.

Transport for the South East Strategic Investment Plan

Background:

This report set out Transport for the South East's (TfSE) work in preparing the Strategic Investment Plan (SIP). The SIP was due to be considered at a TfSE Partnership Board meeting in March 2023 before being submitted to Government. It was noted that Medway was one of 16 constituent authorities that would be covered by the SIP.

The report explained that the SIP formed the final part of a Transport Strategy and would be the blueprint for £45bn of investment in strategic transport infrastructure over the next 30 years. The SIP provided an overview and policy context before setting out the benefits of investing in the South East and 30 packages of interventions, 20 of which were considered to be most relevant to Medway.

Decision number:

Decision:

The Cabinet noted the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out at section 6 of the report.

34/2023

The Cabinet approved the Strategic Investment Plan (SIP), set out at Appendix 1 to the report.

Reasons:

Approval of the SIP enables the Council to be a key delivery partner, working with Transport for the South East (TfSE), constituent authorities and other delivery partners to shape a delivery plan.

Rochester Pier Salvage

Background:

This report sought Cabinet agreement to the removal of collapsed sections of Rochester Pier to aid future restoration and removal of two timber dolphins to prevent navigation hazard.

The report set out that the required works would eliminate the undesirable view of pier wreckage from Rochester Castle, Rochester Bridge and Esplanade and that

Cabinet, 7 February 2023

clearance of the collapsed sections of the pier and dolphins would provide an easier starting point for future restoration works.

The report also advised that the proposed addition to the Capital Programme to fund the work was a matter for determination by Full Council.

***Decision
number:***

Decision:

35/2023

The Cabinet approved the removal of the collapsed section of Rochester Pier and timber dolphins, as set out at option 2 within the report, in order to remove the potential hazard to navigation and provide a cleared location for future restoration of the pier.

36/2023

The Cabinet recommended Full Council to approve the addition of £137,172 to the Capital Programme to be funded by borrowing.

Reasons:

Removal of the collapsed pier sections and timber dolphins from the river will negate risk of debris becoming a danger to navigation and thereby mitigate risks of compensation claims of damage to vessels and private river infrastructure.

Clearance of the collapsed sections of the pier and dolphins will also provide a significantly improved starting point for future restoration works and sustaining navigational safety, thereby increasing the opportunities for a volunteer led Trust to take on the management and maintenance of Rochester Pier.

Stardust Festival

Background:

This report requested Cabinet approval to host The Stardust Festival Ltd.'s festival 'The Great Lines Great Music Weekend' at the Great Lines Heritage Park from Friday 26 to Monday 29 May 2023.

The report advised that the festival would generate income for Medway Council from the hire of the park as a venue and that if successful, the Council would be asked to agree a multi-year contract with the event organisers.

Cabinet, 7 February 2023

**Decision
number:**

Decision:

37/2023

The Cabinet approved the hire of the Great Lines Heritage Park to host the four-day 'The Great Lines Great Music Weekend' festival over the late May Bank Holiday in 2023.

38/2023

The Cabinet instructed officers to ensure that the organisers agree to meet the terms and conditions of the location hire agreement as set out in paragraph 4.7 of the report.

Reasons:

Approving this festival will:

- Generate income for the Council
- Generate increased economic benefits to the area
- Provide increased access to cultural festivals for Medway residents

Council Plan Performance Monitoring and Risk Register Review Quarter 3 2022/23

Background:

This report provided details of how the Council had performed during quarter 3 in 2022/23 against the Council's three priorities and the actions being taken to improve performance. The report also presented the quarter 3 review of strategic risks.

There were 51 Council Plan measures for 2022/23, of which it was possible to report on 49 as the data for one measure was not available this quarter and one measure was data only. In summary, 27 out of the 49 measures reported on met or exceeded target, four were slightly below target and 18 were significantly below target.

The report was due to be considered by the Overview and Scrutiny Committees during March 2023.

**Decision
number:**

Decision:

The Cabinet noted the Q3 2022/23 performance against the measures used to monitor progress against the Council's priorities.

39/2023

The Cabinet agreed the Strategic Risk Summary set out at Appendix 4 to the report.

Cabinet, 7 February 2023

Reasons:

Regular monitoring of performance and risks by management and Members is best practice and ensures achievement of corporate objectives.

Contract Procedure Rules

Background:

This report provided details of proposed changes to the Contract Procedure Rules (CPRs) to replace those that currently formed Chapter 4, Part 7 of Medway Council's Constitution. In particular, it was proposed to increase the value at which Medway's procurement board level governance would apply for the current figures.

The report explained that purchasing value had diminished over time and become prohibitive in nature and as contracts had become larger and more sophisticated. It was proposed to increase the figures to the current value at which the Public Contracts Regulations applied as well as introducing further measures for accountability through the entire procurement process.

The Audit Committee had considered the report at its meeting on 10 January 2023 and its comments were set out in section 5 of the report. The report had also been considered by the Business Support Overview and Scrutiny Committee on 25 January 2023 and its comments were set out in an Addendum Report.

It was noted that the Business Support Overview and Scrutiny Committee had requested that Cabinet instruct officers to explore the benefits and requirements of elected Members having a DBS check. Although some support was expressed, the recommendation was not considered to be relevant to the Contract Procedure Rules report considered by Cabinet.

***Decision
number:***

Decision:

The Cabinet noted the comments of the Audit Committee set out at section 5 of the report and the comments of the Business Support Overview and Scrutiny Committee set out in an addendum report.

40/2023

The Cabinet recommended Full Council to approve the revised Contract Procedure Rules as set out at Appendix 2 to the report.

Cabinet, 7 February 2023

Reasons:

The revised suite simplifies the terminology used for better end user engagement, improves accountability across the various layers of the organisation as well as updates thresholds at which procurement board level governance applies to procurement activity.

Gateway 1 Procurement Commencement - Supported Bus Contracts 2023

Background:

This report requested the Cabinet's agreement to commence the procurement of the Supported Buses and MY Yellow Bus Contracts.

The report set out that the Council currently provided financial support to thirty bus routes across Medway. As these routes had been deemed financially unviable by operators, the Council directly commissioned local operators to run them. The Council also commissioned an operator to provide nine routes during term time from key parts of Medway to schools in the area. These routes were known as the MY Yellow School Bus routes.

A Diversity Impact Assessment had been carried out and was attached as Appendix 1 to the report.

Decision number:

41/2023

Decision:

The Cabinet approved the procurement commencement of the Dynamic Purchasing System as per the preferred option identified in paragraph 4.3.1 of the report.

Reasons:

The recommissioning of these bus contracts will ensure a key transportation link for many residents is maintained, the services are awarded to and operated by good quality operators, and the contracts are for best value.

South Thames Gateway Building Control Partnership Business Plan

Background:

This report provided details of the South Thames Gateway Building Control Partnership Business Plan for 2023 to 2026 and the associated Delivery Plan. The Business Plan, as set out in the Exempt Appendix to the report, outlined how the building control function would be delivered on behalf of the partnership councils

Cabinet, 7 February 2023

(currently Medway, Canterbury, Gravesham and Swale) up until 2026 and indicated what the contributions would be between 2023 and 2026.

**Decision
number:**

Decision:

42/2023

The Cabinet approved the proposed Business Plan for 2023-2026 and Delivery Plan for the South Thames Gateway Building Control Partnership, as set out in the Exempt Appendix and noted the proposed contribution of £135,064 for 2023-2024.

Reasons:

The constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority.

.....
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