

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 23 February 2012**  
**7.00pm to 10.20pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next Full Council meeting**

**Present:** The Worshipful Mayor of Medway (Councillor Baker)

Councillors Avey, Bowler, Brake, Bright, Carr,  
Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty,  
Clarke, Colman, Cooper, Craven, Doe, Etheridge, Filmer, Gilry,  
Christine Godwin, Paul Godwin, Griffin, Griffiths, Adrian Gulvin,  
Pat Gulvin, Harriott, Hewett, Hicks, Hubbard, Igwe, Iles, Irvine,  
Jarrett, Juby, Kearney, Kemp, Mackness, Maple, Mason,  
Murray, O'Brien, Osborne, Price, Purdy, Rodberg, Royle, Shaw,  
Smith, Tolhurst, Turpin, Watson, Wicks and Wildey

**In Attendance:** Neil Davies, Chief Executive  
Rose Collinson, Director of Children and Adults  
Robin Cooper, Director of Regeneration, Community and  
Culture  
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  
Deborah Upton, Monitoring Officer  
Simon Wakeman, Marketing and Public Relations Manager

**820 Record of meeting**

The record of the meeting held on 12 January 2012 was agreed and signed by the Mayor as correct.

**821 Apologies for absence**

Apologies for absence were received from Councillors Mackinlay, the Deputy Mayor (Councillor Maisey) and Stamp. An apology for absence was also received from Tony Dance (Independent Member, Standards Committee).

**822 Declarations of interest**

Councillor Cooper declared a personal interest in any discussion on the NHS as her stepdaughter works for that organisation.

Councillor Gilry declared a personal interest in any reference to Medway Maritime Hospital as she still works there occasionally.

Councillor Christine Godwin declared a personal interest in any discussion on Supporting People because she worked for West Kent Housing Association, which was in receipt of Supporting People funding.

Councillor Griffiths declared a personal interest in any discussion on Medway Community Healthcare as he is a Non-Executive Director of the Medway Community Healthcare Interest Company.

Councillor Griffiths also declared a personal interest in any discussion on Danecourt Special School as his wife works there.

Councillor Igwe declared a personal interest in any discussion on the NHS as he works as a Mental Health Nurse.

Councillor O'Brien declared a personal interest in any discussion on the NHS as members of his family work within the NHS.

The Mayor declared a personal and potentially financial interest, on behalf of those officers present, who may be affected by staffing reductions proposed in the budget report.

**823 Mayor's announcements**

The Mayor congratulated Councillor Igwe and his wife Diane on the arrival of their baby daughter, Abigail, and on behalf of the Council, he wished them well.

The Mayor reminded Members of a number of forthcoming charity events and encouraged them to support them in aid of the Mayor's Charities. Tickets were still available for the Mayor's Ball on Saturday 17 March with a Strictly Bollywood theme. Tickets were also available for the St George's Night at The George Vaults on Monday 23 April and a Night at the Musicals at the Corn Exchange on Thursday 3 May presented by Cameo Opera. Full details of all these events were available from the Mayor's office.

The Mayor proposed to suspend the Council Rule in respect of time limits on speeches in relation to item 7 only, to allow one Member from each group to speak on the budget item for an unlimited time. The normal time limits would then apply. This was agreed.

The Mayor reminded Members that a written copy of amendments to any proposals must be provided to the Head of Democratic Services and that copies should be brought up to the top table first.

**824 Leader's announcements**

There were none.

**825 Fairer Contribution for Fairer Access to Services**

**Discussion:**

This report provided details of the final outcome of consultation regarding proposed changes to the Council's policy on charging contributions for non residential Adult Social Care services.

This report set out the background to the proposal 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 a Diversity Impact Assessment screening forms had been completed on the proposal as set out in Appendix 3 to the report followed by a full Diversity Impact Assessment in Appendix 4 to the report.

The Cabinet had considered this issue on 14 February 2012 and its recommendation to Council was set out in paragraph 11 of the report.

Councillor Brake, Portfolio Holder for Adult Services, supported by Councillor Mason, Portfolio Holder for Corporate Services, proposed the recommendations set out in the report.

Councillor Murray, supported by Councillor Igwe, proposed the following amendment:

Delete recommendation 11.1 and replace with:

Council notes that a number of groups are acknowledged within the report as being adversely affected by the proposals advocated.

In order to avoid adverse negative impacts, and provide a more sustainable long-term strategy, Council agrees to:

1. Extend the consultation until 31 March 2012;
2. Ask officers to:

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- a. conduct a full review of the likely level of impact on adults, both current and future – including an analysis to predict future disability need;
  - b. compile a mitigation strategy to prevent discrimination.
3. Accept that the current recommendations do little to improve housing or promote independence in the long term for disabled groups. As such, Council asks officers to investigate the Council's ability to build lifetime housing for disabled people to provide a more sustainable alternative for those unable to adapt their own homes using the Disabled Facilities Grant or loan scheme, or those in rented accommodation unsuitable for adaptation.

On being put to the vote, the amendment was lost.

### **Decision:**

The Council noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 4 to the report and:

- (i) Agreed to the Fairer Contributions Policy as set out in the report being adopted and;
- (ii) agreed the Implementation Plan as set out in the full Diversity Impact Assessment as set out in Appendix 4 to the report.

## **826 Capital and Revenue Budgets 2012/2013**

### **Discussion:**

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 £91.9 million. The net revenue budget for 2011/2012 amounted to £333.4 million, including additions proposed at Cabinet on 14 February 2012, which it was reported would not require an increase in Council Tax but was predicated upon receipt of Government grant that equated to an equivalent 2.5% increase.

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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 9 to the report.

It was noted that two supplementary agendas had been circulated to Members which set out a number of amendments and some revised recommendations.

Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, supported by Councillor Rodney Chambers, Leader of the Council, proposed the recommendations set out in the main report with the exceptions of recommendations of 22.1, 22.10 and 22.14 which were set out in Supplementary Agenda No. 2 with a further amendment to recommendation 22.10 as follows:

22.10 - As part of the budget proposals, approve fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2012' as set out in Appendix 8 with amendments as circulated in the addendum paper **and that the fee for the meals delivery service remain at £3.90.**

In accordance with rule 11.4 of the Council Rules at the request of six Members, a vote on the motion was recorded as follows:

For: Councillors Avey, the Worshipful Mayor (Councillor Baker), Brake, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Doe, Etheridge, Filmer, Griffin, Adrian Gulvin, Pat Gulvin, Hewett, Hicks, Iles, Irvine, Jarrett, Kemp, Mackness, Mason, O'Brien, Purdy, Rodberg, Royle, Smith, Tolhurst, Turpin, Watson, Wicks and Wildey (34)

Against: Councillors Bowler, Colman, Cooper, Craven, Gilry, Christine Godwin, Paul Godwin, Griffiths, Harriott, Hubbard, Igwe, Maple, Murray, Osborne, Price and Shaw (16)

Abstain: Councillors Juby and Kearney (2)

### Decision:

- (a) The Council approved the capital budget proposals as set out in the revised Appendix 1, noting that it now incorporates the additional highways investment of £1.5 million funded from capital receipts and that the previously unfunded overspend is now added to the prudential borrowing requirement. The cost of this borrowing at £280,000 per annum to be met by an unspecified savings target for the Regeneration, Community and Culture directorate. The source of these savings will be worked upon as a priority and reported in the first monitoring round for 2012/2013.
- (b) The Council approved the general fund gross, income and net revenue estimates as summarised in Table 9 and detailed in Appendix 2 in the sum of £333.440 million.

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- (c) The Council noted the Kent Police Authority precept requirement.
- (d) The Council noted the Kent Fire and Rescue Service precept requirement.
- (e) The Council noted the parish council precept requirements of £359,032 as detailed at Appendix 6 of this report.
- (f) The Council agreed the schedule of precept instalment dates as set out in section 15 of the report.
- (g) The Council approved the basic rate of council tax at band D for 2012/2013, before adding the police, fire and parish precepts, at £1,119.15.
- (h) The Council agreed the following recommendations from Employment Matters Committee as a consequence of agreeing budget proposals:
  - (1) 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.
  - (2) 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).
- (i) The Council noted the success of the Assistant Director, Organisational Services, in achieving a collective agreement with the Trades Unions and agreed that employees on spinal column point 25 or below (or equivalent) and therefore earning £21,519 or less (pro rata for part time employees), will receive a once off payment of £250 with their April pay in 2012 and 2013.
- (j) The Council, as part of the budget proposals, approved fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2012' as set out in Appendix 8 to the report with amendments as circulated in the addendum paper and that the fee for the meals delivery service remain at £3.90.
- (k) The Council approved the following with regard to the Housing Revenue Account:

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- (1) The budget proposed as summarised at Appendix 3 to the report;
  - (2) The proposed increase in rents asset out at Appendix 4 to the report;
  - (3) The proposed service charges as set out at Appendix 5 to the report; and
  - (4) That garage rents are increased by 2.5% from 1 April 2012.
- (l) The Council adopted the formal resolution for the council tax requirement and schedule of council tax charges for 2012/2013 as set out in Appendix 7 to this report and to incorporate any amendments arising from the meeting.
- (m) The Council noted the findings of the Diversity Impact Assessments as set out in the report and at Appendix 9, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.
- (n) The Council agreed the transfer of Housing Services to the Regeneration, Community and Culture directorate and approved the delegation to the Chief Finance Officer, in consultation with the Finance Portfolio Holder to adjust budgets in respect of the transfer.
- (o) The Council approved the appointment of Mr Perry Holmes as the interim Monitoring Officer and Assistant Director for Corporate Services for 4 months commencing 1 March 2012.

### **827 Council Plan 2012/2013**

#### **Discussion:**

This report provided details of the Council Plan 2012-2013. The plan had been developed by taking into account recent developments including continuing financial pressures, the Munro Review of child 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. The Cabinet had considered this report on 14 February 2012 and its recommendation to Council was set out in paragraph 12 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.

Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, supported by Councillor Rodney Chambers, Leader of the Council, proposed the recommendation set out in the report.

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In accordance with rule 11.4 of the Council Rules at the request of six Members, a vote on the motion was recorded as follows:

For: Councillors Avey, the Worshipful Mayor (Councillor Baker), Brake, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Doe, Etheridge, Filmer, Griffin, Adrian Gulvin, Pat Gulvin, Hewett, Hicks, Iles, Irvine, Jarrett, Kemp, Mackness, Mason, O'Brien, Purdy, Rodberg, Royle, Tolhurst, Turpin, Watson, Wicks and Wildey (33)

Against: Councillors Bowler, Colman, Cooper, Craven, Gilry, Christine Godwin, Paul Godwin, Griffiths, Harriott, Hubbard, Igwe, Juby, Kearney, Maple, Murray, Osborne, Price, Shaw and Smith (19)

### **Decision:**

The Council approved the Council Plan 2012/2013, as set out in Appendix 1 to the report, as part of the Council's policy framework.

## **828 Treasury Management Strategy 2012/2013**

### **Discussion:**

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.

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. The Cabinet considered this report on 14 February 2012 and its recommendation to Council was set out in paragraph 21 of the report.

A Diversity Impact Assessment screening had been undertaken and was set out in Appendix 7 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.



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Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, supported by Councillor Rodney Chambers, Leader of the Council, proposed the recommendation, as set out in the report.

### **Decision:**

The Council approved the Treasury Management Strategy and associated policies and strategy statements as attached in Appendices 1-6 to the report.

## **829 Pay Policy Statement 2012/2013**

### **Discussion:**

This report provided details of the Pay Policy Statement, as required under section 38(1) of the Localism Act 2011. The statement covered the remuneration of the Chief Executive, Directors, Monitoring Officer, Section 151 Officer and Assistant Directors, the remuneration of lowest paid officers, the relationship between the two, and the Council's pay policies.

A Diversity Impact Assessment screening had been undertaken and was set out in Appendix 2 to the report. The screening process did not highlight any significant adverse impact to any of the protected characteristics under the Equality Act 2010 other than "age" which the council is already taking positive action to remedy.

Councillor Mason, Portfolio Holder for Corporate Services, supported by Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact, proposed the recommendation set out in the report.

### **Decision:**

The Council agreed the Pay Policy Statement 2012/13 as set out in Appendix 1 to the report.

**Mayor**

**Date:**

**Julie Keith, Head of Democratic Services**

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