

Record of Cabinet decisions

Tuesday, 29 March 2011

3.00pm to 3.45pm

Date of publication: 30 March 2011

**Subject to call-in these decisions will be effective from 7 April 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 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: Neil Davies, Chief Executive
Robin Cooper, Director of Regeneration, Community and Culture
Angela Drum, Head of Legal Services
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Cabinet Coordinator
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Julie Keith, Head of Democratic Services
Juliet Sevier, Assistant Director Inclusion

Apologies for absence

An apology was received from Councillor Janice Bamber (Customer First and Corporate Services).

Record of decisions

The record of the meeting held on 8 March 2011 was agreed and signed by the Leader as correct.

Declarations of interest

Councillor Wildey declared a personal and prejudicial interest in agenda item 11 (Gateway 3 Procurement Tender Process Review and Contract Award: Lordswood School – Primary Amalgamation Project) because he is a Local Authority appointed School Governor at the Lordswood Federation, and left the meeting for the duration of the consideration of the item.

Six Monthly Review of the Council's Corporate Business Risk Register

Background:

This report set out the six monthly review of the Council's Corporate Business Risk Register, following its last review by Cabinet on 30 November 2010. It was proposed to downgrade the following two risks: Procurement and the Improvement Plan for Housing Service. It was noted that the Strategic Management Group and risk owners had been consulted on the proposed amendments to the risk register.

The Business Support Overview and Scrutiny Committee considered the report on 22 March 2011 and its views were set out in an addendum report.

Decision number: Decision:

46/2011 The Cabinet approved the amendments to the Council's Risk Register as detailed in section 3 of the report and Appendix B 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.

Ridge Meadow Primary School Site

Background:

This report set out details of the decision made at Full Council on 24 February 2011 to create a Specialist Autism Unit on the former Ridge Meadow Primary School site, together with the proposed move of the Post-16 Bradfields Unit to the site. It was noted that this would require the Cabinet to rescind its decision of 18 January 2011 to declare the Ridge Meadow site surplus.

The report provided details of the proposals for the site including the relocation of the Bradfields post-16 provision to the site by September 2011. Officers would now develop a feasibility study for the creation of the Autism Unit on the site and would report back to Members in due course.

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**Decision
number:**

Decision:

47/2011

The Cabinet agreed to rescind its decision of 18 January 2011 (decision no. 2/2011) to declare the Ridge Meadow site surplus and appropriated the site to education use.

Reasons:

This will enable the site to be retained for a Council use.

Countering Bullying

Background:

This report set out information of the work and the findings of the Countering Bullying Task Group set up by the Children and Young People Overview and Scrutiny Committee. The report included the outcome of the recent "Tell Us4" Survey and details of the national picture. The Task Group had met five times to discuss bullying issues with both officers and external experts, together with a visit to Glencoe Junior School regarding the issue. The report set out the key findings of the Task Group around the issues of data collection, cyber bullying (especially on social networking sites), schools' ethos, good ideas for anti-bullying policies and long term actions and interventions.

The Children and Young People Overview and Scrutiny Committee considered this report on 1 March 2011 at a themed meeting and detailed information from the meeting was set out in paragraph 6 of the report.

**Decision
number:**

Decision:

48/2011

The Cabinet agreed that Medway's Anti-Bullying and Harassment Policy and Guidelines (attached at Appendix 1 to the report) be updated in line with the key findings identified in the report and revised as and when appropriate and legislation enacted to be compliant with:

- **the references to behaviour and discipline as outlined in the Education Bill 2011 and;**
- **the forthcoming Ofsted framework which was being amended to reflect the new powers relating to behaviour.**

49/2011

The Cabinet agreed that officers continue to encourage schools to work in partnership with the Council in relation to accessing anti-bullying support and guidance.

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50/2011 **The Cabinet agreed that schools were to be encouraged to allocate time and resources in adopting methods of good practice in relation to countering bullying, such as having a countering bullying champion.**

51/2011 **The Cabinet agreed that officers consider ways of promoting the use of technology to broadcast the message around countering bullying.**

Reasons:

Countering bullying for children and young people (CYP) in Medway is key and falls within the Council's strategic priority, 'CYP having the best start in life'.

The Government's Education Bill, if enacted, has clear references to managing behaviour, of which part of that is countering bullying in schools. An updated anti-bullying policy will therefore be key in promoting good practice and supporting all schools to adopt such methods.

Information Requirements and Validation for Planning Applications

Background:

This report set out an update of the local validation checklist for the submission of planning applications, following the introduction of new government guidance. The report stated that the new guidance provided clarification on the use of standard forms, the approach to take on validation, statutory national information requirements, local information requirements and design and access statements.

The report provided details of the consultation exercise undertaken on this matter and it was noted that a Diversity Impact Assessment screening form had been completed, as set out in appendix 2 to the report.

Decision number:

52/2011 **The Cabinet adopted the local validation checklists.**

Reasons:

To ensure all information necessary for the Local Planning Authority to make a decision is provided.

To allow the validation checklists to be updated as required to ensure they continue to be accurate.

Local Checklists are adopted by LPAs nationwide to ensure a quicker, more predictable and efficient planning service for our customers and stakeholders.

Revenue Budget Monitoring 2010/2011

This report summarised the revenue monitoring position for the current year based on actual income and expenditure to January 2011.

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 July 2010 in response to the public expenditure reductions announced by the government.

The monitoring report indicated that after management action, the outturn forecast for 2010/2011 currently stood at a £1,584,000 underspend which represented 0.17% of the Council's total turnover. It was noted that in view of the forecast underspend, a reserve contribution to meet the once off costs associated with the in-year budget reductions, including any shortfall arising from part year effect, was no longer required.

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 fifth 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

Background:

This report gave details of the capital monitoring position for the period to January 2011, with a forecast outturn for 2010/2011. It was noted that on 25 February 2010 the Council had approved a capital programme for 2010/2011 and future years of £116 million. Subsequent funding announcements had increased the capital programme to over £131 million.

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 £81.9 million of the programme was forecast for spend during 2010/2011 and the report set out how this would be funded. The details of a

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number of schemes that had been added, or vired, to the capital programme under delegated authority was set out.

Following the adoption of the Capital Programme at Council on 24 February 2011, and in accordance with the Council's Constitution, the Cabinet was requested to give formal approval for expenditure incurred against the 2011/2012 Capital Programme.

Decision number: **Decision:**

The Cabinet noted:

- a) **The spending and funding forecasts summarised at tables 1 and 3 in the report and;**
- b) **Additions to the Capital Programme and virements as detailed in paragraph 5.1 of the report together with a further £24,323,931 in respect of the Strood Academy funded by Partnership for Schools Grant referred to in Section 4.2 of the report for which the procurement was approved by Cabinet on 15 February 2011.**

53/2011 The Cabinet agreed to formally authorise expenditure against the approved Capital Programme for 2011/2012 and future years.

Reasons:

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

Recruitment Freeze

Background:

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:

54/2011

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

Business Support

- a) Audit Services Manager
- b) Capital Accountant
- c) Exchequer Officer
- d) Admin Officer (Housing Services)

Children and Adults

- e) Contracts Administration Team Leader
- f) Data Quality Monitoring Assistant

Regeneration, Community and Culture

- g) URBACT II Project Assistant
- h) European Project Officer.

Reasons:

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

**Gateway 3 Procurement Tender Process Review and Contract Award:
Lordswood School - Primary Amalgamation Project**

This report sought permission to award a contract for the Lordswood School Primary Amalgamation Project. The works would make best use of the space on the ground floor providing disabled access to all classrooms in accordance with the Equality Act 2010.

The Cabinet had agreed to commence procurement (Gateway 1) on 21 December 2010 and the report gave details of the procurement process, the options available and an evaluation of the tender information. An exempt appendix set out details of the whole life costings for the contract, together with the detailed tender evaluation information.

It was noted that the Strategic Procurement Board had considered this report on 9 March 2011 and referred it to Cabinet for approval.

**Decision
number:**

Decision:

55/2011

The Cabinet agreed to award to B W May & Son Ltd the contract for the provision of the amalgamation project works at Lordswood School.

Reasons:

To provide improved accommodation to enable the school to deliver project based learning in a linked building.

Gateway 3 Procurement Tender Process Review and Contract Award: Thames View School - Primary Amalgamation Project

This report sought permission to award a contract for the Thames View School Primary Amalgamation Project. The works would support the sustainability, effectiveness and efficiency of the amalgamation, as well as consideration for the community and well being of all stakeholders.

The Cabinet had agreed to commence procurement (Gateway 1) on 18 January 2011 and the report gave details of the procurement process, the options available and an evaluation of the tender information. An exempt appendix set out details of the whole life costings for the contract, together with the detailed tender evaluation information.

It was noted that the Strategic Procurement Board had considered this report on 9 March 2011 and referred it to Cabinet for approval.

**Decision
number:**

Decision:

56/2011

The Cabinet agreed to award to Coleman & James (Services) Ltd the contract for the provision of the amalgamation project works at Thames View Schools.

Reasons:

To provide improved accommodation to enable the school to accept a sustainable number of pupils into the nursery classes and to create an amalgamated administration hub and entrance for the school.

Gateway 3 Procurement Tender Process Review and Contract Award: Tree Maintenance Contract

This report sought permission to award a contract for tree maintenance. This included works such as the twice-yearly pruning of trees to remove low branches/suckers, the provision of an emergency response service for tree works and the completion of tree work to deal with customer requests for service and complaints identified during routine surveys.

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The Cabinet had agreed to commence procurement (Gateway 1) on 8 June 2010 and the report gave details of the procurement process, the options available and an evaluation of the tender information. An exempt appendix set out details of the whole life costings for the contract, together with the detailed tender evaluation information.

It was noted that the Strategic Procurement Board had considered this report on 9 March 2011 and referred it to Cabinet for approval.

Decision number: **Decision:**

57/2011 The Cabinet agreed to award the tree maintenance contract to City Suburban Tree Surgeons Ltd with the contractor's percentage uplift.

Reasons:

To enable the Council to fulfil its statutory duty of care obligations relating to tree management and facilitates the completion of tree work to deal with legitimate customer requests for service and complaints in line with the Council's adopted tree policy.

Gateway 4 Procurement Post Project Completion Review: Generic Floating Support Services

This report set out a review of progress of the generic floating support service contract currently delivered through the supplier In Touch. The contract provided focused, time limited and goal-oriented housing related support across a range of areas to enable individuals to maximise their independence.

The Cabinet had agreed the award of the contract on 4 August 2009 (Gateway 3) and the report gave details of the contract options, project outputs/outcomes and contract management. An exempt appendix set out details of the whole life costings for the contract.

It was noted that the Strategic Procurement Board has considered this report on 9 March 2011 and referred it to Cabinet for approval.

Decision number: **Decision:**

58/2011 The Cabinet approved the continuation of the current contract and to subject the contract to further Gateway 4/5 reporting to Strategic Procurement Board/Cabinet, as set out in paragraph 4.1 of the report.

Cabinet, 29 March 2011

Reasons:

The current service provider has achieved the outcomes set out in the service specification and there are no specific risks or issues identified within the current service delivery.

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Leader of the Council

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Date

Wayne Hemingway/Anthony Law, Cabinet Coordinators

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