

Record of Cabinet decisions

Tuesday, 16 January 2024

7.00pm to 8.16pm

Date of publication: 18 January 2024

**Subject to call-in these decisions will be effective from 26 January 2024
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Vince Maple	Leader of the Council
	Councillor Teresa Murray	Deputy Leader of the Council
	Councillor Tracy Coombs	Portfolio Holder for Education
	Councillor Simon Curry	Portfolio Holder for Climate Change and Strategic Regeneration
	Councillor Lauren Edwards	Portfolio Holder for Economic and Social Regeneration and Inward Investment
	Councillor Naushabah Khan	Portfolio Holder for Housing and Property
	Councillor Harinder Mahil	Portfolio Holder for Heritage, Culture and Leisure
	Councillor Tristan Osborne	Portfolio Holder for Community Safety and Enforcement
	Councillor Zoë Van Dyke	Portfolio Holder for Business Management
	In Attendance:	Richard Hicks, Chief Executive
	Adam Bryan, Director of Place	
	Lee-Anne Farach, Director of People and Deputy Chief Executive	
	Bhupinder Gill, Assistant Director, Legal and Governance	
	Teri Reynolds, Democratic Services Officer	
	Phil Watts, Chief Operating Officer	

Apologies for absence

An apology for absence was received from Councillor Price.

Record of decisions

The record of the meeting held on 19 December 2023 was agreed by the Cabinet and signed by the Leader as correct.

Cabinet, 16 January 2024

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Edwards declared an OSI in item 7 (Transition of Local Enterprise Responsibilities to Medway Council) as she was a Director of the South East Local Enterprise Partnership and therefore left the meeting for the duration of the discussion and decision on this item.

Other interests

There were none.

Leader's Announcements

The Leader referred to the Medway Together Pledge, a local campaign to help people better connect with their local community and reduce loneliness and social isolation. He explained that the Cabinet Members would be making their pledge and encouraged residents and organisations across Medway to do the same to collectively help tackle loneliness across Medway.

Provisional Local Government Finance Settlement 2024 to 2025

Background:

This report provided details of the provisional local government settlement that had been announced, via a written statement on 19 December 2023.

The report explained that the Council Tax referendum limit had been set at 3%, which was in addition to an Adult Social Care precept, which provided the flexibility to relevant local authorities to increase Council Tax by a further 2% above the referendum limit. Medway's Draft Budget had reflected this and had assumed a 4.994% uplift.

Concerning business rates, the report explained that the Autumn Statement had made a series of announcements to help businesses, and the Provisional Settlement confirmed that the impact of these measures would be funded by the Government.

The report also provided details of the impact on other grants, set out at sections 9 to 13 of the report, all of which resulted in a net reduction in resources of £1.699million to that reflected in Medway's draft budget.

Cabinet, 16 January 2024

**Decision
number:**

Decision:

The Cabinet noted the implications of the Provisional Local Government Finance Settlement in formulating its 2024/25 budget proposals.

Reasons:

The provisional levels of funding announced are a fundamental component of the 2024/25 budget, and their announcement is a further stage in the process to prepare a balanced budget for the coming financial year.

Macmillan Welfare Benefits Service

Background:

This report provided details of proposals to increase the capacity and resilience of the Macmillan Welfare Benefits Service and to expand the service to support those in West and North Kent.

The proposals would provide an enhanced service for Medway's residents that would be more resilient, providing a robust service for the people of Medway who required it alongside introducing a service for patients who were not currently able to access support in neighbouring authorities. The service would be fully funded by Macmillan.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 1 to the report.

**Decision
number:**

Decision:

1/2024

The Cabinet agreed to expand the Macmillan Service to provide services to eligible residents of West and North Kent in addition to enhancing the level of service to eligible Medway residents.

Reasons:

Agreeing to expand the Macmillan Service will enable the team to provide the service to eligible residents in North and West Kent, filling the current gap in provision in that area. The expansion will also increase resilience for the service it provides to Medway's residents.

Temporary Accommodation Options

Background:

This report provided details of three initiatives - to purchase further units of temporary accommodation, to take on leases for the use of temporary accommodation and the setting up of a lettings department with a view to managing and generating business and ensure certainty around availability of units of accommodation.

The proposals were in response to an unprecedented increase in demand and cost for providing homeless households with temporary accommodation, which had led to a budget pressure. The report explained that pursuing a combination of options would ensure that there was availability of accommodation and that costs for accommodation would not escalate further.

Decision number:

Decision:

2/2024

The Cabinet recommend Council to agree to add £41,925,000 to the Capital Programme (funded by prudential borrowing) for the purchasing of approximately 150 further homes.

3/2024

The Cabinet agreed to take on up to 150 leases of properties in the private sector for use as temporary accommodation and agreed to delegate authority to the Director of Place, in consultation with the Portfolio Holder for Housing and Property, to facilitate this.

4/2024

The Cabinet agreed to delegate authority to the Director of Place to grant, enter into, or vary the terms of leases or sub leases for the provision of temporary accommodation, where the consideration does not exceed £15,000 per annum.

5/2024

The Cabinet agreed to the setup of an internal lettings department to take on properties to prevent homelessness and the associated costs in doing so, noting that this would include set up costs of approximately £153,000 and £137,100 ongoing annual costs.

Reasons:

There is an overreliance on the private sector for units of temporary accommodation and with increasing costs of these units and the increased demands on the homeless service there is a need to look at providing services in a different way.

Cabinet, 16 January 2024

Purchasing and leasing accommodation gives some certainty about units that will be available and ensures that the spend for these units is known for the short and medium term.

Creating our own lettings agency allows for better access to the private rental market for homeless households to enable the homeless duty to be discharged and prevent households coming through into temporary accommodation, which is costly to the Council.

Transition of Local Enterprise Partnership Responsibilities to Medway Council

Background:

This report requested Cabinet to agree to transfer Local Enterprise Partnership (LEP) functions, in partnership with Kent County Council (KCC), following the Government's announcement in August 2023 that the functions of LEPs would be delivered by upper tier and combined local authorities in future.

The report explained that further LEP transition guidance had confirmed that Government expected LEP functions to be transferred to either a whole county level, or functional economic area with a minimum population of 500,000. Due to Medway's population being under the threshold, the Council therefore needed to agree to take on LEP functions in partnership with Kent County Council (KCC). The South East LEP would cease in March 2024.

A joint Kent and Medway LEP Integration Plan had been submitted to Government and covered the five LEP workstreams that Medway and KCC had participated in: Governance and Capital Programmes; Partnerships and Networks; Data and Intelligence; Growth Hub and Business Support, and Resourcing.

Decision number:

Decision:

6/2024

The Cabinet agreed the transfer of relevant South East Local Enterprise Partnership (SELEP) responsibilities to Medway Council from April 2024 including: business representation, strategic economic planning, and the delivery of government programmes (where directed).

7/2024

The Cabinet agreed the joint Kent and Medway LEP Integration Plan.

8/2024

The Cabinet agreed to delegate authority to the Director of Place, in consultation with the Portfolio Holder for Economic and Social Regeneration and Inward Investment, to take relevant actions, including but not limited to, finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision No. 6/2024.

9/2024

The Cabinet agreed to delegate authority to the Director of Place, in consultation with the Portfolio Holder for Economic and Social Regeneration and Inward Investment, and Chief Operating Officer, for the expenditure of LEP funds including but not limited to, Growing Places Fund, to be awarded by SELEP Accountability Board (joint Committee), in line with expectations for economic growth purposes, local business and local priorities, existing resourcing funding still to be determined by SELEP, and any future funding for LEP activities to be determined by Government. This would be added to the Employee Scheme of Delegations.

Reasons:

The transition of LEP responsibilities to local authorities is mandated by Government. There has been no indication that Government will change this decision or propose an alternative. The Council must adhere to this to comply with Government decision making. This may have an implication on future funding programmes to be determined by Government.

The July SELEP Strategic Board agreed to work towards SELEP closure by March 2024 in line with Government expectations, swift decision making is required to meet this deadline.

Project update - Pentagon Shopping Centre and former Debenhams Building

Background:

This report provided options being considered for the redevelopment of the former Debenhams building and also requested capital additions to deliver the Healthy Living Centre (HLC) in the Pentagon Centre, a cost which would be reimbursed by the NHS. The report also sought approval for virements for reporting clarity purposes.

In relation to the former Debenhams building, the report explained that the market conditions had changed and officers were therefore looking to review alternative delivery options such as potential tenant uses including but not limited to; Private Rented Sector (PRS), key worker accommodation, temporary accommodation, retirement living and affordable housing.

In relation to the HLC, the designs had progressed and following further design work and subsequent cost inflation, further funding was required to enable the tender exercise to be undertaken to build out the HLC. The funding would be reimbursed by the NHS subject to their final approvals and S106 contributions.

Lastly, the approval of the virements being sought was to assist with reporting clarity.

Cabinet, 16 January 2024

**Decision
number:**

Decision:

10/2024

The Cabinet instructed officers to review a potential change of approach to deliver the re development of the Debenhams building, by repaying the capital development cost with future revenue income, as opposed to only reviewing options for repayment via future capital receipts.

11/2024

The Cabinet recommended to full Council, additions to the Capital Programme, of £2,752,000 for the delivery of the Healthy Living Centre in the Pentagon Centre, noting this figure would be reimbursed by the NHS and would be subject to NHS final approvals and S106 contributions.

12/2024

The Cabinet approved the virement of £869,250 in relation to Wilkinsons unit, from the existing Pentagon Centre future works budget, to deliver the diversification of the first floor of the Pentagon Centre.

13/2024

The Cabinet recommended to full Council the following virements from the existing Pentagon Centre future works budget, to deliver the diversification of the first floor of the Pentagon Centre. A. £1,245,900 to deliver the Healthy Living Centre B. £1,811,366 to deliver the Innovation Hub.

Reasons:

Officers will be able to explore alternative potential options which could result in repayment of the capital borrowing via future revenue income, as opposed to capital receipts. The final business case for the redevelopment of Debenhams will require further Cabinet approval.

Additional funding is required, following the design progression and subsequent cost inflation to build out the Healthy Living Centre in the Pentagon Centre. The additional funding will be reimbursed by the NHS.

Lastly, the virements will not impact project delivery, with no change to the funding source/project budgets but will improve reporting clarification. The virements are in line with the decision approved by Council, that a proportion of the underspend on the purchase of the Pentagon Shopping Centre would be utilised for future capital works at the Pentagon Centre. (Minute no.713D, 20 February 2020).

Gateway 1 / Gateway 3 Project Commencement / Options Appraisal with Subsequent Direct Award to Deliver the One Public Estates Brownfield Land Release Fund Works

Background:

This report detailed the options relating to the delivery of the One Public Estates (OPE) Brownfield Land Release Fund (BLRF) enabling works Contract, with subsequent information relating to directly awarding a contract thereafter.

The enabling works would focus on the main access road into the site, primarily addressing the level differences and installing drainage as well as diverting of utilities. Funding requirements stipulated that a contractor needed to be appointed by March 2024.

Medway Development Company Ltd (MDC) had been established as a teckal compliant LATCo, for the purposes regeneration projects, who could be directly engaged to deliver these services. The Council had confidence that MDC was able to meet the funding programme.

Decision number:

14/2024

Decision:

The Cabinet:

- i) agreed the preferred option of a direct award to Medway Development Company.**
- ii) agreed the award of services/works for the cost.**

Reasons:

The appointment of MDC as Project Manager and Contractor to deliver the enabling works for the OPE BLRF, will ensure the project is completed and the grant funding is utilised.

Gateway 3 Contract Award: Support to Live at Home Service

Background:

This report requested approval to award the procurement of the Support to Live at Home framework agreement, which included the provision of Homecare and Extra Care services.

It was proposed that the new framework agreement would commence on 1 April 2024 and end on 31 March 2028.

The report had previously been considered by the Procurement Board in December 2023.

Cabinet, 16 January 2024

An Exempt Appendix to the report set out details of the proposed contracts to be awarded.

**Decision
number:**

15/2024

Decision:

The Cabinet agreed to award places on the framework agreements to the following providers as these providers had been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation spreadsheet attached at Annexe A to the Exempt Appendix.

a) for Homecare

- **Lot 1A to Agincare Group Ltd, NV Care, London Care Limited, Independent Care, JC Michael Group, Boldglen Ltd, Angels Care Solutions Limited;**
- **Lot 1B to Agincare Group Ltd, NV Care, Tiger Lily, London Care Limited, JC Michael Group, Boldglen Ltd, Care Outlook;**
- **Lot 1C to Tiger Lily, Independent Care, Care Outlook, Gravity Care Services, Scott Care, Rapid Care Services Kent, Everycare.**

b) for Extra Care

- **Lot 2A to London Care,**
- **Lot 2B to NV Care,**
- **Lot 2C to London Care,**
- **Lot 2D to London Care,**
- **Lot 2E to London Care.**

Reasons:

The award of the framework agreements for the Support To Live At Home Service will deliver a Homecare and extra care service that will enable the following:

- **High Quality – enhanced service for Medway residents.**
- **Outcomes Focused Care – to ensure the care received meets the service users' desired outcomes.**

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- Ongoing Development - the ability to continuously develop the service, in line with innovative approaches.

Gateway 3 Contract Award: Medway Domestic Abuse Service

Background:

This report requested approval to award the procurement of the Medway Domestic Abuse Service, which was a community-based support service consisting of Independent Domestic Violence Advisors (IDVAs), who worked to increase the safety and reduce the risk posed to victims of domestic abuse and their children, by perpetrators of abuse.

The report had previously been considered by the Procurement Board in December 2023.

An Exempt Appendix to the report set out details of the financial analysis of the procurement and tender evaluations.

Decision number:

16/2024

Decision:

The Cabinet agreed to award the contract to Oasis Domestic Abuse Service as they had been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation spreadsheet contained within Annexe A of the Exempt Appendix.

Reasons:

There is ongoing need for a domestic abuse support service and the community based Independent Domestic Violence Advisors (IDVA) service also supports the requirements set out within the Domestic Abuse Act 2021.

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Leader of the Council

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Date

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

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