

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 28th March, 2013 at 5.00 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford**

**PUBLISHED ON FRIDAY, 5<sup>th</sup> APRIL, 2013**

**(DEADLINE FOR CALL-IN: WEDNESDAY, 10th APRIL, 2013)**

**PRESENT:** Councillor R.A. Overton (Deputy Leader and Chair for this meeting), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, H. Rhodes and P.R. Watling

**ALSO PRESENT:** Councillor A.J. Eade (Conservative Group Leader), Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

### **CB-112      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Cabinet held on 28th February 2013 be confirmed and signed by the Chairman.

### **CB-113      APOLOGIES FOR ABSENCE**

Councillors K.S. Sahota (Leader) and C.F. Smith

### **CB-114      DECLARATIONS OF INTEREST**

None

### **CB-115      MEDIUM TERM COUNCIL PLAN AND COMMUNITY STRATEGY**

**Key Decision** identified as **Medium Term Council Plan 2013/14 to 2015/16** in the Notice of Key Decisions published on 30 January 2013.

#### **Council decision – not subject to Call-in**

The Leader presented the report of the Managing Director, attached to which were copies of the Council's draft Medium Term Plan and a new community strategy – 'Shaping Our Future: Our Journey to 2020'

The Medium Term Plan 2013 – 2016 identified the high level strategic focus for the organisation for the next three years. It included the Council's vision, priorities and values; proposals for developing the organisation to deliver the priorities; being a Co-operative Council working with the Community and how the Council would work differently to achieve this; and what the Council was going to focus on to deliver its priorities. A revised outcome framework for

each priority had been developed, and 'ownership' of the measures in this framework had been assigned to Directors. Progress would be assessed three times a year – at 6, 9 and 12 months.

The 'Shaping Our Future: Our Journey to 2020' document was a partnership strategy with the purpose of providing a clear longer-term focus for partnership working. It was structured around the themes of Live, Work, Visit and Play, with the objective of building the Borough's reputation as the place of enterprise, innovation and partnership. Appended to the Strategy was a basket of outcome measures to be achieved by 2020. Progress against these outcomes would be reported three times a year as part of the Council's corporate performance arrangements. Once approved by the Council and the Local Strategic Partnership, the document would become the Community Strategy for Telford & Wrekin.

Councillor A.J. Eade (Conservative Group Leader) expressed surprise that the documents did not include reference to the Marches Local Enterprise Partnership, and suggested that this should be included, along with some mention of the need for improvements to existing industrial estates. Councillor W.A.M. McClements, Cabinet Member for Resources & Service Delivery, advised that the Council would be lobbying central Government for funding to improve the older industrial estates in the Borough. Other Cabinet Members emphasised the importance of working together with partners to deliver the growth agenda set out in the documents, and it was agreed that the comments be taken on board.

**RESOLVED – to RECOMMEND to COUNCIL that the Medium Term Council Plan and the new Community Strategy – 'Shaping Our Future: Our Journey to 2020' – be approved, subject to minor amendment to include reference to the Local Enterprise Partnership and the condition of existing industrial estates.**

#### **CB-116      PROVISION OF SUPPORTING PEOPLE SERVICES**

**Key Decision** identified as **Provision of Supporting People Services** in the Notice of Key Decisions published on 26 February 2013.

Councillor E.A. Clare, Cabinet Member: Adult & Social Care, presented the report of the Assistant Director: Care & Support which advised Members of the proposals for the future re-modelling of Supporting People services.

Supporting People provided housing related support aimed at promoting independent living and social inclusion. It could be delivered to people in their own homes with the use of 'floating support' (ie support that is delivered to the person in their own home) and/or community alarms, or delivered in specialist accommodation such as sheltered housing schemes. There were currently 33 contracts throughout the Borough for the provision of various Supporting People services, and these would all expire on 30 September 2013. Through working with existing providers and contractual provisions, savings of £650k had been achieved since 2011/12. However, any additional savings could only be generated by re-modelling existing services to ensure they were

delivered on the basis of need and not tenure. Re-modelling would also allow services to be modernised and aligned to current Council priorities.

Following a large amount of on-going consultation with existing local providers over the last year, a new service delivery model was being proposed. This would lead to a reduction in the number of contracts, but would continue to deliver a service to existing service users in a more flexible and needs-led way. The proposed new service model would consist of the following elements:

- Older People Sheltered Housing – with a large element of support provided through an intensive housing management model. Implementation in September 2013.
- Floating Support – this would require a procurement exercise to incorporate all existing contracted hours. Testing of the market would allow a fair hourly rate to be achieved. Implementation in September 2013.
- Hub and Outreach - this would be accommodation based, with outreach support and specific delivery for specialist client groups. This was a slightly more complex model which could not be delivered by one provider. Local providers would therefore be encouraged to form consortiums in order to tender against the high level broad specification. It was anticipated this process would take longer, and therefore implementation of this element.

The Council was developing an access and referral route that would provide a single access point for service users requiring housing, housing related support and/or preventative services. This would provide a more joined-up delivery of services, and potentially more help for the wider community.

During the ensuing discussion, Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader) referred to what support would be available to people applying for the service, and questioned what would happen under the contract arrangements if a poor level of service was provided. In response, the Cabinet Member advised that support was available to applicants through First Point etc, and that the contracts would be monitored on a regular basis.

**RESOLVED -**

- (a) that the proposals for the future Supporting People model, including the proposed timescale for delivery, be approved;**
- (b) that the proposed access and referral process into the newly modelled services, and the impact on the structure and function of the Housing Needs service, be approved;**
- (c) that authority be delegated to the Assistant Director: Care & Support, in consultation with the Cabinet Member for Adult & Social Care, to award three year contracts (with the option to extend for a further two years subject to satisfactory performance)**

to the preferred provider(s) in accordance with the Council's Constitution;

- (d) that authority be delegated to the Council's authorised signatories, in consultation with the Cabinet Member: Adult & Social Care and Assistant Director: Care & Support, to enter into appropriate contractual arrangements, subject to the terms and conditions recommended by the Assistant Director: Law, Democracy & Public Protection.

## **CB-117      COMMUNITY CLUB ASSET TRANSFER POLICY**

**Key Decision** identified as **Community Club Asset Transfer** in the Notice of Key Decisions published on 26 February 2013.

Councillor A.R.H. England, Cabinet Member: Leisure & Wellbeing, presented the report of the Assistant Director: Neighbourhood & Leisure Services, which proposed a policy to establish a fair, consistent and transparent framework and methodology for considering requests from community clubs wishing to manage Council-owned playing pitches and associated facilities. A copy of the proposed policy was appended to the report.

Since the publication of the Council's Playing Pitch Strategy, a number of expressions of interest had been received from football clubs keen to manage the facilities they used. The proposed policy set out the potential transfer options, although it was expected that a lease of up to 25 years would be the most appropriate option in most cases. Assets in relation to the policy were defined as a playing pitch in open space – not a school, leisure centre or formal park. Potential applicants would need to develop a business case and demonstrate the community benefit etc that such a transfer would promote. Business cases would be evaluated by an appropriate Panel of Council Officers and representative from sports governing bodies. All applications would be considered on the particular circumstances and need of each club, but each agreement would include conditions based on a number of core principles, as set out in the Policy.

Following a request from the Shropshire FA, it was also proposed to nominate Malinslee Playing Fields for Fields in Trust status under the Queen Elizabeth II Fields Challenge. Such designation would protect the Playing Fields in perpetuity, and would potentially attract external funding to reinstate the playing pitches and further improve the site.

Members welcomed the proposed policy as a good example of Co-operative working. In response to a question, the Cabinet Member advised that monitoring would be built into each agreement to ensure that the facilities were being properly managed and meeting the objectives set out in the core principles.

## **RESOLVED –**

- (a) that the **Community Club Asset Transfer Policy**, as shown at Appendix 1 of the report, be approved;
- (b) that authority be delegated to the **Assistant Directors: Neighbourhood & Leisure Services and Development, Business & Housing**, in consultation with the respective Cabinet members, to determine applications made under the **Community Club Asset Transfer Policy**, and to enter into all associated agreements;
- (c) that the **Malinslee Playing Fields** (as shown in the plan at Appendix 3 of the report) be nominated for protection in perpetuity under the **Queen Elizabeth II Fields Challenge**, and authority be delegated to the **Assistant Director: Neighbourhood & Leisure Services** to execute all necessary paperwork.

## **CB-118      LOCAL CRISIS AND LOCAL RESETTLEMENT ASSISTANCE POLICY**

**Key Decision** identified as **Local Crisis Assistance and Local Resettlement Assistance Policy** in the Notice of Key Decisions published on 26 February 2013.

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Customers & People, appended to which was a proposed Policy to provide Local Crisis and Resettlement assistance to vulnerable residents of the Borough.

As part of the Welfare Reform Act, two parts of the discretionary Social Fund – Community Care Grants and Crisis Loans - currently administered by the Department for Work and Pensions (DWP) were being abolished with effect from 1 April 2013, with the Government instead providing each local authority with funding for Local Welfare Provision. Details of the number of Community Care Grants and Crisis Loans, and the expenditure incurred by the DWP were shown in the report, along with the anticipated amount of funding being transferred to the Council for Local Welfare Provision. This represented a significant reduction in funding for this provision.

In terms of a scheme for Telford & Wrekin, it was proposed that two types of assistance be available:

- Local Crisis Assistance – this would cover situations where a household has insufficient resources to meet an urgent need that poses an immediate and substantial risk to their health and safety. A basic principle would be that such assistance was via the provision of goods or services (eg crediting a gas or electricity meter or referring people requiring food to the Telford Crisis Network food banks) rather than cash payments.
- Local Resettlement Assistance – this would give assistance to vulnerable people to live independent lives to remain or become integrated within their community by the provision of goods and

services. Such assistance would again not involve any cash payments, but typically provision of essential white goods or furniture.

The report outlined the consultation that had been undertaken during the development of the Council's Policy. For example, the Citizens Advice Bureau and the DWP had been represented on a working group, and a number of training events had been held. The Co-operative & Communities and Budget & Finance Scrutiny Committees had been looking at the proposed Policy, and their comments were appended to the report. As a result of some of these comments, some amendments had been made in respect of providing rent in advance – this would now only be considered in very exceptional circumstances.

The demand for such assistance was uncertain, and the Cabinet Member emphasised that the budget would be monitored closely to ensure there were enough funds during the year. The working group would continue to meet regularly to monitor the effectiveness of the scheme, with input from Scrutiny.

Members thanked the Officers involved for all their work in producing this scheme, and it was noted that Scrutiny had played a useful role in inputting to the development of the Policy. The Policy was aimed at getting the right help to the right people at the right time. Members agreed that it was important that a close eye be kept on the take-up and expenditure of this assistance, and it was suggested that quarterly monitoring reports should be provided to Members during the first 12 months of the scheme.

#### **RESOLVED –**

- (a) that the Local Crisis Assistance and Local Resettlement Assistance Policy, as shown at Appendix A of the report, be approved;**
- (b) that authority be delegated to the Benefit Service Delivery Manager, with further delegations for specific functions at the Benefit Service Delivery Manager's discretion, to administer the Local Crisis and Local Resettlement Assistance schemes and make determinations;**
- (c) that the concerns of the Co-operative & Communities and Budget & Finance Scrutiny Committees regarding payments of rent in advance are acknowledged, and that there will be a need to widen the scope of the Council's rent Bond Scheme which will be detailed in a future report to Cabinet.**

**CB-119      UPDATE ON LOCAL PROGRESS IN IMPLEMENTING  
CHANGES ARISING FROM THE HEALTH & SOCIAL CARE  
ACT 2012**

**Non-Key Decision**

Councillor R.A. Overton, Deputy Leader and Chair of the Shadow Health & Wellbeing Board, presented the report of the Assistant Director: Social Care Specialist, which summarised the arrangements that were in place to ensure a successful transition to the new responsibilities the Council would be responsible for from 1 April 2013 as a result of the Health & Social Care Act 2012.

The report set out the new arrangements taking place within the NHS, and which organisations the Council would be working with as key partners in delivering the health, social care and wellbeing agenda. There was a statutory responsibility for the Council to establish a Health & Wellbeing Board from April 2013. The Board had been meeting in shadow form for the previous 18 months, and had approved a Health & Wellbeing Strategy for Telford & Wrekin. A copy of the Strategy was appended to the report. Under the new legislation, the Council also had responsibility to commission a local Healthwatch (an independent patient watchdog body) to replace the existing Local Involvement Network. Following a procurement process, the contract had been awarded to Parkwood Healthcare, and the report detailed the implementation plan for setting up the service locally, and the funding for it. The Council also had a number of other new responsibilities including the NHS Independent Complaints Advocacy Service and becoming the Supervisory Body for Deprivation of Liberty Safeguards Assessments in respect of people in a hospital, hospice or 24 hour nurse setting.

In terms of the transfer of Public Health responsibilities to the Council, progress had been hampered by the late publication of Regulations and guidance. However, it was now known that the ring-fenced Public Health grant had been set at £10.6m for 2013/14, rising to £10.9m in 2014/15. All the existing contracted services had been extended for periods of up to 12 months, in agreement with current providers. A number of NHS staff would transfer to the Council, and the report also set out the senior management arrangements to drive delivery of the new health & wellbeing and public health functions. This would be led by the Director of Care, Health & Wellbeing, supported by a new post of Assistant Director: Health & Wellbeing.

Members commented on the work that had already been put in by the Shadow Health & Wellbeing Board in preparing for the changes and ensuring a smooth transition. The Council now had much closer links with NHS medical and clinical leaders, and thanks were expressed to Council Officers and NHS partners for all the work that had been done so far.

**RESOLVED –**

- (a) that the new arrangements that are in place from 1 April 2013, and the impact on the Council, be noted;**

- (b) that the new responsibilities placed on the Council from 1 April 2013, the transition planning and activity that has taken place, the completion of the Transfer Scheme statutory process and signing off by the Council and the final arrangements put in place through delegated authority to ensure the Council meets these responsibilities be noted;
- (c) that it be noted that the transition stage is nearing completion, but that this is just the start of the Health & Wellbeing journey.

**CB-120      CORPORATE HEALTH AND SAFETY POLICY**

**Non- Key Decision**

Councillor R.A. Overton, Deputy Leader, presented the report of the Assistant Director: Law, Democracy & Public Protection, which presented a revised Corporate Health & Safety Policy following consultation with stakeholders.

The Council was required to regularly review its health and safety policy, and was committed to do so every three years. Since the previous policy was adopted, the Council had changed its structure and priorities. The revised policy, a copy of which was appended to the report, reflected these changes and clarified other areas. Consultation had been carried out with trade union health and safety representatives, health and safety advisors and contacts, and with key managers. The policy set out key roles and responsibilities and outlined how health and safety was to be managed and communicated. A number of specific sections in the Policy had been updated to reflect legal and best practice changes, and these were highlighted in the report.

**RESOLVED – that the revised Corporate Health and Safety Policy, as shown at Appendix 1 of the report, be approved.**

**CB-121      STRATEGIC RISK REGISTER MARCH 2013**

**Non-Key Decision**

Councillor R.A. Overton, Deputy Leader, presented the report of the Assistant Director: Finance, Audit & Information Governance, which sought approval of the Council's revised Strategic Risk Register.

The maintenance of a strategic risk register had not continued following a review of risk management arrangements in March 2012 and subsequent restructure of the Audit service. However, the register had recently been updated to enable an assessment of the robustness of the Council's reserves and balances as part of the service and financial planning process. A copy of the updated Register was appended to the report. Some of the risks associated with significant projects were being managed through a separate process, and these were listed at the end of the Register.

Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader) reported that the Audit Committee had discussed the Risk Register, and it was suggested that children and young people should be included as a strategic risk, particularly in the light of the on-going overspend on children's safeguarding. However, the Deputy Leader advised that these areas were covered within Risks 1 and 2 of the Register.

**RESOLVED** – that the Strategic Risk Register, as shown at Appendix A of the report, be approved.

**CB-122      EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED** – that the public and press be excluded from the meeting for the following item of business on the grounds that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**CB-123      HADLEY RE-DEVELOPMENT PHASE 2**

**Non-Key Decision**

In accordance with paragraph 5(6) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, agreement of the Chair of the Housing, Economy & Infrastructure Scrutiny Committee had been obtained for this decision to be taken in private session.

Councillor R.A. Overton, Deputy Leader, presented the report of the Assistant Director: Development, Business & Housing, which sought approval to waive standing orders and appoint a contractor for Phase 2 of the Hadley Re-development project.

The report outlined progress on Phase 1 of the scheme, with the appointed contractor being on budget and schedule, and generally performing extremely well. It was anticipated that Phase 2 of the works (which was dependent upon vacant possession being obtained) could commence as early as Summer 2013, and there was a need to appoint a contractor for this Phase as soon as possible. There were a number of advantages if the current contractor for Phase 1 was retained for Phase 2 of the scheme, and these were set out in the report. Any delay in the delivery of the scheme could have financial implications in terms of loss of grant funding from the Homes & Communities Agency. A full tender process for Phase 2 would add an additional 3-4 months to the programme, and it was therefore considered that the appointment of the current contractor would represent best value for the Council in delivering the scheme.

**RESOLVED –**

- (a) that the progress to date in the delivery of Phase 1 of Hadley Redevelopment be noted;
- (b) that Standing Orders be waived in respect of the award of the contract for the construction of Phase 2 of Hadley Redevelopment;
- (c) that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Deputy Leader, to appoint the contractor used for Phase 1 of Hadley Redevelopment to deliver Phase 2 based on their previously tendered rates from Phase 1;
- (d) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to seal or sign any documents required to give effect to the resolutions above.

The meeting ended at 5.42 pm.

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

**Jonathan Eatough  
Assistant Director: Law, Democracy & Public Protection  
Date: 5 April 2013**

**Signed: .....**

**Date: .....**