

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 20th September, 2012 at 5.00 p.m. at the Civic Offices, Telford**

**PUBLISHED ON WEDNESDAY, 26<sup>th</sup> SEPTEMBER, 2012**

**(DEADLINE FOR CALL-IN: MONDAY, 1<sup>ST</sup> OCTOBER, 2012)**

**PRESENT:** Councillor K.S. Sahota (Leader and Chair), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, R.A. Overton, H. Rhodes, C.F. Smith and P.R. Watling

**ALSO PRESENT:** Councillor A.J. Eade (Conservative Group Leader) and Councillor G.M. Green (Lib Dem/Independent Group Deputy Leader)

### **CB-34      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Cabinet held on 26th July 2012 be confirmed and signed by the Chairman.

### **CB-35      APOLOGIES FOR ABSENCE**

Councillor W.L. Tomlinson (Lib Dem/Independent Group Leader)

### **CB-36      DECLARATIONS OF INTEREST**

Councillors K.S. Sahota, S. Davies and A.R.H. England declared a non-pecuniary interest in agenda item 11 – Disposal of Dawley War Memorial Hall, King Street, Dawley.

### **CB-37      SERVICE & FINANCIAL PLANNING UPDATE**

**Key Decision** identified as **Service & Financial Planning Update** in the Notice of Key Decisions published on 14th September 2012 (Regulation 10 General Exception applies)

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Finance, Audit & Information Governance, which provided an update on changes to the local government finance system, as well as the Council's saving proposals for 2013/14 and future years.

The Government was consulting (or had consulted) on a number of key changes, including:

- a scheme allowing the retention of an element of business rates locally, with it being proposed that business rates collected be split equally into a local and central share;

- a 10% reduction in the grant received by the Council to fund the cost of Council Tax Benefit. Local authorities were required to establish their own local Council Tax support scheme by 31 January 2013 (for implementation in April 2013). This support would be given as a council tax discount with funding being provided via the new business rates retention scheme. It was estimated that this would result in a funding shortfall of £3.1m in 2013/14.
- education funding – the Dedicated Schools Grant was to be retained, but with some changes in how it could be allocated. This would result in less flexibility in how funding was allocated to schools, with the local formula moving to more of a national model. Most funding would flow to schools via pupil numbers and this was likely to have a significant financial impact on some smaller secondary schools and those with falling numbers;
- the introduction of a ring-fenced grant to fund the cost of Public Health responsibilities being transferred to Councils when Primary Care Trusts were abolished.

All of these changes were due for implementation on 1 April 2013 and the details of how these schemes would operate were currently very unclear. There was unlikely to be much more clarity until after the funding settlement was announced by the Government in November or December.

The report also re-stated the Council's Service and Financial Planning Strategy, and the process of identifying further savings on top of the £40m pa of ongoing savings achieved since 2009/10. Full details of these additional savings proposals (amounting to over £12m by 2016/17) were appended to the report. It was proposed that targeted service user engagement would commence where appropriate on the savings proposals. Further work to identify additional savings would be undertaken and details included in a report to Cabinet in December 2012 following receipt of the grant settlement.

**RESOLVED** – that the report be noted, and that targeted consultation on the savings proposals included within Appendix 1 of the report be commenced in accordance with the approach set out in section 7 of the report.

## **CB-38      DRIVING DELIVERY OF THE COUNCIL'S PRIORITIES**

### **Non-Key Decision**

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery presented the report of the Managing Director, which provided information on baseline performance against the Council's priority outcome measures.

The Council's Medium Term Plan identified a proposed basket of outcome measures which would be used to assess the progress in delivering the community focussed priorities outlined in the Plan. Appended to the report was the baseline 2011/12 performance against these outcome measures. As a whole, there was a positive direction of travel, with 71% of the measures 'improved' between 2010/11 and 2011/12. However, compared to the national

picture, 68% of these measures were ranked 'worse'. A summary of outcomes for each priority was provided in the report.

To ensure that the Council was focussed on driving the improvement of these measures, each one would be assigned to a Corporate Director to drive and challenge performance. Progress reports would be presented to Cabinet on a quarterly cycle. .

Members welcomed the improvements in priority outcomes against national levels as set out in the report. During the debate, Members stressed that homelessness figures would be especially vulnerable to the economic climate and, as this was inter-related with a number of priorities, focus should remain on all measures.

### **RESOLVED –**

- (a) that the baseline performance against the Council's priority outcome measures be noted; and**
- (b) that Cabinet Members and Corporate Directors continue to drive improvement of all the priority outcome measures assigned to them**

### **CB-39      LOCAL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT 2011/12**

#### **Non-Key Decision**

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Interim Assistant Director: Safeguarding Children which referred to the critical role of the Safeguarding Board to keep children and young people in the Borough safe. A copy of the Board's Annual Report for 2011/12 was tabled at the meeting.

The Local Safeguarding Children Board (LSCB) was the statutory mechanism for agreeing how the relevant organisations would co-operate to safeguard and promote the welfare of children in the Borough, and to ensure the effectiveness of what they do. The annual report reflected the progress of the Board's business plan as well as providing a realistic assessment of the remaining challenges.

OFSTED had recently undertaken an Inspection of Safeguarding and Looked-After Children services, with a report published in August 2012. Overall, services were found to be adequate in their effectiveness (meet minimum standards), and the inspectors endorsed the direction and vision for children's services following the strategic review in 2011. A headline summary of the judgements was appended to the report. The LSCB was updating its business plan in response to the OFSTED report – in order to reflect the Board's role in ensuring the OFSTED's recommendations are effectively and speedily implemented. Two particular areas that the Board would focus on were

training for staff and linking any recommendations more directly to front line social work practice.

Members expressed their thanks to the team involved in supporting the demands of the OFSTED inspection.

**RESOLVED –**

- (a) **that the focus and progress made in delivering the LSCB Business Plan be noted;**
- (b) **that the role of the LSCB in driving change and improvement in response to the OFSTED inspection of Safeguarding and Looked-After Children be acknowledged.**

**CB-40      PUBLIC HEALTH TRANSITION ARRANGEMENTS**

**Non-Key decision**

Councillor R.A. Overton, Deputy Leader and Chair of the Health & Wellbeing Board, presented the report of the Assistant Director: Social Care Specialist which updated Members on the implications of transferring public health functions to the Council, and on the potential funding levels for 2013/14.

In July 2012, the Department of Health published a consultation document setting out current thinking on local authority public health finance. Officers had submitted a response to the consultation, a copy of which was appended to the report. There was still uncertainty as to the exact sum each local authority would receive for public health responsibilities. However, an indicative figure of around £7.25m for Telford & Wrekin would leave a potential shortfall of over £3m based on current public health related activities.

Commissioned activity under contract to the Primary Care Trust made up the largest proportion of current spend. Current contracts were due to expire on 31 March 2013, which gave the Council some flexibility about deciding which services to continue with. However, there was much work to be done to put in place arrangements to secure the procurement of activities that would meet these new responsibilities. Initial analysis suggested that contracts to the value of £112,503 should be ended on 31 March 2013 and the activities not continued, and contracts to the value of £770,311 should be de-commissioned. Further work was also being done to look at the remaining commissioned services in order to determine the length of period the Council should offer contracts to existing providers. The report set out the suggested approach and sought approval to delegate responsibility for letting the contracts to Officers in consultation with the Lead Member.

**RESOLVED –**

- (a) **that the uncertain situation and tight timescales be noted, and that the prudent approach towards the award of future public health contracts be supported;**

- (b) **that authority be delegated to the Director of Adult & Community Services, in consultation with the Director of Public Health and Cabinet Lead/Shadow Health & Wellbeing Board Chair, to progress the consideration of future commissioned services; the award of relevant contracts for those public health services within the finances available once the Public Health ring-fenced grant is announced; and to enter into any appropriate documentation to enable and give effect to the transfer of public health functions to the Council.**

**CB-41            CARE AND SUPPORT WHITE PAPER AND BILL**

**Non-Key Decision**

Councillor E.A. Clare, Cabinet Member for Adult & Social Care, presented the report of the Assistant Director: Social Care Specialist which summarised Government proposals for adult care and support contained in the recently published White Paper, Bill and progress report on Funding Reform.

The Care & Support White Paper and Bill were published in July 2012, and set out reforms for the adult care and support system in the UK. The White Paper confirmed that local authorities would be at the heart of how care and support would work in the future, and had a central vision of promoting wellbeing and independence instead of waiting for people to reach crisis point; availability of better information; and high quality services. The Care & Support Bill, if it became law, would replace nearly all the existing adult social care law. Eight factsheets had been produced to summarise the main components of the Bill – details of which were included in the report. Generally, the response to the principles in the White Paper had been positive, though there was a need for more clarity, certainty and a definite time frame. The proposed simplification of the legislative framework was seen as a big step forward, although there was a lot of work still to be done.

The “Caring for our Future: Progress report on Funding Reform” made clear that the Government agreed with the principles of the Dilnot Commission’s recommendations published in 2011. However, there were significant concerns being expressed about the delay in addressing the funding issues at a time when adult social care budgets were already under pressure. There was a risk in the medium term that the funding gap could widen.

Members acknowledged that adult social care was a difficult issue subject to a long running debate. Members were particularly concerned that the proposals would increase public aspirations before the funding situation had been adequately addressed.

**RESOLVED –**

- (a) **that the content and implications of the Care & Support White Paper, Bill and Progress Report on Funding Reform be noted; and**

- (b) that the Local Authority respond to the consultation on the draft Bill to express concern regarding the delay in addressing the adult social care funding situation for at least another 3 years at a time when budgets are already under pressure.

**CB - 42      FOSTER CARERS ALLOWANCES FOR CHILDREN IN CARE**

**Non-Key Decision**

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Interim Assistant Director: Children's Safeguarding, which outlined proposals to increase current foster carer allowances for children in care. An amendment to recommendation 2.2 was proposed, by adding the words "in consultation with the Cabinet Member for Children, Young People & Families" after the words "Interim Assistant Director: Children's Safeguarding".

The payment structure for foster carers in Telford & Wrekin had three elements – a fee, an allowance and discretionary payments. The allowances were subject to annual review, but had not been increased since October 2009. Comparisons with neighbouring authorities showed that the allowances paid were lower in Telford & Wrekin. It was recognised that the level of allowances was a factor that influenced the recruitment and retention of foster carers – something that was an important priority for the Council in order to maintain children in the Borough. It was proposed that the foster carers allowance be increased by 7.5% from 1 October 2012, whilst a general review was undertaken between October and December 2012 which would involve extensive consultation on the options for re-modelling Fostering services to meet new service needs, and proposals for placement costs and fee structures for foster carers. The financial implications of the proposed increase were set out in the report and appendices. The part-year cost in 2012/13 would be £43,605, with a full year cost in 2013/14 of £87,210. However, it was anticipated that the additional costs could be offset by savings from reduced use of external placements if the numbers of foster carers within the Borough could be retained and increased.

Members welcomed the report and recognised that attracting local foster carers would not only provide long-term savings but would also crucially broaden the pool of available care matches for children. Members praised the endeavours of the foster carers who played such a vital role in the wellbeing of the children and young people placed in their care.

**RESOLVED –**

- (a) that the fostering allowances paid to foster carers for each child/young person looked after by them be increased by 7.5% from 1 October 2012;
- (b) that authority be delegated to the Interim Assistant Director: Children's Safeguarding, in consultation with the Cabinet Member: Children, Young People & Families, to approve

**proposals for the remodelling of the fees element of payments to foster carers to reflect the different level of skills needed to care children according to the complexity of their needs.**

**CB-43      FUTURE USE OF LAND OFF CONCORDE, DAWLEY BANK**

**Key Decision** identified as **Future Use of Land off Concorde, Dawley Bank** in the Notice of Key Decisions published on 14th September 2012 (Regulation 10 General Exception applies)

Councillor R.A. Overton, Deputy Leader, presented the report of the Assistant Director: Development, Business & Housing which set out options for the future use of an area of vacant land owned by the Council off Concorde in Dawley Bank, Telford. A site plan was appended to the report.

The Dawley Bank Horticultural Society (DBHS) had progressed a proposal to use the land for allotments/raised bed community garden. Following the submission of a planning application by DBHS, the Council was approached by another community group who were interested in developing the same site for community use by creating a Jubilee Wood. It was agreed to seek the views of local residents who lived within 400 metres of the site, and 263 survey forms were completed and returned. In addition, a further 346 photocopied surveys were returned. Due to the large number of photocopied surveys, the results had been analysed for both original surveys and photocopied responses – and details were appended to the report. The preferred option of those respondents who completed original surveys was the Jubilee Wood (68.1%), whereas the preferred option for those who completed photocopied surveys was the Raised Bed Community Garden (94.7%). A small number of participants said that their preferred option was for the area of land to be left as it was.

Cabinet were presented with four options for the future use of the site:

Option 1 – development of a raised bed community garden by Dawley Bank Horticultural Society;

Option 2 – development of a Jubilee Wood (involving tidying the woodland, creating paths and planting wildflowers) by the Dawley Bank Residents Association;

Option 3 – there is no development of the land, and it remains in its current condition for informal access for the community;

Option 4 – the use of the land for residential development be investigated, and the site sold if planning permission was granted for this use.

Members gave careful consideration to all the options, taking into account the proposals submitted by the two community groups, results of the residents survey, the financial implications of each option, and the terms under which the land would be leased if options 1 or 2 were chosen.

**RESOLVED –**

- (a) that the area of land off Concorde, Dawley Bank be used to develop a Jubilee Wood by Dawley Bank Residents Association (Option 2);
- (b) that authority be delegated to the Assistant Director: Development, Business & Housing to deal with the land in accordance with the above resolution, including development of a lease agreement;
- (c) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute all necessary documentation.

**CB-44      DISPOSAL OF DAWLEY WAR MEMORIAL HALL, KING ST, DAWLEY**

**Non-Key Decision**

Councillors S. Davies, A.R.H England and K.S. Sahota withdrew from the meeting room. Councillor R.A. Overton (Deputy Leader) took the chair for this item.

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Development, Business & Housing which sought approval for the disposal of Dawley War Memorial Hall. The 'Legal Issues' comments shown in the Summary Impact Assessment section of the report were amended by way of a tabled document.

The Hall was purchased by the Council in 2010 from a charitable trust, with the proceeds from the purchase being distributed to charitable bodies in Dawley. The Hall was occupied by Dawley Social Club, which had been part of the Dawley community for many years. The Club rented the land and buildings (as shown on the plan appended to the report) from the Council on a 20 year lease on full repairing and insuring terms. An area of roofing within the hall collapsed, and the reinstatement of this was estimated at around £150,000. The Club's insurance company refused to accept liability and whilst liable under the terms of the lease, the Club was unable to fund the repairs and the Council considered any further investment unviable. It was therefore proposed to sell the property to the Trustees of Dawley Social Club, based on a freehold market value of £21,000, with the use restricted to a "Social Club" for the land shown on the appended plan. The income would be used to reinvest in better performing assets with better scope for rental growth – in accordance with the PIP Strategy.

**RESOLVED –**

- (a) that the disposal of Dawley War Memorial Hall as detailed in the report be approved in accordance with terms to be agreed by the

**Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member for Resources & Service Delivery;**

- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute all necessary documentation;**
- (c) that the capital receipt be retained within the Property Investment Portfolio for reinvestment.**

The meeting ended at 6.08pm.

**Signed for the purposes of the Decision Notices**

**Jonathan Eatough  
Assistant Director: Law, Democracy & Public Protection  
Date: 26<sup>th</sup> September 2012**

**Signed: .....**

**Date: .....**