

## CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 14 September 2017 at 5.00pm at Addenbrooke House, Ironmasters Way, Telford

PUBLISHED ON WEDNESDAY, 20 SEPTEMBER 2017

(DEADLINE FOR CALL-IN: MONDAY, 25 SEPTEMBER 2017)

**Present:** Councillors S Davies (Leader and Chair), L D Carter, A R H England, R C Evans, A D McClements, J C Minor, R A Overton, S A W Reynolds and P R Watling.

**Also Present:** Councillors A J Eade (Conservative Group Leader) and Councillor W L Tomlinson (Liberal Democrat/Independent Group Leader)

### **CB-117      Apologies for Absence**

None.

### **CB-118      Declarations of Interest**

Councillor S Davies declared a personal interest in agenda item 6 – West Mercia Youth Justice Plan in relation to his work as a Solicitor representing people in the Youth Court.

Councillor A R H England declared a personal interest in agenda item 6 – West Mercia Youth Justice Plan in relation to his role as a JP in the Youth Court.

### **CB-119      Minutes**

**RESOLVED** – that the minutes of the meeting held on 13 July 2017 be confirmed and signed by the Chair.

### **CB-120      Locally Administered Temporary Business Rates Relief Scheme**

**Key Decision** identified as **Locally Administered Temporary Business Rates Relief Scheme** in the Notice of Key Decisions published on 16 August 2017.

Councillor L D Carter, Cabinet Member: Finance, Commercial Services & Economic Development, presented the report of the Assistant Director: Finance & Human Resources and Chief Financial Officer. It was reported that in April 2017, businesses were subject to a change in the rateable value of their business premises due to a revaluation by the Government's Valuation Office Agency. The impact of this change on the 5046 business premises within the borough was noted: 62% had an increase in value, 23% had a decrease in value, and 15% had no change.

It was noted that funding for Locally administered business rate schemes would be made available to councils to help provide further support for businesses affected adversely by the national business rates revaluation exercise.

It was reported that funding for the locally administered business rate scheme had been allocated by the Government to councils on a formula basis. The amounts for Telford & Wrekin were presented in the report. The Government would compensate authorities for the lost business rates income they incurred as a result of the new scheme up to the maximum of each years' allocation.

After a long period of delay, the Government had confirmed that there would be no flexibility to move funding between allocated years. The funding formula was calculated by the Government based on properties with a rateable value of less than £200,000, and the increase in rateable value of the property was more than 12.5% before reliefs. The proposed discretionary scheme had therefore been prepared with these businesses in mind. It was noted that businesses already benefited from a range of relief schemes to reduce the burden of business rates where appropriate criteria were met. These were highlighted in broad terms in the report and included Small Business Rate Relief, Charitable Relief and Pub Relief. Other reliefs, such as empty property relief were available. Transitional Relief had been brought in to smooth the impact of significant increases and decreases in rateable value. The Report included a table which showed that 2,011 businesses were receiving relief which assisted in phasing in the increase in rateable value.

The proposed "Locally Administered Temporary Business Rates Relief" scheme was set out in Appendix A of the report. It was reported that the principles for this scheme had been developed in conjunction with Shropshire Council and if approved by both councils, the proposals would be adopted as a Shropshire wide scheme and provide consistency to businesses in awards which were made within the County. Appendix B showed how the relief would be distributed across the Borough.

The scheme had been designed to provide temporary relief to small and medium sized local businesses. Larger businesses with a rateable value above £200,000 had been excluded from the scheme on the basis that they were not considered by the Government when determining the Council's funding allocation.

National businesses had also been excluded from the scheme to ensure that they did not contravene state aid regulations. Verification of this would add considerable additional complexity and administrative cost and so the scheme had been designed to enable the provision of support to local businesses. It was noted that the scheme operated on a tapering basis, so each year the award would reduce in line with government funding allocations.

The proposal for 2017/18 for the new discretionary relief scheme was set at 65% of the increase in business rates as a result of the revaluation, net of other reliefs. Relief would be awarded to properties with a rateable value under £200,000, where the increase in rateable value is more than 5% as a result of the revaluation. The guidance was designed to be simple in nature to minimise the administrative burden to the Council and also create a scheme which was as easy as possible for ratepayers to understand. It was anticipated that there would be approximately 337 businesses that would benefit from an award of discretionary relief.

It was noted that consultation with major preceptors was a requirement of the funding by the Government. For Telford and Wrekin Council, this applied to Shropshire Fire Service and West Mercia Police. The Fire Authority had not yet expressed an opinion on the proposed scheme at the time of finalising the report.

It was noted that the Police had responded with no specific comments as the Police and Crime Commissioner was not directly impacted by the proposals.

At the end of the financial year, the Council would be required to complete a statutory statistical return which would report on the amount of money spent. The funding allocation given to the Authority would be reduced if the expenditure incurred as part of the relief scheme was at a lower level. Assistance provided to businesses in excess of the Government funding allocation would need to be met by the Council forcing further reductions in front line services.

Part funding for the discretionary fund has been provided by the Government for a four year period as outlined in the report. Allocations for 2018/19, 2019/20 and 2020/21 would be made towards the year of the previous financial year, and were expected to be in the region of 2018/19: 20-40%; 2019/20: 8-20%; 2020/21: 1-5%.

**RESOLVED that -**

- (a) the proposed locally administered business rate relief scheme as set out in this report be approved;**
- (b) delegation to the Assistant Director: Finance & HR to administer any future new reliefs which are fully funded by the Government and introduced under the Council's discretionary powers be approved.**

**CB-121      Better Care Fund Update Report**

Identified as Better Care Fund Update Report in the Notice of Key Decisions. In accordance with Regulation 10, the relevant Scrutiny Chair has been informed of the reasons why compliance with regulation 9 (28 days' notice of key decisions) was impracticable.

Councillor P R Watling, Cabinet Member: Adult's and Children's Early Help and Support, presented the report of the Head of Commissioning: Better Care Fund/ Care Close to Home, Telford & Wrekin CCG and Assistant Director: Governance, Procurement & Commissioning, which summarised the performance and progress of the Better Care Fund during 2016/17. It also provided an outline of the draft submitted Plan for 2017-19 approved by the Health and Wellbeing Board.

Members noted that the Better Care Fund (BCF) was a national programme, jointly led by NHS Telford & Wrekin Clinical Commissioning Group (CCG) and the Borough of Telford & Wrekin. The aim of the BCF programme was to transform the health and social care system, which focussed on key objectives:

- Resilient local communities focussing on well-being and Prevention
- Integrated preventative services delivered at a neighbourhood level
- A wide range of personalised approaches to support people to remain independent
- Reduced reliance on social care services
- Integrated teams to support diagnosing, treating and supporting people at home over 7 days up to 24 hours/ day
- Reduced avoidable admissions

It was reported that the aims of the programme for 2016/17 were in line with the CCG vision 'Working with our patients, Telford and Wrekin CCG which aspired to have the healthiest population in England and the Council priority to 'encourage healthier lifestyles, strengthened individuals and communities to support themselves'. The Council's Commitment Statement refreshed this, "Right Help Right Time to Promote Independence".

To deliver the BCF aims and objectives, three key integrated care programmes had been jointly agreed and were currently being implemented:

- Building Community Resilience
- Developing Telford Neighbourhood Care Teams
- Implementing Robust Intermediate care services

The key performance metrics and out-turns for 2016/17 were outlined, which included the following:

- Reducing non-elective hospital admissions, re-admissions and length of stay. Outturn- Emergency admissions for 2016/17 was 18,867. Month 12 was 17888. Reduction of -979/5.2%
- Reducing permanent admissions to residential and nursing care. Outturn-Rate of permanent admissions to residential care target was 540.6/100,000 (155 people). The final position was 383.4/100,000 (104 People).
- Improved patient experience  
Outturn – Feeling supported to manage long term conditions has a target of 65.6. Final position was 62.77 which had been an improvement but below target.
- Reducing delayed transfers of care.  
Outturn-Delayed Transfers of Care (DToC) target was 3285 days. Month 12 showed 3318 days (32 days over target). Month 12 showed a reduction against last year of 205 days.
- Improving the effectiveness of reablement/rehabilitation services.  
Outturn-Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services target was 70%. The final position was 71% (72 of 101 still at home)

- A local measure of Reducing emergency admissions in 65 years + age group (revised in 2016/17 to 70+ years)  
Outturn-The local metric was a reduction of 352 for 70+ population against last year (1967) of identified conditions. The final position was 1778 (actual reduction of – 86); -266 short of the target

Over the year more work had been undertaken to ensure that the BCF plan was aligned to other strategic and operational plans including the Sustainability and Transformation Plan, CCG Operational Plans and Council transformation plans.

It was reported that BCF planning for 2017/18 had been extended to two years (2017-2019), planning towards explicit integration of health and social care services was being measured and there were a reduced number of metrics, national conditions and KLOEs in order to provide assurance. The Council had received additional monies (Improved BCF or iBCF) through the Social Care Grant with some specific requirements of how it needed to be used.

The BCF performance and position for 2016/17 was set out in the report which rag rated achievements in key metrics. It was noted that there had been substantial progress made during the year. Key progress and impact of each initiative was summarised in the report.

The BCF performance for 2017-19 was detailed in the report which included the changes to the *'Integration and Better Care Fund'* as set out in the published planning requirements. The two year plan (2017-19) and all metrics, financial planning and planning reflected this.

The additional Improved Better Care Fund (iBCF) monies provided directly for social care services to support social care needs and also to reduce pressures on the NHS including supporting discharge and ensuring the local provider market was supported. The specific focus on Integration of health and social care services continued, reinforcing the 2015 Spending Review that highlighted the Government's intention that by 2020 health and social care must be fully integrated.

The simplification in reporting was welcomed but the narrative plans, part of the Submission, had to address what was seen nationally as key enablers to integration:

- 7 day services across health and social care;
- improved data sharing; and
- joint assessment and planning.

Members noted the future work programme outlined in the report which was set out in more detail within the draft Narrative Plan. The four national metrics needed to be agreed for the two years and the work programme would continue with existing themes. There was significant inter-relationship between BCF programmes and integrated working with other programmes such as Frailty; A&E Delivery Board and STP.

The report was welcomed by Liberal Democrat/Independent Group Leader and the importance of integration of social care and NHS services was noted. It was further noted that increased joined up working with out of area NHS services and partners was needed. The comments were welcomed by the Lead Cabinet Member, it was noted that the BCF and IBCF was a key part of the greater strategy to meet future need in creating resilient communities so that people could get the right kind of care at the right time.

**RESOLVED to note –**

- (a) **the outcomes of the Better Care Fund programme for 2016/17;**
- (b) **the BCF draft submission for 2017-19 approved by the HWBB subject to final, minor revisions which can be agreed by the appropriately delegated officers in Telford & Wrekin Council and Telford & Wrekin CCG;**
- (c) **the proposed use of BCF and iBCF monies as detailed in the report.**

**CB-122      West Mercia Youth Justice Plan 2017/2018**

**Key Decision** identified as **West Mercia Youth Justice Plan 2017/2018** in the Notice of Key Decisions published on 16 August 2017.

**Recommendations for Full Council – not subject to Call-in.**

Cllr P R Watling, Cabinet Member: Children and Adults Early Help & Support presented the report of the Director: Children's and Adult Services which outlined the responsibility of the West Mercia Youth Offending Service and presented the Youth Justice Plan 2017/18 for approval and endorsement to Council.

It was noted that the Youth Justice Service was a youth offending partnership between the Local Authorities and NHS organisations across West Mercia, National Probation Service, West Mercia Police and the Office for the West Mercia Police and Crime Commissioner. The Youth offending partnerships had a statutory duty to produce an annual youth justice plan which was prepared on behalf of Herefordshire Council, Shropshire Council, Telford and Wrekin Council and Worcestershire County Council and partners.

The Youth Justice Plan for 2017/18 was prepared in May 2017 in line with the guidance issued by the Youth Justice Board (YJB), agreed at the West Mercia Youth Justice Service Management Board on 26<sup>th</sup> May 2017 and would be submitted to the YJB by the end of July 2017.

The Youth justice Plan set out how youth justice services across West Mercia was structured and funded and identified key actions to address identified risks to service delivery and improvement. Members noted the partnerships priorities for 2017/18 and commentary on the three national performance indicators for youth offending services (YOS). For the 'Rate of first time entrants to the youth justice system' it was reported that Telford and Wrekin's performance had improved by 16%. For 'The

number and rate of custodial sentences', Telford and Wrekin's rate equated to a rate of 0.12 which compared favourably to the West Mercia rate of 0.22 and the national rate of 0.37. For 'The proportion of young people re-offending', Members noted that there were proportionally more young people re-offending in Telford and Wrekin than for West Mercia. It was highlighted that when they did re-offend, on average, less offences were being committed. It was reported that a detailed analysis of the characteristics of re-offenders would be undertaken during 2017/18 and used to determine prevention measures that needed to be in place. The Officer presenting the report provided an update on the re-offending rate as the latest data had just become available for 2016/17. This saw the re-offending rate drop in Telford & Wrekin from 505 to 387 which was noted as a vast improvement. The Leader noted that this could be a result of reducing youth unemployment in Telford & Wrekin through initiatives such as Job Box.

The plan provided additional data across all 4 Local Authorities in West Mercia. In 2016/17 Telford and Wrekin recorded 86 young people entering the criminal justice system which equated to 0.52% of our youth population. The peak age of offending was 16 years of age.

Members noted the seven main priorities for 2017/18 which were detailed in the report and the actions being taken to address each priority.

It was reported that the hosting arrangement for the service transferred to the Office of the West Mercia Police and Crime Commissioner from 1<sup>st</sup> April 2016. West Mercia Youth Justice Service Management Board oversaw the implementation of the plan across West Mercia. The Safer Telford and Wrekin Partnership (the local community safety partnership) would scrutinise the local delivery of the plan.

The performance of the Youth Justice Service was highlighted in the report as subject to the three national indicators. Performance against the indicators was outlined in the plan and actions identified to address risks to performance improvement.

**RESOLVED that the Youth Justice Plan 2017/18 be recommended to Full Council for approval and endorsement and that the West Mercia Youth Offending Service responsibilities are noted.**

#### **CB-123      West Mercia Fire and Rescue Governance Proposals**

**Key Decision** identified as **Customer, Community and Partnership Scrutiny Committee Report to Cabinet on West Mercia Fire and Rescue Governance** in the Notice of Key Decisions published on 16 August 2017.

Leader of the Council, S Davies, Cabinet Member: Neighbourhood Services and Pride Programme introduced the report of the Customer, Community and Partnership Scrutiny Committee presented by Councillor G Reynolds, Chair of the CCP Scrutiny Committee.

Cllr G Reynolds reported that in June 2017, the West Mercia Police & Crime Commissioner (PCC) launched a three month consultation proposing an alteration to

governance arrangements for local fire services in Worcestershire, Herefordshire, Shropshire and Telford & Wrekin. The proposals focussed on the PCC's preferred option for the PCC to take on the roles of two local Fire Authorities (Shropshire & Wrekin and Hereford & Worcester), with the aim of improving local police and fire services and achieving £4m savings. As a result, Telford & Wrekin Council's Leader requested a recommendation from Scrutiny to Cabinet on whether or not Telford & Wrekin Council should support the proposals.

It was noted that the Customer, Community & Partnership Scrutiny Committee was a politically balanced scrutiny group of seven elected Members and two co-optees. The Committee was responsible for scrutinising key Council services including housing, environmental services, community safety and enforcement.

The PCC's proposals considered three options to meet the aims of central Government in bringing about closer working between emergency services and improving the way in which communities were served, the public protected and value for money for taxpayers. The PCC's proposals rejected the options of maintaining the status quo and single employer and recommended joint governance as the preferred option. It was noted that both Shropshire & Wrekin and Hereford & Worcester FRAs were well respected and were not failing and Shropshire & Wrekin FRA was one of the top 5 performing FRAs in the country.

The statutory consultees to the proposals were the constituent authorities of each Fire and Rescue Authority (FRA), the public, staff and their representative bodies. The Committee had extended it's thanks to the Police and Crime Commissioner, the Chief Fire Officer, Chair of the Shropshire & Wrekin Fire and Rescue Authority and Main Opposition Group Leader Shropshire & Wrekin Fire and Rescue Authority. It was noted that the PCC had kindly extended the consultation period to allow sufficient time for a recommendation to be made to Cabinet and for Cabinet to make a formal response.

It was reported that a meeting had been held by the Scrutiny Committee on 17 July 2017 to formally receive the PCC's proposals and to hear from the Chair and Main Opposition Group Leader of Shropshire & Wrekin Fire & Rescue Authority (FRA). Following a question and answer session, the Committee considered that further information was required to enable them to reach a recommendation and agreed to meet as a working group on 3 August 2017 to receive the FRAs' Independent Consultants' report and agree the Committee's recommendation to Cabinet. The Consultant's report was endorsement by the Shropshire & Wrekin FRA at its Extraordinary General Meeting on 1 August 2017.

The recommendations were made unanimously by those Scrutiny Members present on 3 August 2017 and were based on four main considerations; financial, service resilience, replacing the Fire and Rescue Authorities and collaboration. Members noted the detail of the considerations highlighted by the Scrutiny Committee provided in the report.

It was noted that the Committee considered the ability to deliver the savings uncertain. Although the PCC had stated that the savings were not a target, on balance the Scrutiny Committee felt that there did not seem to be sufficient evidence

to demonstrate that they could be made as described. The Committee was concerned that if the proposed savings would not be made as stated, they would be delivered either through other means which may adversely impact service delivery (ie as a result of redundancies or loss of buildings/ appliances), or result in an increase to the precept.

It was noted that the Committee concluded that the proposals to make savings from enabling services would reduce the resilience of the service. It was noted that the Committee concluded that the proposals risked a loss of control and influence of locally elected members and this could lead to reduced services with less local accountability. The Committee had found no merit in the PCC's proposals, especially within the context of a well-performing FRA, and welcomed current efforts at collaboration and encouraged this to be continued.

The legal implications were outlined in the report and it was noted that where the PCC wished to take on the responsibilities of a FRA, they must develop a proposal that demonstrated it was in the interests of economy, efficiency and effectiveness, or in the interests of public safety. Where local agreement did not exist, the Secretary of State had to obtain an independent assessment of the proposal, any representations made by the relevant local authorities, and the summary of views expressed by the people in the police area. The Secretary of State must have regard to that independent assessment before making an order to give effect to the proposal.

The Conservative Group Leader expressed his concerns on the proposals and stressed that there was a question mark over the capacity of the PCC to head up two organisations and the financial savings described in the proposals did not stack up. The Liberal Democrat/Independent Group Leader fully supported the recommendations of the Scrutiny Committee. The Leader of the Council highlighted the importance of local accountability.

**RESOLVED to approve**

- (a) the Customer, Community & Partnership Scrutiny Committee recommendations that:**
- (b) the proposal for the Police and Crime Commissioner to take on governance of local fire services in Herefordshire, Shropshire, Telford & Wrekin and Worcestershire not be supported for reasons of financial considerations, service resilience, and replacing the existing Fire and Rescue Authorities; and**
- (c) collaboration between Shropshire & Wrekin and Hereford & Worcester Fire & Rescue Authorities and other public bodies be encouraged to continue.**

**Key Decision** identified as **Cycling and Walking Strategy** in the Notice of Key Decisions published on 31 May 2017.

Cllr A D McClements, Cabinet Member: Transport, Infrastructure and Broadband and Cllrs A R H England, Cabinet Member: Communities, Health and Wellbeing presented the report of the Assistant Health and Wellbeing and the Assistant Director: Customer & Neighbourhood Services which outlined the proposals for the Telford & Wrekin Council Cycling and Walking Strategy for review and approval as the adopted Cycling and Walking Strategy for the borough.

It was noted that in recent years the Council had been successful in securing external funding into sustainable transport improvements such as the new National Cycle Route 55 connection between Newport & Stafford or the replacement Telford Central footbridge. Alongside this the Council continued to invest in maintenance of the Borough's infrastructure through the Pride in Our Community programme which would see £1.4m invested in our footway and cycleways over the next two years as well as investment into the roll out of new LED's across the Borough. However a strategy was needed to ensure that resources were focussed in the right areas to continue to encourage walking and cycling in the Borough and to ensure that it was accessible to all regardless of age or ability.

It was reported that the new Cycling and Walking strategy set out a long-term plan to encourage and support residents and visitors of the Borough to walk and cycle more in their everyday lives. The Action Plan together with the Strategy would guide priorities and funding on those measures, infrastructure schemes and wider supporting initiatives that were considered to be the most effective methods to increase cycling and walking rates in the Borough.

The action plan of proposed measures would help to achieve the vision of the strategy *"To provide a safe and attractive network of walking and cycling routes to support successful, prosperous and healthy communities."* This approach would ensure the Council was better placed to co-ordinate activities to achieve the aims of the strategy and secure funding from external sources over the lifetime of the strategy as well as seeking opportunities linked to Pride in Our Community, Telford's 50<sup>th</sup> Birthday and the use of existing assets such as Telford Town Park. Members noted that the strategy sought a longer term behavioural change for people to make lifestyle changes in order to consider the use of walking and cycling more actively and frequently. The benefits of cycling and walking as an alternative mode of transport were highlighted and it was noted that Telford & Wrekin Council had taken a number of steps towards encouraging more people to use their cycles for both leisure and commuting to work and the Council has also sought to promote walking – again for leisure through its gardens and parks and for walking to access work and social facilities.

The Strategy reviewed recent developments in cycling and walking in Telford & Wrekin borough and recent developments in policy regarding these modes at the national and regional level, and progress that Telford & Wrekin Council had made over recent years had been evaluated. Members noted the success in areas such as cycle riding training in schools and colleges and installation of cycle lanes across the borough by joint working with property developers. It was highlighted that recent

Department for Transport published guidance on 'Local Cycling and Walking Infrastructure Plans, stated that whilst this approach was not mandatory, Local Authorities who had plans would be well placed to make the case for future investment. This strategy confirmed to the requirements of the LCWIP's subject to the development of a network plan which would be undertaken. The proposed Cycling and Walking Strategy had developed a framework of objectives to achieve the required increase in take up of these modes. The objectives and goals of the strategy were detailed in the report.

Telford & Wrekin Council would implement the Strategy and Action plan in close partnership with Parish and Town Councils; Enterprise Telford; Marches Local Enterprise Partnership; Shrewsbury and Telford Hospital NHS Trust and Telford & Wrekin Public Health; Shropshire Council; Telford and Wrekin Council for Voluntary Service; Shropshire Rural Communities Charity; Community Council of Shropshire and Cycle Experience along with any further organisations with an interest or expertise in the area. This strategy has been developed in a challenging funding environment, where the case for investment in sustainable travel initiatives must be made in the light of competing priorities. By adopting the Strategy the Council will be in a strong position to press for further funding for cycling and walking and to compete when further funding streams become available as well as maximise opportunities linked to Pride in Our Community and Telford's 50th Birthday.

The Liberal Democrat/Independent Group Leader fully welcomed the report and the funding that would be put in place to support the strategy. It was noted that it was important that this enabled access to further funding opportunities. It was noted that the strategy was aligned with the Health and Wellbeing priorities and it supported community resilience.

**RESOLVED that-**

- (a) the adoption of the new Cycling and Walking Strategy appended to the report be approved;**
- 2.2 support and participation in the successful delivery of the measures proposed in the new Cycling and Walking Strategy be noted.**

The meeting ended at 5.34pm

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

Jonathan Eatough  
Assistant Director: Governance, Procurement & Commissioning  
Date: 20 September 2017

Signed: .....  
Date: .....