

Record of Cabinet decisions

Tuesday, 1 October 2024

7.00pm to 9.20pm

Date of publication: 3 October 2024

Subject to call-in these decisions will be effective from 11 October 2024

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 Nina Gurung	Portfolio Holder for Heritage, Culture and Leisure
	Councillor Harinder Mahil	Portfolio Holder for Economic and Social Regeneration and Inward Investment
	Councillor Alex Paterson	Portfolio Holder for Community Safety, Highways and Enforcement
	Councillor Louwella Prenter	Portfolio Holder for Housing and Homelessness
	Councillor Adam Price	Portfolio Holder for Children's Services (including statutory responsibility)
	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
Vanessa Etheridge, Democratic Services Officer

Apologies for absence

There were none.

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Leader's announcements

The Leader warmly welcomed Mrs Pawi Maya Rai, the Deputy Mayor of Deumai Municipality, Ilam District, Mechi Zone of Nepal, who was present to observe the meeting.

The Leader advised that the Council had met the deadline for submitting an expression of interest to the government for a devolution deal for Medway which would mark the beginning of a dialogue with the government about what this would mean for Medway. He was aware that Kent County Council had also made an expression of interest.

Record of decisions

The record of the meeting held on 27 August 2024, was agreed by the Cabinet and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

Medway Youth Justice Plan 2024-25

Background:

The report provided the Cabinet with an opportunity to consider the annually reviewed Medway Youth Justice Partnership Strategic Plan, which was a strategic plan that formed part of the Policy Framework for Medway Council, prior to consideration at Full Council. The Plan had also been updated in line with guidance received by the National Youth Justice Board in March 2024.

Consultation had taken place primarily through the multi-agency Youth Justice Partnership Board, which was the main forum for governance and oversight of the Youth Offending Team in Medway and had good representation from all statutory partners and a range of non-statutory partners.

The report had previously been considered by the Children and Young People Overview and Scrutiny Committee on 1 August 2024 and its comments were set out in section 8 of the report.

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A Diversity Impact Assessment had been undertaken and was attached at Appendix 2 to the report.

Decision number:

Decision:

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out at section 8 to the report

111/2024

The Cabinet agreed to recommend to Full Council that it approve the Medway Youth Justice Partnership Strategic Plan 2024 – 2025.

Reasons:

As the Youth Justice Plan is a policy framework document it is for Cabinet to note and recommend approval by Full Council prior to formal submission to the Ministry of Justice and placement in the House of Lords' Library.

Annual Review of the School Place Planning Strategy 2022-27

Background:

The report provided the Cabinet with an annual summary and update on the progress made during the lifetime of the 2022-27 School Place Planning Strategy. It identified areas of demand and made recommendations to ensure appropriate levels of good quality school places would be available through to 2027 and beyond.

Decision number:

Decision:

The Cabinet noted the progress made against the School Organisation Plan and School Place Planning Strategy frameworks, which had ensured that the Council had met its duty and sufficient school places were currently available to meet demand.

112/2024

The Cabinet recommended Full Council approve the addition of £5.4m High Needs Provision Capital Allocation to the SEND capital programme and the addition of:

- £600k to Rivermead at Stoke (9x589) to enable the completion of the project due to escalating costs and planning restrictions. Previous estimates indicated £2.9m for the project but following detailed design and planning conditions the costs have increased.
- £200k to Danecourt to enable the completion of the project due to escalating costs. Previous estimates indicated £1.4m for the project but following detailed

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- design and relevant surveys, costs have increased.
- £4.6m to increase education provision for children with Education, Health and Care Plans (EHCPs)

- 113/2024** The Cabinet approved the reallocation of £250K from the Delce resourced provision project (9x605) to Pre-Beeches at the Rowans (9x604) to provide additional primary Social, Emotional, Mental Health (SEMH) capacity.
- 114/2024** The Cabinet approved the virement of £350k from the Inspire temporary classroom project (9x601) to Pre-Beeches at the Rowans (9x604), to provide additional funding for the project at The Rowans and the additional kitchen work.
- 115/2024** The Cabinet recommended Full Council approve the addition of £798k of agreed s106 contributions from planning applications: MC/21/3379 - Land South of Stoke Road; MC/21/2612 - The Hollies Sharnal Street High Halstow; MC/19/0287 Land at Town Road Cliffe Woods; and MC/16/4268 - Land North of Commissioners Road Strood, to the Hundred of Hoo Academy expansion project 9x592. Noting that should the Council not receive the full allocation of s106 funding expected, then alternative forms of funding would need to be found, such as other grants or contributions.
- 116/2024** The Cabinet recommended Full Council approve the addition of £21k of s106 funding from planning application MC/05/1031 - Alps, Borstal, to the capital programme for Pilgrim Primary School to replace the play equipment for the use of Pilgrim School children.
- 117/2024** The Cabinet recommended Full Council approve the addition of £35,799.51 of s106 funding from planning applications: MC/19/0866 – Former Redvers Centre; MC/18/3659 – Chatham Waterfront Globe Lane; and MC/20/0559 Former NHS Walk-in centre 547-553 Canterbury Street, to Greenvale Primary School (9x566) to fund additional furniture.

Reasons:

To ensure that the Council meets its statutory duty to ensure sufficient good quality school places are available.

Sports Centres Capital Investment - Virement of Underspend

Background:

The report sought approval from Cabinet to use capital savings identified from an underspend on the allocated Cozenton Park Sports Centre budget, to undertake a range of improvements to Medway Park and Strood Sports Centre. Allocation of the underspend to Medway Park and Strood Sports Centre, together with the planned

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investment in Hoo Sports Centre and The Strand, would mean that all five sports centres would benefit from Council investment over the coming year. This would increase the longevity of the centres, improve sustainability through increased income generation opportunities, and not require any additional Council capital investment beyond what was already committed. This created the potential for ongoing improvements to the Council's revenue budget position and aligned with the ambition to remove the operational subsidy required for the sports centres without increasing projected capital expenditure beyond that already within the capital budget.

Decision number:

Decision:

118/2024

The Cabinet recommended Full Council approve the addition of a new scheme to the Capital Programme for Sports Centre Improvements, which would undertake improvements to Medway Park and Strood Sports Centre with the aim of improving income generation. To be funded by £1.5 million capital investment savings arising from the delivery of the Cozenton Park Sports Centre scheme.

Reasons:

Allocating this funding to Medway Park and Strood Sports Centre would ensure income-generating investment in all Council-run sports centres across Medway without putting additional pressure on the Council's capital budget. This would be integral to stated Member ambition to seek to remove the annual subsidy required to operate Medway Council sports centres.

Tenancy Strategy 2024

Background:

The report introduced the Tenancy Strategy 2024 which replaced the previous Tenancy Strategy approved by Cabinet in 2018. The Tenancy Strategy 2024 set out the move away from wide use of fixed term tenancies, which was a material change set out in the 2018 Tenancy Strategy, to a focus on secure tenancies and the use of fixed term tenancies in specific circumstances.

Since the 2018 Strategy, a new raft of legislation including significant focus on tenant satisfaction measures had been brought in by the Charter for Social Housing Residents: The Social Housing White Paper (2020) This, coupled with the ongoing effects of socio-economic conditions stemming from the pandemic and the costs of living crisis in terms of impacts on households and communities, requires that the Strategy is updated.

The report had previously been considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 15 August 2024 and its comments were set out in section 9 of the report.

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A Diversity Impact Assessment had been undertaken and was attached at Appendix 2 to the report.

**Decision
number:**

Decision:

The Cabinet noted the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out in section 9 of the report

119/2024

The Cabinet agreed the Tenancy Strategy 2024, as set out in Appendix 1 to the report.

Reasons:

The previous Tenancy Strategy ran from 2018 and the updated Tenancy Strategy 2024, would allow an updated position on tenancies in line with Medway Council's priorities.

Household Support Fund: 2024/25 Allocation and Free School Meals

Background:

The report set out proposals to amend the use of the Household Support Fund (HSF) for the period 1 October 2024 to 31 March 2025 to ensure grant funding was disbursed in full to Medway's residents. In March, the Chancellor confirmed the HSF scheme would continue for the first six months of the 2024/25 financial year with the same national allocation as had been announced in respect of every six-month period to date.

On 2 September 2024, the Chancellor announced that the scheme would be continuing for the remainder of the 2024/25 financial year. At the time of preparing the report, the government had not published any further guidance, however the Department of Work and Pensions guidance had been published on 27 September 2024 and circulated as a late Appendix 2 to the report.

The Cabinet recorded their thanks to the Head of Benefits and Financial Welfare and team, who had also been recently recognised for their work in the staff internal awards.

**Decision
number:**

Decision:

120/2024

The Cabinet agreed the continuation of support for Free School Meals eligible pupils during the school holidays between 1 October 2024 to 31 March 2025, and the continuation of the successful grant scheme (proposals set out at Appendix 1 to the report) as the Council's approach to delivering the Household Support Fund in 2024/25. The Cabinet agreed to delegate authority to the Chief

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Operating Officer, in consultation with the Leader and the Portfolio Holder for Business Management, to finalise and implement the proposals as set out in section 5 of the report.

121/2024 **The Cabinet agreed to delegate authority to the Chief Operating Officer in consultation with the Leader and the Portfolio Holder for Business Management, to make minor amendments to the proposals set out as Appendix 1 to the report, to enable them to continue to support vulnerable households in Medway, including amending any discretionary eligibility criteria where discussions remain ongoing and where further Government advice is provided.**

122/2024 **The Cabinet agreed to delegate authority to the Chief Operating Officer in consultation with the Leader, to provide a delivery plan to the Department for Work and Pensions in accordance with the fund guidance.**

Reasons:

The Household Support Fund (HSF) is fully grant funded by the Department of Work and Pensions to support vulnerable households. The HSF scheme for 2024/25 has now been renewed until 31 March 2025. The decision to agree the proposals in this report means that residents would benefit from consistent support. Agreeing the delegation requested would allow officers and Members to ensure that the support is allocated efficiently and in accordance with government guidance.

Statement of Gambling Policy 2025-2028

Background:

The report sought the Cabinet's input in finalising the policy statement for publication and implementation subject to approval by Full Council. It presented the consultation responses received in respect of the draft revised Gambling Policy: along with an evaluation of each response; a recommendation as to whether to amend the draft revised policy statement; and, if so, in what way and to what extent.

The report had been previously considered by the Licensing and Safety Committee on 6 August 2024, and the Business Support and Digital Overview and Scrutiny Committee on 21 August 2024. Comments from those committees were set out in sections 7 and 8 of the report, respectively.

Decision number:

Decision:

The Cabinet noted the responses received during the consultation.

The Cabinet noted the comments made by the Licensing and Safety Committee on 6 August 2024 and the Business Support and Digital Overview and Scrutiny Committee on 21 August 2024, as

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set out in sections 7 and 8 of the report.

123/2024 **The Cabinet agreed to recommend approval of the draft policy to Full Council.**

Reasons:

A Statement of Licensing Policy must be published every three years and before the authority carries out any function in respect of applications made under the 2005 Act, in compliance with Section 349 of the Gambling Act 2005.

Gateway 1 Procurement Commencement: Medway Integrated Community Equipment Service (MICES) Recommissioning

Background:

The report sought Cabinet approval to commence the procurement of the Medway Integrated Community Equipment Service Contract. The majority of the equipment prescribed would be to support individuals to live independently in the community thus improving hospital discharges and preventing hospital readmission. A longer contract with appropriate non-performance clauses, would better support the introduction of new technologies and practices.

Decision number: ***Decision:***

124/2024 **The Cabinet approved the open market procurement of Medway Integrated Community Equipment Service as set out in option 5, section 7.2 of the report.**

Reasons:

To ensure the people of Medway have access to assessment of need regarding their daily living so that they can receive a loan of equipment promoting independence for longer, preventing hospital admission, reducing care costs, or delayed hospital discharge.

Gateway 1 Procurement Commencement: Medway Integrated Sexual Health Service

Background:

The report sought Cabinet approval to commence the procurement of the Medway Integrated Sexual Health Service Contract.

The procurement exercise would be delivered jointly with NHS England (NHSE), who would commission HIV Treatment services, with Medway Council leading the recommissioning process. Funding for the provision of a specialist sexual health

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service came from the Public Health Grant given to Local Authorities by Central Government.

The Cabinet noted that the failed tender process in 2023 using a competitive process had demonstrated limited competition and suitable providers in the market who could deliver an integrated sexual health service. Commissioners were satisfied with the current provider's delivery of the current contract and were confident they would deliver against the new service specification.

Decision number:

Decision:

125/2024

The Cabinet approved the procurement of the integrated sexual health service (in parallel with National Health Service England (NHSE) for Adult HIV treatment contract) using the Direct Award Process C as the preferred option set out in section 5.3.1. of the report.

Reasons:

It is a statutory responsibility of Local Authorities by the Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 to provide sexual health services comprising of both genitourinary medicine, and sexual and reproductive health.

Commissioners are satisfied with the incumbent's delivery of the current contract and are confident they will deliver against the new service specification.

Direct Award Process C will enable a smooth transition into the new Integrated Sexual Health Service contract to commence 1 April 2025.

Gateway 4 - Organic Waste Disposal Contract Extension

Background:

The report sought Cabinet approval to extend the organic waste disposal contract for 5-years as per Medway Council's procurement process.

It was noted that the current contract was performing well and had been written to allow the option to extend for a further 5-years to give Medway and its contractor flexibility. Extending the contract reduced procurement costs and gave stability in the waste disposal supply chain whilst the Council designed a waste strategy. All costs associated with the service were within current budgets.

An Exempt Appendix to the report contained key information in respect of finance and Whole-Life Costing.

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Decision number:

Decision:

The Cabinet noted the contents of the report and that the current contract was performing equal to, or above expectations.

126/2024

The Cabinet approved the organic waste disposal contract extension for a further five-years in line with the original tender.

Reasons:

Agreement of the contract extension would enable the Council to continue to deliver the kerbside organic waste collection service and meet its statutory obligations.

Claim against the Council

Background:

This fully Exempt report set out details in relation to a legal claim against Medway Council and asked the Cabinet to agree a course of action.

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, it was proposed that call-in be waived for the reasons set out in paragraph 3.3 of the Exempt report. The Chairperson of the Business Support and Digital 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:

127/2024

The Cabinet agreed the recommendations as set out in section 1 of the Exempt report.

Reasons:

For the reasons set out in section 2 of the Exempt report.

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Leader of the Council

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Date

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