

Record of Cabinet decisions

Tuesday, 14 February 2012

3.00pm to 5.00pm

Date of publication: 15 February 2012

**Subject to call-in these decisions will be effective from 23 February 2012
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Tom Mason	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Customer Contact
	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
Rose Collinson, Director of Children and Adults
Robin Cooper, Director of Regeneration, Community and Culture
Angela Drum, Head of Legal Services
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Julie Keith, Head of Democratic Services
Tricia Palmer, Assistant Director, Organisational Services
John Staples, Media Manager

Apologies for absence

There were none.

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Record of decisions

The record of the meeting held on 17 January 2012 was agreed and signed by the Leader as correct.

Declarations of interest

There were none.

Medway Council's Vision for Commissioning and Providing Adult Social Care Social Services in Medway (Outcome of Consultation)

Background:

This report provided details of the outcome of consultation on the future of the services at Balfour Day Centre, Robert Bean Lodge, Platters Farm Lodge and Nelson Court, following Cabinet's earlier decision to approve consultation on 29 November 2011.

The report set out the background for each of the facilities including usage and budget levels together with the proposals. This involved the proposal to decommission the Balfour Day Centre and the proposals to outsource Robert Bean Lodge, Platters Farm Lodge and Nelson Court, to independent providers, including the sale of the Nelson Court site.

The consultation process was included in the report. This included writing to existing service users, carers and families, Medway Council Members, Medway Members of Parliament, Medway LINK, NHS partners and Social Care staff. It also included presentations to the Health and Adult Social Care Overview and Scrutiny Committee, on 26 January 2012. Consultation meetings were held as part of the listening exercise.

The Health and Adult Social Care Overview and Scrutiny Committee received a presentation from the Social Care Commissioning and Voluntary Sector Manager on 26 January 2012 regarding the consultation with service users, staff and stakeholders in respect of the proposed closure of the Balfour Day Centre and the proposed outsourcing of Nelson Court, Platters Farm Lodge and Robert Bean Lodge. The Committee's comments were set out in Appendix 1 to the report.

A number of petitions in respect of the proposals had been received, some of which were submitted at the Full Council meeting on 12 January 2012, as set out in paragraph 9.6 of the report.

The outcome of consultation for each of the facilities was included in paragraphs 10-13 of the report. This included a proposal from Medway Community Healthcare regarding the Balfour Day Centre. Diversity Impact Assessments for each of the facilities were included in Appendices 4-9 of the report.

The Cabinet accepted this as an urgent matter to enable the Cabinet to consider the outcome of consultation at the earliest opportunity, and to give service users and

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other stakeholders certainty over the future of services at Balfour Day Centre, Robert Bean Lodge, Platters Farm Lodge and Nelson Court.

Decision number:

Decision:

The Cabinet noted the issues identified in the Full Diversity Impact Assessment regarding the Balfour Day Centre as set out in Appendix 6 to the report.

13/2012 The Cabinet noted the expression of interest from Medway Community Healthcare regarding the Balfour Day Centre and instructed officers to explore this, consult with service users, carers and staff and report back to Cabinet for determination.

14/2012 The Cabinet noted the issues identified in the Full Diversity Impact Assessment as set out in Appendix 8 to the report and agreed to outsource the services provided at Platters Farm Lodge.

15/2012 The Cabinet adopted the implementation plan as set out in the Full Diversity Impact Assessment for Platters Farm Lodge.

16/2012 The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 7 to the report and agrees to outsource the services provided at Nelson Court, including sale of the site and to receive a further report to approve the terms of proposed disposal in due course.

17/2012 The Cabinet adopted the implementation plan as set out in the full Diversity Impact Assessment for Nelson Court.

18/2012 The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 9 to the report and agreed to outsource the services provided at Robert Bean Lodge.

19/2012 The Cabinet adopted the implementation plan as set out in the full Diversity Impact Assessment for Robert bean Lodge.

Reasons:

Balfour Day Centre

To ensure that all potentially viable options for the future of the Balfour Day Centre are properly investigated before a decision is made.

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Platters Farm Lodge, Nelson Court and Robert Bean Lodge

Benchmarking the quality of Nelson Court, Platters Farm Lodge and Robert Bean Lodge against the independent sector demonstrates that the services are relatively expensive and that efficiencies can be achieved without compromising the quality of outcomes delivered by each service.

The implementation plans within the full DIAs provide assurance that suitable adjustments will be made to ensure that any impact on those using the service is minimised.

In relation to the sale of the Nelson Court site, the imposition of a covenant will protect the future of the site.

Fairer Contribution for Fairer Access to Services (Outcome of Consultation)

Background:

This report provided details of the outcome of consultation regarding proposed changes to the council's policies on charging contributions for non residential Adult Social Care services and the Major Adaptations Policy relating to the Disabled Facility Grant for adaptations, following Cabinet's earlier decision to approve consultation on 29 November 2011.

This report set out the background to each of the proposals together with details of the consultation process which ran from 12 December 2011 – 9 February 2012. The consultation programme included writing to existing service users, carers and families, Medway Council Members, Medway Members of Parliament, Medway LINK, NHS partners and Social Care staff. It also included presentations to the Health and Adult Social Care Overview and Scrutiny Committee, on 26 January 2012, the comments of which were set out in Appendix 1 to the report. In addition a total of five consultation meetings were held as part of the listening exercise.

The outcome of consultation was included in paragraph 5 of the report and Diversity Impact Assessment screening forms were undertaken on both of the proposals as set out in Appendices 3 and 4 to the report followed by a full Diversity Impact Assessment in Appendix 5 to the report.

The Cabinet accepted this as an urgent item to enable its views to be reported to Full Council on 23 February 2012.

Decision number: **Decision:**

20/2012 **The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 5 to the report and recommended to Full Council that the Fairer Contributions Policy as set out in this report and the implementation plan as set out in the full Diversity Impact**

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Assessment for the Fairer Contributions Policy being adopted.

21/2012 The Cabinet agreed to the Major Adaptations Policy as set out in this report being adopted in Medway.

Reasons:

Fairer Contributions Policy

The proposed changes to this policy will ensure that all people with eligible needs are treated equally but there is a recognition that some groups that will be financially assessed for the first time may be disproportionately and adversely impacted by the changes if reasonable adjustments are not put in place.

The personalisation agenda is such that the current approach to charging in relation to services rather than a personal budget will perpetuate an output-led rather than an outcomes-focused approach to adult social care.

The completion of a full diversity impact assessment, which takes into account the information gathered from the consultation process as well as intelligence gathering by officers, demonstrates that any disproportionate and adverse impact can be mitigated against.

Major Adaptations Policy

The policy will enable people to proceed with adaptations that are in excess of the £30,000 limit of the Disabled Facilities Grant so that they can live independently in their own home.

Capital and Revenue Budgets 2012/2013

Background:

This report presented proposals for the capital and revenue budgets for 2012/2013. The Cabinet had considered initial budget proposals on 29 November 2011, which had been developed in accordance with the principles set out in the Medium Term Financial Plan 2012/2015. The implications of both the Comprehensive Spending Review 2010 and Local Government Finance Settlement were set out in the report, together with proposed measures to address the 8.3% cut in government funding (excluding the Council Tax freeze grant).

The report gave details of the changes made since the Financial Settlement was reported to Cabinet in December 2011, summarised the budget build and gave details of the directorate savings proposals.

It was noted that the proposed capital programme for 2012/2013 and future years, incorporating existing schemes and new funding announcements to date, was approaching £90.3 million. The net revenue budget for 2011/2012 amounted to £332.2 million, which it was reported would not require an increase in Council Tax

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but was predicated upon receipt of Government grant that equated to an equivalent 2.5% increase.

The report set out details of the Council Plan, which had been developed alongside the budget setting process to ensure the link between resource and business planning was maintained. This was considered as a separate item on the agenda.

Budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views were detailed in the report, with the recommendations of the Business Support Overview and Scrutiny Committee set out for Cabinet consideration.

The summarised Housing Revenue Account was set out in Appendix 4 to the report with the capital component in Appendix 2 to the report. A report setting out details of proposed rents for 2012/2013 was considered as a separate item on the agenda.

The schedule of fees and charges was attached at Appendix 5 to the report.

The report set out the requirements under equality legislation and a diversity impact assessment, that aggregated the impact of reductions in funding to services, was attached at Appendix 6 to the report.

The Cabinet agreed to consider this report as an urgent item to enable its recommendations to be forwarded to the Budget Council meeting on 23 February 2012.

The Portfolio Holder for Finance proposed a number of changes to the revenue budget (as set out in decision nos. 24 and 25/2012 below), which represented a call on reserves amounting to £1.175m. These would be financed by £340,000 of balances in 'earmarked' reserves that were no longer required, £200,000 from the unspent budgets allocated to the Sure Start centres and £143,000 from the Dedicated Schools Grant (DSG) reserve, leaving £492,000 to be taken from the general reserve balance.

These measures would result in the funding for the Freedom Pass, free swimming, apprenticeships, graffiti removal and Christmas parking being built into future years base budgets. There were one-off funding streams for the 2012 year of celebration, opposition to the airport proposals, investment generation and additions to the DSG. The £300,000 call on reserves due to the Employment Matters Committee recommendation would be replicated in 2013/14 to support lower paid staff.

The Portfolio Holder for Finance also proposed the funding mechanism for the unfunded £3.397m of capital expenditure (see decision no. 23/2012).

An amended Appendix 3A (Children and Adults revenue budget build) was tabled at the meeting.

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**Decision
number:**

Decision:

The Cabinet noted the recommendations from overview and scrutiny committees as summarised in Section 7 and detailed in Appendix 1 of this report.

22/2012

The Cabinet considered the recommendations from Employment Matters Committee described in Section 8.4 and recommended the following to Council:

- (i) Increments are frozen for the financial years 2012/13 and 2013/14 with a review of the pay and grading structure being developed and consulted upon during this time;
- (ii) The Assistant Director, Organisational Services is given delegated authority to continue negotiations with the Trade Unions with a view to reaching a collective agreement on this proposal, which achieves, within the present financial constraints, some protection for lower paid staff
- (iii) If this collective agreement is not reached, that individual employees are asked whether they will agree to a variation of their contracts of employment for a freeze of their increments for two years
- (iv) For individuals who do not agree to this variation, that notice be given that their present contracts of employment are terminated and new contracts are offered stating their increments for 2012 and 2013 will be frozen
- (v) Incremental progression linked to competency levels/qualifications achieved should be retained for the following:
 - Social Workers covered by the Children's Care Career Grade Scheme,
 - The progression from B1 grade to B2 grade for Care Managers in Adult Social Care who achieve the Post Qualifying 1 award; and
 - Soulbury staff eligible for SPA increments (Structured Professional Assessment).

23/2012

The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 2 and that the unfunded expenditure of £3.397 million referred to at Table 4 be met

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from prudential borrowing, at a cost of £280,000 per annum to be met initially from unspecified savings from the Regeneration, Community and Culture Directorate.

24/2012

The Cabinet recommended to Council that the net revenue budget summarised at Table 9, amounting to £322.248 million, should be adopted and that this be funded by a nil increase in Council Tax for 2012/2013 with the equivalent Band D figure remaining at £1,119.15 with the following additions:

- (i) an additional £221,000 of income by increasing the car parking tariff by an additional 10 pence (an increased tariff on all parking bands, with ½ hour bands being increased on a pro rata basis)
- (ii) Nelson Terrace car park - to increase the 0-1 hour band to 50p and the 1-2 hour band to 100p
- (iii) Residents parking charges will remain at £25.00, rather than the £26.00 set out in the report
- (iv) business permits to remain at current levels of £126.00
- (v) Note: with regards to the measures outlined at (i) to (iv) - car parking charges to be fixed for a further three years from 1 April 2013
- (vi) Freedom Pass - £250,000 – to be funded from additional income from parking charges (£221,000) the surplus shown in table 8 (£17,000) and a draw on reserves of £11,000
- (vii) Free Swimming - £200,000 – to be funded from reserves
- (viii) Apprenticeships - £100,000 – to be funded from reserves and £100,000 to be funded from the new Government Youth Contract scheme and EU funds. Funding to be released by the Chief Finance Officer in consultation with the Portfolio Holder for Finance
- (ix) Graffiti Team - £70,000 – to be funded from reserves
- (x) Free parking at Christmas – £50,000 – to be funded from reserves
- (xi) Employment Matters Committee recommendation for lower paid staff - £300,000 – to be funded from

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reserves

- (xii) 2012 celebrations – £200,000 – to be funded from reserves
- (xiii) Opposition to Airport proposals – £50,000 – to be funded from reserves. Funding to be released by the Chief Finance Officer, in consultation with the Leader
- (xiv) Investment in Medway - £50,000 – to be funded from reserves. Funding to be released by the Chief Finance Officer, in consultation with the Leader
- (xv) Key Stage 2/Governor Training - £143,000 – to be funded from the DSG/Standards Fund.

25/2012 The Cabinet recommended to Council the fees and charges set out at Appendix 5 to this report as amended by decision 24/2012 above and the amendment of the proposed “fee for a resident for service times” which should read £25 (bottom of page 46 of Appendix 5 - Fees and Charges refers).

26/2012 The Cabinet requested the Chief Finance 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 2012.

27/2012 The Cabinet recommended Council to approve a delegation to the Chief Finance officer, in consultation with the Finance Portfolio Holder, to adjust budgets in respect of the transfer of Housing services to the Regeneration, Community and Culture directorate.

Reasons:

The constitution requires that Cabinet’s budget proposals must be forwarded to Council for consideration and approval.

The Council is required by statute to set a budget and council tax levels by 11 March each year.

Council Plan 2012/2013 (Policy Framework)

Background:

This report presented the Council Plan 2012-2013 prior to consideration by Council on 23 February 2012. The plan had been developed by taking into account recent developments including continuing financial pressures, the Munro Review of child

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protection and changes in the education and health systems. It was noted that monitoring of the Council Plan would continue on a quarterly basis, focusing on the key measures of success.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and the views of the Committee were set out in paragraph 6 of the report.

It was noted that a Diversity Impact Assessment screening had been undertaken on the draft plan. It was found that there was no need to carry out a full assessment. It was noted that officers would continue to assess and monitor the plan, both prior to its agreement by Council, and throughout the life of the plan, to ensure compliance with all statutory requirements.

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

28/2012 The Cabinet recommended the Council Plan 2012/13, as set out in Appendix 1 to the report, to Full Council for approval as part of the Council's Policy Framework.

Reasons:

Strong business planning processes and a clear strategic framework are regarded as best practice, and will enable the organisation to demonstrate how it is using resources to meet locally specific objectives.

Housing Revenue Account Capital and Revenue Budgets 2012/2013

Background:

This report provided details of the Housing Revenue Account (HRA) revenue and capital budgets for 2012/2013 including the impact of the new self-financing regime from 1 April 2012. The report also provided details of the proposed rent and service charges levels for 2012/2013 and provided information around rent charging inconsistencies in two areas and the proposals for correcting these.

It was noted that the proposed average rent increase would be £5.39 per week or 7.26%, whilst the average service charge (excluding supporting people eligible charges) increase would be 29p per week or 6.99%.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and its views were set out in Appendix E to the report.

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**Decision
number:**

Decision:

The Cabinet noted the recommendations from the Business Support Overview and Scrutiny Committee as presented in Appendix E to the report.

29/2012

The Cabinet recommended to Council:

- (i) the proposed revenue and capital budgets for 2012/2013, inclusive of an average rent increase of £5.39 per week (based upon 50 collection weeks and equating to an increase of 7.26%).
- (ii) That service charges for 2012/13 reflect the costs incurred in providing that service, where possible, and that where costs are not fully recovered, the uplift is such that costs can be fully recovered by 2014/15 using above inflation increases to do so as per Appendix C to this report. The average increase will be 6.99%.

30/2012

The Cabinet agreed that the application of the Warden Service charge to residents in the Annexe at Longford Court be applied over a three year period with effect from 1 April 2012 for current tenants.

31/2012

The Cabinet agreed that properties identified with “pods” at Beatty Avenue and Cornwallis Avenue to be charged for only bedrooms on the upper floors of properties from 1 April 2012 and pods, regardless of their usage, be disregarded for rent charging purposes.

32/2012

The Cabinet agreed that refunds to be made to current tenants only, who have been overcharged for rent for properties in Beatty Avenue and Cornwallis Avenue

33/2012

The Cabinet agreed the approach for rent charging for any further properties identified that have “pods” fitted, be set as described in the context of this report in the future.

Reasons:

Full Council is required to carry out an annual 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.

Treasury Management Strategy 2012/2013

Background:

This report presented the Council's Treasury Management Strategy for 2012/2013. The strategy incorporated the Treasury Management Policy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy. Treasury Management Practices were also set out.

The annual presentation of a Treasury Management Strategy was a requirement under the CIPFA Code of Practice on Treasury Management, adopted by the Council on 25 February 2010. It covered the various aspects of the treasury management function and was based on the treasury officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury adviser, Sector.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and its views were set out in paragraph 18 of the report.

A Diversity Impact Assessment screening had been undertaken and was set out in Appendix 8 to the report. It was not necessary to proceed to a full impact assessment. It was noted that the Treasury Management Strategy did not directly impact on members of the public as it dealt with the management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

Decision number:

Decision:
The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

34/2012 The Cabinet recommended to Council the Treasury Management Strategy and associated policies and strategy statements as attached in Appendices 1-6 to the report

35/2012 The Cabinet approved the amendments to the Treasury Management Practices as set out in Appendix 7 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 along with scrutinising the Treasury Management Practices and associated schedules.

School Admission Arrangements 2013

Background:

This report provided details of the outcome of the consultation to the draft primary and secondary co-ordinated admission schemes and arrangements for 2013 admissions. The schemes set out how the Local Authority would co-ordinate the processing of applications to schools and the arrangements set out the relevant entry arrangements (oversubscription criteria) for Community and Voluntary Controlled schools. Academies, Voluntary Aided and Foundation schools undertook their own consultation on entry arrangements (oversubscription criteria), but had to co-ordinate with the Local Authority schemes.

The report also provided the outcome of consultation and analysis with regards to proposals to move the Medway Test from a number of test centres to individual schools.

The report had been considered by the Children and Young People Overview and Scrutiny Committee on 19 January 2012 and its comments were set out in paragraph 9 of the report.

A Diversity Impact Assessment screening form had been undertaken on the proposals around testing in own schools for the Medway Test and the proposals to change the denominational criteria for voluntary controlled schools.

Decision number:

Decision:

- | | |
|----------------|---|
| 36/2012 | The Cabinet agreed the Secondary Admissions co-ordinated scheme and admission arrangements, as set out in Appendix A to the report. |
| 37/2012 | The Cabinet agreed option A for the future delivery of the Medway Test from the options as set out in paragraph 3.1 of the report having had regard to the issues and representations set out in the report, in particular in paragraphs 5.3 to 5.36 of the report. |
| 38/2012 | The Cabinet agreed that children attending independent Medway schools should be permitted to undertake testing in their own school, subject to officers putting in place suitably robust quality assurance arrangements. |
| 39/2012 | The Cabinet agreed the Primary Admissions co-ordinated scheme and admission arrangements, as set out in Appendix B to the report, including the amendments to Published Admission Numbers (as shown in section 3.2 of the report) and the introduction of a supplementary information form for Church of England voluntary controlled schools. |

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40/2012 **The Cabinet approved the continuation of in-year co-ordination from September 2013, subject to the majority of schools in each phase signing up to a co-ordinated scheme and to delegate authority to the Director of Children and Adults in consultation with the Portfolio Holder for Children's Services to approve the implementation of appropriate arrangements if required.**

Reasons:

The Council is required to undertake a detailed consultation exercise prior to the determination of its school admission arrangements and schemes. The decisions take into account the responses from consultation.

South Thames Gateway Building Control Business Plan 2011/2014 and Building Control Partnership Second Term

Background:

This report provided details of the draft South Thames Gateway Building Control Partnership Business Plan for 2011/2014 (incorporating the financial Plan 2011-15), and also provided details of the proposal for agreement for Medway to continue in the Partnership for a second term.

On 8 December 2011 the South Thames Gateway Building Control Joint Committee agreed the draft South Thames Gateway Building Control Partnership's Business Plan for 2011/14 as set out in an exempt appendix. This encompassed the comments already received from the Partner Authorities. However, the three year business plan extended beyond the first term of the Partnership agreement. Therefore, at the Joint Committee, Members also considered a report regarding the Partnership continuing for a second term and unanimously supported the proposal.

Gravesham Borough Council's Cabinet agreed to continue in the partnership for a second term and agreed the Business Plan at its meeting on 9 January 2012.

A Diversity Impact Assessment screening form had been undertaken on the Business Plan and it was found that it was not necessary to carry out a full impact assessment.

Decision number: ***Decision:***

41/2012 **The Cabinet agreed that Medway continue in the Partnership for a second five year term and enter into a further Memorandum of Agreement for five years from 1 October 2012.**

42/2012 **The Cabinet agreed to authorise the Director of Regeneration, Community and Culture, in consultation with**

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the Portfolio Holder for Strategic Development and Economic Growth, to take all necessary actions to enable the proposals for the second term of the Partnership, including all necessary legal agreements, to be finalised and implemented.

43/2012 The Cabinet agreed the proposed business plan for 2011/14 (incorporating Financial Plan 2011-2015) for the South Thames Gateway Building Control Partnership and that the proposed contribution of £186,439 from Medway be noted.

Reasons:

The Constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority and each authority requires approval of Cabinet to carry on to a second term.

Third Quarter Revenue Budget Monitoring

Background:

This report detailed the revenue budget forecasts as at the end of Quarter 3 (October - December 2011).

It was noted that the returns from budget managers forecast a potential underspend of £195,000 compared to the potential overspend of £5.1m reported in quarter 2. Management action to control expenditure, less than anticipated demand on some services and additional income receipts, had combined to achieve a significant reduction in forecasts.

The Cabinet agreed to accept this report as urgent to enable Cabinet to receive and consider the third quarter budget monitoring information at the earliest opportunity.

Decision number: ***Decision:***

44/2012 The Cabinet noted the significant improvement in the revenue monitoring position for 2011-12 and instructed directors to maintain the moratorium on non-essential expenditure in order to ensure that the improved position is achieved.

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

Third Quarter Council Plan Monitoring

Background:

This report presented details of the Council's performance for the third quarter of 2011/2012 against the Council Plan 2011-2012 objectives. The Council Plan was a key part of the Council's budget and policy framework.

Appendix 1 to the report, provided a table showing whether the performance indicators met the required standard whilst Appendix 2 provided an update on the six Cabinet priority areas. Overall, performance on 59 key performance indicators were rated in quarter 3, of which, 42 had achieved or outperformed the target, 5 were below target but within acceptable variance limits and 12 were outside acceptable variance limits.

The Cabinet accepted this report as urgent to enable it to receive and consider the third quarter monitoring information at the earliest opportunity.

Decision number:

Decision:

The Cabinet noted performance for Quarter 3 2011/2012 reviewing outcomes achieved against priorities.

Reasons:

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

Third Quarter Capital Monitoring

Background:

This report presented the capital monitoring forecast for the period to December 2011 (the end of the third quarter), with an outturn forecast for 2011/12 and future years.

It was noted that the approved capital programme for 2011/12 and future years was £154.5m, being £53.1m in respect of brought forward schemes and £55.7m in respect of new approvals. The report commented on the delivery of the capital programme and updated Members on a number of issues, including a number of virements and proposed additions to the Capital Programme.

The Cabinet accepted this report as urgent to enable Cabinet to receive and consider the third quarter budget monitoring information at the earliest opportunity.

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**Decision
number:**

Decision:

The Cabinet noted the spending forecasts summarised at Table 1 in the report.

The Cabinet noted the virements made to the capital programme under director delegations, as described at paragraph 4.2.2 in the report.

45/2012

The Cabinet recommended to Council the following additions to the capital programme:

- £65,000 for café improvements at the All Saints' Children's Centre to be funded from a revenue contribution;
- £1,141,467 for the Twydall Primary School project, to be funded from the Primary Capital Programme, following Gateway 3 approval in December 2011;
- £246,000 additional Local Transport Plan grant allocation;
- £20,000 additional funding for the English Heritage Local Management Agreement;
- £143,000 of additional S106 contributions to fund various schemes.

46/2012

The Cabinet recommended to Council the removal of £3,440,000 of underspent and uncommitted budget against the Adult Social Care Programme, Primary Capital Programme, SEN Programme, Condition Programme and Woodlands Primary School scheme, allowing the Council to reduce its borrowing requirements in 2012-13.

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.

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**Decision
number:**

Decision:

47/2012

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 Department

- a) Sheltered Scheme Manager
- b) Macmillan Physical Activity Instructor
- c) Lawyer (Adult Services)
- d) Lawyer (Children's Services)
- e) Legal Support Assistant

Children's and Adults

- f) Support Services Assistant (Children's Care)
- g) Support Services Assistant (Children's Care)
- h) Support Services Assistant (CAST Team)
- i) Commissioning Portfolio Manager
- j) Temporary Staff – Family Information Service
- k) Contracts Administrator.

Reasons:

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

Gateway 4 Procurement Post Project Completion Review: SEN School Transport Contract Renewal September 2010

Background:

This report reviewed the progress of the Special Educational Needs (SEN) School Transport Contracts that began in September 2010 with contracts awarded to various contractors as highlighted within paragraph 2.1.2 of the report. These contracts provided both scheduled Home to School and ad hoc respite care transport to students with special educational needs. The report set out a number of options together with their respective advantages and disadvantages.

An exempt appendix provided key information in relation to finance and the whole life costings for this contract.

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Decision number: **Decision:**

48/2012 **The Cabinet approved the preferred option highlighted at Section 4.1 'Preferred Option' (continuing with the current contracts as set out in section 2.1 of the report, for the remainder of the contract term and negating any further Gateway 4 or Gateway 5 requirements).**

Reasons:

The contracts awarded are running successfully; with all operators meeting the required level of service and carrying out their routes in line with the necessary specification. This has allowed Medway Council to maintain its statutory duty of providing free home to school transport to those passengers who have qualified for the service.

The contracts having been awarded as a result of a competitive tender process, having ascertained the most economically advantageous operator, the contracts still represent best value.

Gateway 4 Procurement Post Project Completion Review: Woodlands School - Improvements to Nursery, Reception and SEN Provision

Background:

This report provided a post project review/appraisal of a contract completed at Woodlands School to deliver improvements to the nursery, reception and Special Educational Needs (SEN) provision as highlighted within paragraph 2.1.2 of the report. This was a one-off construction contract and the works were completed in accordance with the contract terms.

An exempt appendix provided key information in relation to finance and the whole life costings for this contract.

Decision number: **Decision:**

The Cabinet noted the findings outlined in this report.

Reasons:

The project has been completed to specification and within budget.

Cabinet, 14 February 2012

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Leader of the Council

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Date

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