

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Tuesday, 22<sup>nd</sup> February, 2011 at 5.00 p.m. at the Civic Offices, Telford**

**PUBLISHED ON MONDAY, 28<sup>th</sup> FEBRUARY, 2011**

**(DEADLINE FOR CALL-IN THURSDAY, 3<sup>rd</sup> MARCH, 2011)**

**PRESENT:** Councillors A.J. Eade (Leader and Chairman), S. Bentley, S.P. Burrell, E.J. Carter, M.B. Hosken, S.M. Kelly, A. Lawrence and J.M. Seymour

**ALSO PRESENT:** Councillors R.K. Austin, G.M. Green and V.Tonks  
(Opposition Group Leaders)

### **CB-130      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Cabinet held on 8<sup>th</sup> February, 2011 be confirmed and signed by the Chairman.

### **CB-131      APOLOGIES FOR ABSENCE**

Councillor E.J. Greenaway

### **CB-132      DECLARATIONS OF INTEREST**

None

### **CB-133      SERVICE & FINANCIAL PLANNING 2011/12 TO 2013/14**

#### **Recommendation to Council- not subject to Call-In**

Councillor S.M. Kelly, Cabinet Member for Efficient, Community Focussed Council, presented the joint report of the Chief Executive and the Chief Finance Officer that sought agreement of the Service & Financial Planning Strategy for the period 2011/12-2013/14 including specific budget proposals for 2011/12 for recommendation to Full Council on 3<sup>rd</sup> March 2011. The report, together with those detailing the Capital Programme, the Treasury Management Strategy and the Prudential Indicators formed the overall Medium Term Service & Financial Planning framework for the Council, and proposed the service priorities and budget for 2011/12.

The final Formula grant settlement for local authorities was announced on 31<sup>st</sup> January 2011 although details of some grants were still awaited. The final grant settlement for 2011/12 was only £0.002m different from the provisional settlement announced in December. For this Council, Government grants for day to day services had been reduced by £13.6m next year in cash terms. This equated to over 50% of the expected grant reductions that would need to be made over the 4 year CSR period. A further reduction in grants of over £5m has also been announced for 2012/13. This was on top of £3m grant

reductions already made as part of the Government's emergency budget measures during the summer- a total reduction of over 16% in non Education funding by next year. Projections beyond 2012/13 had a high degree of uncertainty because of a planned major review of the local government finance system.

At the end of December the Cabinet released its budget proposals explaining how it proposed to meet an anticipated £20m funding shortfall for 2011/12. These proposals had been informed by extensive consultation that had taken place with the community over the last 12 months. The draft proposals had themselves then been subject to extensive consultation since they were released including meetings with stakeholder groups, extensive review by the Council's seven scrutiny commissions, a survey of Community Panel members, distribution of the "Your Money, Your Views" consultation newsletter which was also available on line and canvassing opinion "on the streets" face to face. Further to the consultation process a number of changes had been made to the detailed savings proposals which were highlighted in the report.

Key proposals were:-

- To freeze the level of council tax levied by the Council in 2011/12 continuing the Council's recent practice of reducing the rate of year on year increase as an acknowledgement of the pressure that household budgets were under and taking advantage of the Government's tax increase funding grant.
- Continuation of a comprehensive programme of service reviews and staff restructuring that would generate significant ongoing savings over the medium term financial strategy period. A 20% target has been set across the board although the actual level of savings would vary between different services.
- To make new investments of £1.4m in children's social care services and to protect the adult social care budget by reinvesting savings of £1.6m back in to adult social care services.
- To continue the Council's investment commitment in key infrastructure projects such as new and improved schools and the regeneration of the Borough Towns and Telford Town Centre.
- To use balances and one-off benefits carried forward from early action on the savings programme taken in 2010/11 to support the budget in 2011/12. This would be replaced ongoing by the full year impacts from the programme of organisation restructuring and service reviews which were well under way, coming through from 2012/13.
- To suspend the contribution of £2.8m to the single status provision on a one off basis in 2011/12.

The Council's Chief Financial Officer was required to give a view on the robustness of the Council's financial strategy including the use of balances and of the financial planning process. Appendix 5 of the report gave a more

detailed view, but overall the conclusion was that given the planned programme of service reviews and accompanying organisational and staff restructures which had been under way for some time now, it was considered that the Council was pursuing a sound financial strategy in the context of the most difficult financial position it had faced due to the heavily front loaded Government grant cuts.

The Chairman of the Community Focused, Efficient Council Scrutiny Committee, Cllr C.P.R. Mollett, presented the recommendations from his Committee on the budget proposals. The Chairman presented the Cabinet responses to those recommendations and commended the whole scrutiny process in examining the budget proposals in depth.

Recommendations by Cabinet would be considered at full Council on 3<sup>rd</sup> March 2011 as full Council was responsible for setting the overall revenue and capital budget framework. At that meeting full Council would also set the Council Tax for 2011/12.

The report on the Capital Programme presented the Council's Capital Strategy for 2011/12 – 2013/14 and later years and a capital programme of £366.652m that included the proposed investments contained in the overall budget strategy. It also set out the Council's Asset Management Plan and proposed planned building maintenance programme, particularly focusing on 2011/12.

The report on the Treasury Management Strategy, from the Chief Financial officer and the Head of Finance, detailed the Treasury Strategy to be adopted for 2011/12.

The report on Prudential Indicators sought approval of the prudential indicators for 2011/12 to 2013/14 required under the Prudential Code of Capital Finance in Local Authorities.

The Chairman, and Leader, invited Jon Sedgebeer, Unison Trade Union Branch Secretary, to the table to address Members and present the Trade Union comments on the budget proposals. Mr Sedgebeer commented on the proposed 530 job redundancies at the Council and the wider interest and effect of the budget proposals in the community. Unison had submitted an alternative budget which amongst many proposals did suggest the use of part of the £12m set aside to fund potential past obligations arising from Single Status. As this was now unlikely to be implemented until 2014, Unison's suggestion was to put those monies into the budget to delay the job redundancies required at the Council. He also commented upon the cost to the local economy of the proposed redundancies, with the reduced spending opportunities and increased benefit levels.

The Chairman stated that the Unison proposals seemed to mix Capital and Revenue proposals which would conflict with the legislation. However he stated that he would be happy to meet with Mr Sedgebeer to discuss his proposals for the use of the Single Status funds in the budget.

The Main Opposition Group Leader Cllr R K Austin was invited to address the Cabinet on the budget proposals. Cllr Austin issued a statement that he asked to be presented to Cabinet members in which he stated that the budget proposals were dishonest, cruel and illegal. The statement outlined reasons for those judgements on the budget proposals, suggested that the capital programme threatened to bankrupt the Council and asked the Chief Financial Officer to ask the District Auditor to verify the legality of the budget process.

Councillor Kelly replied that Cllr Austin had made very serious allegations in his statement. In reply to a remark that Equality Impact Assessments had not been undertaken in the budget process, Cllr Kelly stated that the Council had gone one step further in undertaking a Community Impact Assessment as indicated in Appendix 6b of the report. He reaffirmed the budget proposals and made assurances that they would not bankrupt the Authority.

Councillor Kelly also commended the Unison Branch Secretary for presenting a “common sense” approach to the budget and suggesting some sensible alternatives including use of the Single Status fund. He thanked Mr Sedgebeer for his involvement in the process.

In conclusion, the Chairman thanked Mr Sedgebeer for the Unison response to the budget proposals, reaffirmed his invitation to further discuss the use of Single Status allocated funds, but rebuffed the statement by the Labour Leader and invited him to withdraw the words of “illegality” of the budget. Cllr Austin commented that it “bordered on legality”

Councillor G.M. Green (Independent/Lib Dem Group Leader) thanked the Chief Executive for providing all Members with a briefing on the service and financial planning proposals but was disappointed at the low attendance level at the Briefing.

**RESOLVED** – that Cabinet **RECOMMEND** to Full Council, on 3<sup>rd</sup> March:

**Service & Financial Planning 2011/12–2013/14 – Overview and Revenue Budget**

- (a) that the Base Budget summarised by Service Delivery Unit in Appendix 1 of the report be approved;
- (b) that the freezing of Council Tax in 2011/12 be approved;
- (c) that the new revenue investment in Looked After Children of £1.4m in 2011/12 and the reinvestment of £1.6m savings from Adult Social Care to offset pressures being faced by Adult Social Care services in 2011/12 be approved;

- (d) that the feedback from consultation be acknowledged and agreement be given to provide a written response to comments from scrutiny where requested in Appendix 6(a) of the report;**
- (e) that the 2011/12 net savings package of £8.1m from non-staffing budgets and £5.1m from staffing budgets detailed in Appendices 3 and 4 plus a further £0.5m in Education services be approved;**
- (f) that the planned savings targets in future years detailed in Appendix 3 of the report be approved;**
- (g) that the earmarking of the projected recoupment of £1.7m VAT refunds anticipated to be received in 2010/11 to support the budget on a one-off basis in 2011/12 be approved;**
- (h) that the earmarking of £0.577m savings from non-staffing budgets and £0.858m restructure savings delivered ahead of schedule in 2010/11 to support the budget on a one-off basis in 2011/12 be approved;**
- (i) that the suspension of the £2.8m contribution to the single status provision on a one off basis in 2011/12 be approved;**
- (j) that the Education budget strategy set out in section 4.8 of the report be approved;**
- (k) that the statement of the Chief Finance Officer in paragraph 6 (supported by Appendix 5(b) of the report, outlining the robustness of the Budget Estimates and the Adequacy of Reserves) be approved;**
- (l) that the policy framework for Reserves and Balances outlined in Appendix 5 of the report be approved;**
- (m) that the use of £1.42m general balances to support the ongoing revenue budget, in 2011/12 be approved;**
- (n) that the transfer of the remaining balance of £0.8m in the Invest to Save Reserve in to the Redundancy Costs provision be approved;**

- (o) that the approval of additions of £1.243m and £2.10m to the budget frameworks for 2010/11 and 2011/12 respectively to reflect funding transfers from the PCT as outlined in paragraph 4.2 of the report be approved;

#### **Service & Financial Planning 2011/12-2013/14: Capital Programme**

- (p) that the report and associated capital estimates and variations for 2010/11 and 2011/12, which incorporates the Capital Strategy, the Capital Programme (Annex II), the Planned Building Maintenance Programme (Annex III), and Asset Management Plan (Annex IV), be approved;.
- (q) that delegated authority be given to the Head of Property & ICT to deliver the planned programme of works within the Asset Management Plan in line with the approved budget.

#### **Treasury Management Strategy and Update**

- (r) that the treasury management activities for the first half year be noted and that the Treasury Strategy, including the approval of the counter party limits shown in Appendix C of the report be approved; with immediate effect.

#### **Prudential Indicators**

- (s) that the Prudential Indicators proposed in the report be approved as part of setting the budget for 2011/12.

#### **CB-134      2010/11 FINANCIAL MONITORING**

**Key Decision** identified as **Financial Monitoring and Financial Updates** in the Forward Plan published on 17<sup>th</sup> January 2011.

Councillor S M Kelly, Cabinet Member: Efficient, Community Focussed Council, presented the report of the Head of Finance, which provided Members with the latest financial monitoring information for 2010/11.

It was reported that Revenue Spending for the year was projected to be within budget at year end. That was after setting aside £1.4m from the restructure and operational efficiencies delivered in 2010/11 for the 2011/12 budget strategy; and used the majority of the budgeted contingency.

The main pressures were :The cost of Children in Care – projected overspend of £1.7m for both placements and the use of agency workers (after the agreed use of the specific contingency of £0.5m) ; The cost of Specialist Education – projected overspend of £0.331m ; Winter maintenance costs due to the adverse weather conditions – a projected overspend of £0.350m ; Income shortfalls – a projected shortfall of £1.3m, the majority relating to PIP rentals,

planning fees and leisure sites, the latter is being offset through prudent management of staffing vacancies across leisure services ; and the rise in the cost of Adult Social Care purchasing taking this overspend to £1m

There were benefits from reduced street lighting energy costs, transport costs and vacant posts but it was clearly apparent that the Council would have an extremely challenging position for next year and the £1.4m benefit from restructure and operational efficiencies delivered early in 2010/11 would be set aside to support the 2011/12 budget strategy. It was essential that very tight control on spend was exercised for the remainder of the year to protect the much more difficult position moving into 2011/12 as far as possible.

As part of recently announced government initiatives, a sum of £1.243m NHS funding was to be transferred through a Section 256 (NHS Act 2006) agreement to support a joint investment programme agreed between the PCT and Council. That had to be directed towards reablement and investment to benefit health and improve overall health gain. Approval to adjust the 2010/11 budget framework accordingly was being sought and taken through to full Council in the main 2011/12 budget report .

The 2010/11 approved capital programme was £93m; spend to date was 43% and had been affected by the extreme weather conditions experienced in December. Robust programme management and monitoring was in place to ensure schemes were delivered. The capital programme over the next few years relied on a significant amount of capital receipts as part of its funding which was also being closely monitored.

**RESOLVED –**

- (a) **that the 2010/11 revenue spend, currently projecting to be within budget at year end be noted and that tight control would continue to be exercised over the remainder of the year.**
- (b) **that income collection was ahead of target for NNDR and slightly behind target for council tax and sales ledger be noted**
- (c) **that spend against the capital programme at 43% and the likelihood of a re-phasing into 2011/12 be noted**
- (d) **that a supplementary revenue estimate of £1.243m, supported by NHS funding, be approved.**

**CB-135      ADOPTION OF THE CENTRAL TELFORD AREA ACTION PLAN**

**Recommendation to Council- not subject to Call-In**

Councillor A. Lawrence, Cabinet Member for Environment & Rural Area, presented the report of the Head of Housing & Planning, which stated that the

Central Telford Area Action Plan had been found “sound” following a public examination. The Inspector’s report and the Plan formed appendices to the report. Adoption of the Plan as part of the Council’s planning framework was proposed and required a resolution of Council.

The Central Telford Area Action Plan (“the Plan”) provided a planning policy framework for development proposals in Telford Town Centre and the surrounding areas of Central Telford. It provided a planning basis for proposals to be brought forward for the development of 65,000 sqm of new retail floor space, around 2,500 new homes, over 100,000 sqm of office space, as well as other leisure and community facilities. As well as supporting development in the Town Centre it also included proposals in areas of Old Park, Central Park, Malinslee and Hollinswood for new homes and offices and for the protection of valuable green spaces including Telford Town Park. Policies also sought to manage the night-time economy and facilitate the provision of new affordable housing.

Adopting the Plan would enable it to be used in development control decisions and would provide the Council and its development partners with an up-to-date planning framework to forge ahead with the £250 million redevelopment within the Southwater area.

The Plan had been prepared over a number of years, involving four stages of public engagement. Formal Examination Hearings, presided over by a government-appointed Planning Inspector, took place in August and September 2010. The Inspector had regard to the representations made during the consultation stages prior to submission for examination, along with written submissions and oral contributions during the examination.

The Council received the Inspector’s report on the Plan on 10<sup>th</sup> January 2011 (a copy of which was appended to the report). The report was also available on the Council’s website via the Central Telford Area Action Plan Examination webpage. It did not list individual representations, but considered the main matters in relation to the tests of soundness. In his report on the plan the Inspector said *“this report concludes that the Central Telford Area Action Plan Development Plan Document provides an appropriate basis for the planning of the area”* and endorsed the plan as sound, subject to a number of changes.

The inspector’s report was binding upon the authority and, in adopting the Plan, the Council was not able to make further amendments to the document other than through the changes set out in the Inspector’s report. Consequently, all the changes would be incorporated into the revised Central Telford Area Action Plan Development Plan Document, once adopted.

A full copy of the Inspector’s schedule of changes and a copy of the CTAAP Proposed Amendments Document February 2010 were available in the Member’s library and also placed on public deposit at Civic Offices reception. Due to their size they were not attached to the report. Those two documents would comprise the adopted Plan. The SEA/Sustainability Appraisal carried out in support of the Plan was also made available for viewing.

All documentation published during the preparation and examination of the Plan was available for viewing and download from the Council's website: <http://www.telford.gov.uk/site/scripts/downloads.aspx?categoryID=1004>

The completed Plan contained:

- a spatial development strategy, vision and objectives for the area;
- a detailed site-specific proposals for each part of the Central Telford area;
- overall policies for different types of development and relevant planning considerations;
- a delivery section that sets out how the proposals will be implemented and the overall objectives delivered.

Adoption would be carried out in accordance with the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Development) (England) Regulations (amended). A draft Adoption Statement in accordance with planning regulations was appended to the report.

Members fully endorsed the report on the Central Telford Area Action Plan and commended it to the Full Council on 3<sup>rd</sup> March 2011 for final approval.

**RESOLVED - TO RECOMMEND TO COUNCIL that the Council adopt the Central Telford Area Action Plan, as part of the Council's statutory planning framework.**

#### **CB-136      TENANCY TRUSTEE GUARANTOR POLICY**

**Key Decision** identified as **Tenancy Trustee & Guarantor Policy** in the Forward Plan published on 17<sup>th</sup> January 2011.

Councillor J. Seymour, Cabinet Member: Adult Care & Support, presented the report of the Head of Care & Support (Adults & Children) and the Head of Safeguarding (Adults & Children), which sought approval for the development and implementation of a trustee and guarantor scheme to facilitate the move on of 16 and 17 year olds from insecure and temporary accommodation into a permanent tenancy.

Whilst the prevention agenda had significantly reduced the number of homeless households in the Borough, youth homelessness continued to be an issue and accounted for over 50% of all homelessness acceptances. Central Government had set a target for all local authorities to eliminate the use of B&B accommodation for homeless 16 and 17 year olds by 2010, except in cases of emergency. Housing and Children's Services had been working pro-actively to develop a housing and support pathway for young people to assist them into suitable and sustainable housing and to ensure that they had the right support in place.

In order to assist young people to move into permanent accommodation, there were three key areas of work which needed to be completed:

- ❖ Agreement of a trustee scheme for young people to secure a tenancy in line with the guidance outlined in the report
- ❖ Agreement of guidelines to extend the current bond scheme to include young people
- ❖ Completion of the move-on toolkit developed by Homeless Link to further understand barriers to move on from supported accommodation and to identify and develop solutions to these barriers

The trustee scheme had been discussed by representatives from Housing and Children's Services and a number of key principles had been agreed and details were contained in the report.

The role of the trustee was simply to hold the land in trust until the minor becomes 18, they did not guarantee any of the terms of the tenancy agreement. It was possible to appoint a guarantor, who, by default, becomes responsible for any breach in the terms of the tenancy. A guarantor would indemnify the landlord against all losses resulting from non-payment, non-performance or non-observance of the conditions of the agreement and could be sued for unpaid rent and damages for other breaches of the terms of the tenancy.

Appendix A of the report contained a first draft of a trustee and guarantor policy which had been developed and discussed with partner landlords.

**RESOLVED –**

- (a) **that the draft trustee and guarantor policy and process be formally approved;**
- (b) **that the Head of Care and Support (Adults and Children), Head of Housing and Planning and the Head of Safeguarding (Adults and Children) be granted delegated authority to approve cases in which the Council will act as a trustee and/or guarantor**

**CB-137      TELFORD ASSET PROJECT**

**Key Decision** identified as **Telford Land Assets Project** in the Forward Plan published on 17<sup>th</sup> January 2011.

Councillor E Carter, Cabinet Member: Housing, Regeneration & Prosperity, presented the report of the Head of Property & ICT, which gave an update relating to negotiations with the Homes & Communities Agency (HCA) regarding the potential investment of HCA assets into Telford.

The role of HCA had changed significantly in recent months. It was clear that it would be a smaller and more strategic, enabling and investment agency. As part of these changes Central Government had made it clear that HCA should no longer directly own/manage land as they had to date.

In Telford, HCA had land holdings of 750 hectares covering prime residential and employment land and had long controlled the pace and location of development. In December 2010 the HCA Management Board approved the principle of some or all of the HCA's assets in Telford being invested through a partnership agreement to support the delivery of the Borough's Local Investment Plan (LIP). The LIP was approved by Cabinet and HCA Management Board in January 2010 with a refresh due to be completed in Spring 2011. A series of objectives, outlined within the report, had been proposed to underpin the intentions and structure of the Partnership: Options for asset transfer & management were also outlined in the report.

Councillor E Carter was exceptionally pleased to present the report which now gave the Council opportunities to utilise land to create job opportunities and new homes in the Borough.

### **RESOLVED –**

- (a) that the ongoing development of the project to support HCA assets forming part of future investment in Telford as detailed in section 4 of the report be approved**
- (b) that the establishment of a Project Team, in accordance with paragraph 4.8 and 4.9 of the report, be approved**
- (c) that delegated authority be granted to the Head of Property & ICT to negotiate and finalise Heads of Terms; with a further report to Cabinet prior to entering into any agreement.**

### **CB-138      STREET PASTORS AND COMMUNITY PAYBACK SCHEMES**

#### **Non Key Decision**

Councillor M.B.Hosken, Cabinet Member: Community Protection & Cohesion presented the report of the Head of Family & Community Services to inform members about the Council's proposal to pilot a new Street Pastor Scheme and provide an update on the Community Payback Scheme pilot that was currently underway in Telford and Wrekin.

The two schemes were aimed at reducing crime and anti social behaviour in hotspot areas; adding extra value to the night time economy and local environment; and giving local voluntary and community groups, charities and businesses the opportunity to influence and improve local areas

The Government was promoting 'Big Society' as a way to encourage and promote more community and voluntary involvement in public services. Delivering the two schemes would bring added benefits and cost effectiveness in creating a safe, vibrant and reassured community.

**RESOLVED –**

- (a) that the pilot scheme to introduce Street Pastors be approved
- (b) that continued support be given to the pilot Community Payback Scheme that was currently underway.
- (c) that the Community Payback Scheme be reviewed in April 2011 with a view to enhancing the programme with the community and Town and Parish Councils.
- (d) that delegated authority be granted to the Safer Communities Strategic Manager to take all steps necessary to negotiate and sign agreements with partners (if appropriate) governing the Street Pastors and the Community Payback Scheme.

**CB- 139      EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** - that the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**CB-140      PURCHASE OF PRIMARY CARE TRUST PROPERTIES**

**Key Decision** identified as **Transfer of PCT Properties for residential adults with learning difficulties** in the Forward Plan published on 17th January 2011.

Councillor J.M. Seymour, Cabinet Member for Adult Care & Support, presented the joint report of the Head of Care & Support and the Head of Property & ICT which sought approval for the purchase of 5 properties owned by the PCT and approval for the receipt of the grant award to purchase the properties. The properties were houses which had been converted to provide for the needs of people with Learning Disabilities.

**RESOLVED –**

- (a) that the receipt of a section 256 grant award of £760,000 from Telford & Wrekin PCT, and the subsequent expenditure on the 5 properties be approved, and that the change to the capital programme go forward to Council for approval;
- (b) that the purchase of the following properties -The Grove, King Street, Dawley; 13 and 14 High Mount, Donnington and 1a/1b Maurice Lee Avenue, Oakengates (as indicated in appendix 1 of the report) be approved. All properties were owned by the PCT and would be purchased for the value of the grant award.
- (c) that legal charges on the properties be approved;

- (d) that the assignment of the existing leases with tenants (care providers) occupying the properties be endorsed;
- (e) that delegated authority be granted for the Common Seal of the Council to be affixed to the resulting contractual documentation as, in the opinion of the Head of Governance is appropriate under the constitution.
- (f) that delegated authority be granted to Head of Governance and Head of Property & ICT to finalise all negotiations relating to the section 256 grant award.

**CB-141      PROPERTY RATIONALISATION RELATING TO SOCIAL CARE PREMISES**

**Non Key Decision.**

Councillor J.M. Seymour, Cabinet Member for Adult Care & Support, presented the joint report of the Head of Care & Support and the Head of Property & ICT which stated that Telford & Wrekin Community Substance Misuse Service was a multi-disciplinary community substance misuse service jointly provided by Care & Support (Adults) and Telford & Wrekin NHS with Care & Support (Adults) providing the operational lead for the service.

The service was currently provided from two bases Matthew Webb House High Street, Dawley, and Portico House, Vineyard Road.

South Wrekin Community Mental Health Team (CMHT) was one of three multi-disciplinary community mental health team jointly provided by Care & Support (Adults) and South Staffordshire & Shropshire Mental Health Foundation Trust and was currently provided from Upper House Church Street, Madeley.

It was proposed to purchase Donnington House, the building currently adjoined to Portico House, 22 Vineyard Road Wellington to enable the co-location of both Community Substance Misuse Teams in one building in Wellington.

Refurbishments were required at 22 Vineyard Road to integrate the two adjoined buildings into one base to facilitate the co-location of both Community Substance Misuse Teams. It was proposed to move South Wrekin CMHT from Upper House, Church Street Madeley into the office accommodation at Matthew Webb House that would become available with the co-location of the Community Substance Misuse Teams. The lease on Upper House, Madeley would be terminated.

**RESOLVED -**

- (a) that the purchase and refurbishment of Donnington House using Social Care Capital Funding already included in the capital programme, to enable the co-location of both Community Substance Misuse Teams, be approved;
- (b) that the termination of the lease and move of South Wrekin Community Mental Health Team from Upper House, Church Street, Madeley to Matthew Webb House, High Street, Dawley together with the associated costs of dilapidations funded from savings in rents, be approved;
- (c) that delegated authority be granted to the Head of Governance to agree and execute all necessary documentation.

The meeting ended at 6.17 p.m.

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

**Jonathan Eatough  
Head of Governance  
Date: 28<sup>th</sup> February 2011**

**Signed: .....**

**Date: .....**

**TELFORD & WREKIN COUNCIL**

**CABINET - 8 MARCH 2011**

**TRANSFER OF NHS FUNDING TO SOCIAL CARE (SECTION 256 NHS ACT 2006)**

**REPORT OF HEAD OF CARE AND SUPPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 The Government has recently announced additional resources to support a programme of reablement and rehabilitation helping people regain independence and thus reducing the need for ongoing care. It will also be targeted at a more general range of initiatives to relieve pressures on the acute hospitals particularly over the winter periods of peak demand. Whilst the funding is to be focussed on a broad range of social services it has been allocated to PCTs. It must be transferred to local authorities via an agreement under section 256 of the 2006 NHS Act. This report seeks member approval to the Council entering into a section 256 agreement with the PCT for the transfer of monies for a jointly agreed programme of spend.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet approves the receipt of a section 256 grant as detailed in this report, from Telford & Wrekin PCT, and the subsequent expenditure as detailed in the agreement.
- 2.2 That Cabinet agree to the creation of a pooled budget with the PCT in respect of the additional carers funding following agreement with the PCT.
- 2.3 That Cabinet delegates authority for the Common Seal of the Council to be affixed to the resulting contractual documentation as, in the opinion of the Head of Governance is appropriate under the constitution.
- 2.4 That Cabinet delegates authority to the Head of Governance and Head of Care and Support to finalise negotiations relating to the section 256 grant award.

**3. SUMMARY IMPACT ASSESSMENT**

|                  |   |  |
|------------------|---|--|
| COMMUNITY IMPACT | Do these proposals contribute to specific Priority Plan objective(s)? |  |
|                  | Yes   | The proposals impact positively on the following objectives of the Adult Care and Support Priority Plan<br>a) Improve quality of life<br>b) Continue to develop choice and control<br>c) Maintain health & wellbeing<br>d) Ensure dignity & safety |

|  |   |   |
|--|---|---|
|  | Will the proposals impact on specific groups of people? |   |
|  | Yes   | The proposals will impact on all vulnerable people in the borough eligible for community care support   |
| TARGET COMPLETION/<br>DELIVERY DATE        | 31 March 2011   |   |
| FINANCIAL/VALUE FOR<br>MONEY IMPACT        | Yes   | In 2010/11 two investment allocations have been announced. An allocation of £220k was announced before Christmas and a further allocation of £523k in January. Along with a top up investment from the PCT to kick start the investment programme to relieve future pressures, it is proposed that a total of £1.243m will be transferred to the Council via a Section 256 agreement . A further sum of £2.10m has also been announced for 2011/12 and £2.033 for 2012/13 also to be transferred to the Council under the section 256 agreement for the ongoing programme. This will be supplemented by reablement monies of £428k in 2011/12 (2012/13 awaited). The use of the £428k and degree of transfer to the Council will require further discussions with the PCT as this sum is for local discretion as to the proportion of spend on the NHS and social care. The council will also be discussing the creation of a pooled budget in respect of the £400m made available nationally to the NHS over the next four years to enable more carers to take breaks. |
| LEGAL ISSUES                               | No  | The Council in association with its partners has a statutory duty to provide services to vulnerable groups in the community. The proposed section 256 grant is in line with this duty. The terms and conditions of all contractual documentation will be approved by Legal Services.  |
| OTHER IMPACTS,<br>RISKS &<br>OPPORTUNITIES | Yes   | Failure to reach agreement on the allocation of the funding would lead to the loss of this resource to the local health and social care economy. The transfer of the grant will assist in maintaining the existing levels of social care provision and enable investment in reablement services to help people regain their independence and reduce the need for ongoing care   |
| IMPACT ON SPECIFIC<br>WARDS                | No  | Borough wide  |

#### 4. ADDITIONAL INFORMATION

- 4.1 In the CSR the Government announced that an additional £70m nationally (£220k locally) would be allocated to PCTs for spending in 2010/11 on services to promote better services for patients upon discharge from hospital. The plans for the expenditure have to be jointly agreed with the local authority and it is for local decision on how much of this money is spent on NHS services and how much on social care. It should also form the basis for post discharge support (see below) for 2011/12 onwards. A proportion of the funding is to be used to develop current reablement capacity.

4.2 In January the Government announced a further allocation of £162m (£523k locally) for spending on social services that benefit the NHS and improve overall health gain. The jointly agreed funding is to be spent on a broader range of social care services and must be transferred to local authorities. It is expected that funding would be invested in:

- additional short term residential care places, or respite and intermediate care
- home care support and investment in equipment, adaptations and telecare
- investment in crisis response teams and other preventative services to avoid unnecessary admission to hospital
- further investment in reablement services to help people regain their independence and reduce the need for ongoing care

4.3 It is recognised that the pathway of care post hospital can be complex and vary from Continuing Health Care to local authority funded packages. In order to facilitate a reablement and community based approach the PCT has earmarked an additional £500k for investment in the above services to relieve service pressures.

4.4 The 2011/12 NHS Operating Framework also provided details of separate non recurrent PCT allocations for social care, totalling £648m (£2.108m locally) in 2011/12 and £622m (2.033m) in 2012/13. Whilst the funding has been allocated to PCTs they have to transfer the funding to local authorities to invest in social care services to benefit health. As with the 2011/12 allocations the PCT and local authority are required to agree jointly the areas for investment and to take account the Joint Strategic Needs Assessment (JSNA) and existing commissioning plans. It also enables the local authority to address the demographic and health related pressures of an aging population with more complex and varied needs.

4.5 The PCT has agreed that all of the above funding will be transferred to the local authority under a section 256 agreement and expenditure on the following areas has been agreed:

- Additional spot purchasing of residential and nursing care beds within the community to respond to pressures of demand and reducing numbers of people receiving health funded support.
- Targeted use of existing interim and step down beds by enhanced therapy support from the Intermediate Care Service. This provides greater flexibility to in the use of those beds and increased the capacity of intermediate care beds. Additional beds could be purchased from the additional funding for 2011/12 and 2012/13.
- Additional occupational therapists and physiotherapists
- Increased staffing capacity within intermediate care and reablement services
- Additional spot purchasing of domiciliary care to support intermediate care services
- Additional social work capacity for the hospitals and intermediate care
- Developing the service specification with Shropshire Partners in Care to improve the information about market supply and availability
- Additional equipment and telecare purchase to enable timely and rapid response to support hospital discharge
- Investment in minor adaptations where appropriate

- 4.6 In addition the Government announced in January that £400m would be made available to the NHS over the next four years to enable more carers to take breaks from their caring responsibilities. This recognises the essential role that carers have in supporting people to remain in their own homes and communities. The amount available locally to the PCT is not yet known but it is a requirement that the resources are put into a pooled budget with the local authority to provide carers breaks, as far as possible, via direct payments or personal health budgets. Officers will progress the establishment of the pooled budget and use of these monies in agreement with the PCT.
- 4.7 The intention of this funding is to facilitate and enhance better integrated funding between health and social care systems for the benefit of patients, service users and carers as set out in the Governments 'Vision for Adult Social Care', the NHS Reform Bill and 'Recognised, Valued and Supported: Next Steps for the Carers Strategy'. The focus is ensure that individuals are supported to regain and maintain their health and independence.

5. **PREVIOUS MINUTES**

None

Report Prepared by Karen Kalinowski, Head of Care & Support - Tel 01952 381011

**TELFORD & WREKIN COUNCIL**

**CABINET - 8 MARCH 2011**

**TRANSFER OF NHS FUNDING TO SOCIAL CARE (SECTION 256 NHS ACT 2006)**

**REPORT OF HEAD OF CARE AND SUPPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 The Government has recently announced additional resources to support a programme of reablement and rehabilitation helping people regain independence and thus reducing the need for ongoing care. It will also be targeted at a more general range of initiatives to relieve pressures on the acute hospitals particularly over the winter periods of peak demand. Whilst the funding is to be focussed on a broad range of social services it has been allocated to PCTs. It must be transferred to local authorities via an agreement under section 256 of the 2006 NHS Act. This report seeks member approval to the Council entering into a section 256 agreement with the PCT for the transfer of monies for a jointly agreed programme of spend.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet approves the receipt of a section 256 grant as detailed in this report, from Telford & Wrekin PCT, and the subsequent expenditure as detailed in the agreement.
- 2.2 That Cabinet agree to the creation of a pooled budget with the PCT in respect of the additional carers funding following agreement with the PCT.
- 2.3 That Cabinet delegates authority for the Common Seal of the Council to be affixed to the resulting contractual documentation as, in the opinion of the Head of Governance is appropriate under the constitution.
- 2.4 That Cabinet delegates authority to the Head of Governance and Head of Care and Support to finalise negotiations relating to the section 256 grant award.

**3. SUMMARY IMPACT ASSESSMENT**

|                  |   |  |
|------------------|---|--|
| COMMUNITY IMPACT | Do these proposals contribute to specific Priority Plan objective(s)? |  |
|                  | Yes   | The proposals impact positively on the following objectives of the Adult Care and Support Priority Plan<br>a) Improve quality of life<br>b) Continue to develop choice and control<br>c) Maintain health & wellbeing<br>d) Ensure dignity & safety |

|  |   |   |
|--|---|---|
|  | Will the proposals impact on specific groups of people? |   |
|  | Yes   | The proposals will impact on all vulnerable people in the borough eligible for community care support   |
| TARGET COMPLETION/<br>DELIVERY DATE        | 31 March 2011   |   |
| FINANCIAL/VALUE FOR<br>MONEY IMPACT        | Yes   | In 2010/11 two investment allocations have been announced. An allocation of £220k was announced before Christmas and a further allocation of £523k in January. Along with a top up investment from the PCT to kick start the investment programme to relieve future pressures, it is proposed that a total of £1.243m will be transferred to the Council via a Section 256 agreement . A further sum of £2.10m has also been announced for 2011/12 and £2.033 for 2012/13 also to be transferred to the Council under the section 256 agreement for the ongoing programme. This will be supplemented by reablement monies of £428k in 2011/12 (2012/13 awaited). The use of the £428k and degree of transfer to the Council will require further discussions with the PCT as this sum is for local discretion as to the proportion of spend on the NHS and social care. The council will also be discussing the creation of a pooled budget in respect of the £400m made available nationally to the NHS over the next four years to enable more carers to take breaks. |
| LEGAL ISSUES                               | No  | The Council in association with its partners has a statutory duty to provide services to vulnerable groups in the community. The proposed section 256 grant is in line with this duty. The terms and conditions of all contractual documentation will be approved by Legal Services.  |
| OTHER IMPACTS,<br>RISKS &<br>OPPORTUNITIES | Yes   | Failure to reach agreement on the allocation of the funding would lead to the loss of this resource to the local health and social care economy. The transfer of the grant will assist in maintaining the existing levels of social care provision and enable investment in reablement services to help people regain their independence and reduce the need for ongoing care   |
| IMPACT ON SPECIFIC<br>WARDS                | No  | Borough wide  |

#### 4. ADDITIONAL INFORMATION

- 4.1 In the CSR the Government announced that an additional £70m nationally (£220k locally) would be allocated to PCTs for spending in 2010/11 on services to promote better services for patients upon discharge from hospital. The plans for the expenditure have to be jointly agreed with the local authority and it is for local decision on how much of this money is spent on NHS services and how much on social care. It should also form the basis for post discharge support (see below) for 2011/12 onwards. A proportion of the funding is to be used to develop current reablement capacity.

4.2 In January the Government announced a further allocation of £162m (£523k locally) for spending on social services that benefit the NHS and improve overall health gain. The jointly agreed funding is to be spent on a broader range of social care services and must be transferred to local authorities. It is expected that funding would be invested in:

- additional short term residential care places, or respite and intermediate care
- home care support and investment in equipment, adaptations and telecare
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- further investment in reablement services to help people regain their independence and reduce the need for ongoing care

4.3 It is recognised that the pathway of care post hospital can be complex and vary from Continuing Health Care to local authority funded packages. In order to facilitate a reablement and community based approach the PCT has earmarked an additional £500k for investment in the above services to relieve service pressures.

4.4 The 2011/12 NHS Operating Framework also provided details of separate non recurrent PCT allocations for social care, totalling £648m (£2.108m locally) in 2011/12 and £622m (2.033m) in 2012/13. Whilst the funding has been allocated to PCTs they have to transfer the funding to local authorities to invest in social care services to benefit health. As with the 2011/12 allocations the PCT and local authority are required to agree jointly the areas for investment and to take account the Joint Strategic Needs Assessment (JSNA) and existing commissioning plans. It also enables the local authority to address the demographic and health related pressures of an aging population with more complex and varied needs.

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- Developing the service specification with Shropshire Partners in Care to improve the information about market supply and availability
- Additional equipment and telecare purchase to enable timely and rapid response to support hospital discharge
- Investment in minor adaptations where appropriate

- 4.6 In addition the Government announced in January that £400m would be made available to the NHS over the next four years to enable more carers to take breaks from their caring responsibilities. This recognises the essential role that carers have in supporting people to remain in their own homes and communities. The amount available locally to the PCT is not yet known but it is a requirement that the resources are put into a pooled budget with the local authority to provide carers breaks, as far as possible, via direct payments or personal health budgets. Officers will progress the establishment of the pooled budget and use of these monies in agreement with the PCT.
- 4.7 The intention of this funding is to facilitate and enhance better integrated funding between health and social care systems for the benefit of patients, service users and carers as set out in the Governments 'Vision for Adult Social Care', the NHS Reform Bill and 'Recognised, Valued and Supported: Next Steps for the Carers Strategy'. The focus is ensure that individuals are supported to regain and maintain their health and independence.

5. **PREVIOUS MINUTES**

None

Report Prepared by Karen Kalinowski, Head of Care & Support - Tel 01952 381011

**TELFORD & WREKIN COUNCIL**

**CABINET - 8<sup>TH</sup> MARCH, 2011**

**BENEFIT TAKE-UP STRATEGY & ACTION PLAN**

**REPORT OF THE HEAD OF LEISURE, LIBRARIES & CUSTOMER SERVICES & THE CABINET MEMBER FOR ADULT CARE & SUPPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 This strategy & action plan sets out the priorities for undertaking welfare benefit take-up work for the three years commencing April 2011 to March 2014.
- 1.2 In arriving at our priority take-up areas we have analysed a wide range of local factors including population demographics, ethnicity, age, deprivation statistics and have also taken account of the planned welfare benefit changes announced recently by Government and the recommendations made by the Benefit Scrutiny Committee who reported to Cabinet last Summer.
- 1.3 These factors have been compared against national trends and our own benefit caseload data to enable us to establish the following five areas of take-up activity.
- Council Tax Benefit
  - Benefits for Pension age residents, this includes benefits we administer as a local authority and other state benefits
  - In work benefits for low paid employed
  - Discretionary Housing Payments (DHP's)
  - Second Adult Rebate

This work is in addition to the ongoing advice and assistance given to residents as part of our day-to-day operations, referral schemes and previous dedicated 'take up work' which as seen an estimated £4m extra benefit being award to those who qualify. Over the last 2 years we have seen a 20% increase in the benefits caseload largely due to the financial climate and it is within this backdrop that we have prioritised our benefit take up activity.

- 1.4 Appendix 1 contains an overview of the methods and actions we intend to use to increase take up against each of these new priorities.

- 1.5 Detailed analysis of our findings and rationale for identifying the above priority areas can be made available to those requiring more background information. A full report is available on request.

## **2. RECOMMENDATION**

**That the five areas identified as being the priority for take-up activity is approved & the summary of actions contained in Appendix 1 endorsed**

## **3. SUMMARY IMPACT ASSESSMENT**

|   |  |   |
|---|--|---|
| <b>COMMUNITY IMPACT</b>                         | Do these proposals contribute to specific Priority Plan objective(s)?  |   |
|   | Yes  | <p><b>Adult Care and Support Priority Plan</b></p> <p>Help to address homelessness through the identification of benefit support to help individuals pay for accommodation.</p> <p>Supporting people on low incomes to access funding to support them to maintain independence where possible and secure settled housing.</p> <p><b>Children and Young People</b><br/>Help to Reduce Child and Family Poverty<br/>Meet requirement of Child Poverty Bill 2009</p> |
|   | Will the proposals impact on specific groups of people?  |   |
|   | Yes  | The strategy focuses take-up activity on five specific areas where there is currently an under-claim in the number of people receiving their benefit entitlement locally.   |
| <b>TARGET COMPLETION/ DELIVERY DATE</b>         | The strategy sets out the priorities for the service for three years up to March 2014. On an annual basis we will report to the relevant priority board on progress in increasing take-up against each of the five priority areas. |   |
| <b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>        | Yes/<br>No   | Actions arising from the benefits take up strategy will incur costs associated with marketing material, and officer time. These costs will be met from existing budgets held by the Revenues & Benefits Service   |
| <b>LEGAL ISSUES</b>                             | Yes/<br>No   | There are no legal implications arising from this report.   |
| <b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b> | Yes  | An Equalities Impact Assessment has been completed and is available for viewing on request  |

|                                 |     |  |
|---------------------------------|-----|--|
| <b>IMPACT ON SPECIFIC WARDS</b> | Yes | Although the strategy is Borough wide, the analysis of the local population identifies the wards with the greatest deprivation. Therefore it is likely that some specific take-up activity is focused more heavily in certain wards. |
|---------------------------------|-----|--|

## **PART B) – ADDITIONAL INFORMATION**

### **3. INFORMATION**

Central government recognises the importance of take up work undertaken by councils and below is a quote from the Department for Work and Pensions (2010)

*“It is recognised that the total caseload for many LA’s has increased over the last few years and that this brings with it challenges for maintaining performance. However it is worth noting that increasing take-up may bring additional income into the local economy. Increasing take up may also save money in the long term – helping to break the cycle of poverty by making work pay and enabling families to be less reliant on benefits”*

#### **3.1. Benefits for Pension aged residents**

Our analysis suggests that it is very important to target pensioners as any extra entitlement may help to provide funds for extra heating and better quality food which in turn could impact on improved health and well being, whilst helping to reduce pressure on service providers such as Adult Social Care and health.

#### **3.2 In Work Benefits**

Based on the majority of the Borough’s population being working aged, the national DWP figures show that there is an under claim of benefits, in particular Housing Benefit for those in work. In addition the Governments proposed changes, as part of the benefit welfare reforms, are encourage people back into work and to remove reliance on benefits. Our analysis suggests that this is an area in T&W for a targeted take up campaign.

#### **3.3 Discretionary Housing Payments (DHP’s)**

DHP’s are additional payments that can be made to residents already receiving Housing or Council Tax Benefit where the amount of benefit does not meet their full liability. DHP’s play an important role in ensuring tenancy sustainability and therefore preventing homelessness by preventing / reducing rent arrears, debt and poverty. They also allow a recipient time to adjust to new financial circumstances. Analysis suggests this is an area of low take up within the borough

### 3.4 **Second Adult Rebate**

Analysis shows that Second Adult Rebate is one benefit which is under claimed. Nationally it is not a well publicised benefit and the qualification criteria are complex. There are a number of scenarios in which a second adult rebate may apply, but most typically, it will be where there is a single parent with a child aged over 18 on a low income. It is not possible to estimate how many families there are in Telford & Wrekin in that position, but we are confident that it would be significantly more than the 201 families that are currently claiming

### 3.5 **Take-up Action Plan Summary – Appendix A**

When developing specific take-up publicity we will be mindful of promoting other benefits that may be appropriate in order to gain value for money. We will continue to explore and maintain relationships with key partner organisations to maximise any opportunity for a joint take-up initiatives. The Councils website will be a key communication tool and work in underway to enhance the pages on the site including the promotion of the new on-line benefit calculator.

There are many other take-up activities specific to the 5 priority areas listed in Appendix A.

The results of specific benefit take up campaigns and events will be recorded and reported to the relevant Priority Plan Board.

## APPENDIX A - Summary of Actions

| <b>Benefit</b>                 | <b>Action</b>  |
|--------------------------------|--|
| Council Tax Benefit            | Annual publicity campaign  |
|                                | Review of information on Council website and promote on-line benefit calculator  |
|                                | Review of information contained within annual bills  |
|                                | Review and improve information sent with reminder bills etc. to maximise opportunities to promote Council Tax Benefit  |
|                                | Explore any opportunities for data matching in order to increase take-up   |
| Benefits for Pensioners        | Review the current referral and recording system to monitor take-up  |
|                                | Consider the opportunity for expansion of the referral process and training within other Services of the Council as well as training all new staff in key front line areas |
|                                | Continue to explore sites where direct contact with our target audience  |
|                                | Promotion of home visits for vulnerable customers.   |
| In Work Benefits               | Launch and refresh annual a publicity campaign promoting Housing Benefit as an in work benefit   |
|                                | Review of information on Council website and consider dedicated in-work page   |
|                                | Promote on-line benefit calculator   |
|                                | Deliver further training for relevant front line staff on in work benefits   |
|                                | Attend community events where there is likely to be significant attendance by our target audience, particularly in the most deprived areas                                 |
|                                | Explore other opportunities for promoting in-work benefits to our target audience  |
| Discretionary Housing Payments | Analyse the impact of welfare reform and target promotion accordingly  |
| Second Adult Rebate            | Explore the opportunity to promote SAR in specific areas when single person discount is removed.   |
|                                | Explore any opportunities for data matching in order to increase take-up   |