



Cabinet
19 February 2014
12.30 pm

Item
3A
Public

MINUTES OF THE CABINET MEETING HELD ON WEDNESDAY 15 JANUARY 2014

12.30 pm – 13.30 pm

Responsible Officer: Penny Chamberlain
e-mail: penny.chamberlain@shropshire.gov.uk Tel: 01743 252729

Present:

Mr K Barrow (Leader)
Mr T Barker, Mrs K Calder, Mr L Chapman, Mr S Charmley, Mrs A Hartley, Mr M Owen,
Mr M Price and Mrs C Wild

109.0 Apology for Absence

109.1 An apology for absence had been submitted from Mr G Butler.

110.0 Disclosable Pecuniary Interests

110.1 Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

111.0 Minutes

111.1 RESOLVED:

That the Minutes of the meeting held on 11 December 2013 be confirmed as a correct record and be signed by the Leader.

112.0 Public Questions

112.1 Question re Public Question Time

Mr John Sotheran of Shrewsbury Mencap submitted a series of questions in relation to agenda item 12, the re-commissioning of day opportunities centres for adults with learning disabilities. A copy of these questions together with the response from the Portfolio Holder for Adult Services is attached to the signed minutes.

By way of a supplementary question Mr Sotheran queried how the consultation would take place with Shrewsbury Mencap and whether a timeline was in place. In response

the Portfolio Holder indicated that the Council would probably be contacting Shrewsbury Mencap next week to continue the dialogue on the issue.

113.0 Matters Referred from Scrutiny/Council

113.1 There were no matters referred from Scrutiny/Council.

114.0 Reports of Scrutiny Committees

114.1 There were no reports from the Scrutiny Committees.

115.0 Financial Strategy and Capital Programme – 2014/15 to 2016/17

115.1 The Portfolio Holder for Resources, Finance and Support presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed minutes – which provided an update to a number of areas of the Business Plan and Financial Strategy ahead of a final Business Plan and Financial Strategy being submitted to Cabinet and Council in February 2014. In July 2013 initial estimates had identified a projected funding gap of £80 million. Work undertaken since that date had been to close that gap to enable a balanced budget to be set for each year within the Medium Term Financial Plan. The report also included an update of the current capital programme to include updates based on business planning work undertaken to date.

115.2 During the ensuing discussion a Member referred to the proposed re-design of the Highways and Transport function and expressed concern should bus services be reduced further given the similar funding challenges facing Worcestershire County Council which currently provided the only regular public bus service to her area. She asked that discussions take place with Worcestershire and also commented on the need for the Council to continue supporting all local businesses to ensure the maintenance and growth of the county's economy. In turn the Leader acknowledged and thanked the Member concerned for her contribution to the discussion.

115.3 A Member also referred to the stopping of any overspend in the next financial year and the review being undertaken of the authority's workforce and queried whether the targets set would enable the Council to provide desired services. In response the Leader indicated that historically certain areas had overspent every year which had then been funded by an increase in Council Tax and that this practice was to stop. He advised that with re-design this would ensure different working practices were put in place to deliver improved outcomes for service users.

115.4 A Member suggested that the Council needed to take great care as much of the changes had still to be implemented and the assured provision of better services was not yet known. He also expressed concern at the reduction in the staff workforce and that many services would mostly likely be taken out of the authority's direct control

which he commented would harm certain service delivery. He indicated that any increasing reliance on the voluntary sector would also be happening in a period of reduced Council grant funding for the sector. After then making reference to the proposed future reliance on commissioning he concluded by querying what steps the Council had taken to inform the Government of the detrimental impact of their imposed financial policy upon the authority's budget and services. In response the Leader emphasised Shropshire Council was not prepared to mirror other neighbouring authorities who had chosen to deal with the matter by directly cutting out services but that it intended to redesign its working practices thereby delivering fit for purpose services with better outcomes for users at reduced costs.

115.5 RESOLVED:

- (a) That the impact of the draft settlement on the Council's Financial Strategy be noted and the adjustments made to the resources and expenditure projections since the last report to Cabinet on 13th November 2013 and the updates to growth requirements be agreed.
- (b) That it be noted that further reports would be brought to Cabinet providing greater detail on the implications of the Care Bill.
- (c) That the savings proposals identified within the report be agreed and recommended to Council for approval.
- (d) That the revised Capital Programme for 2014/15 to 2016/17 as set out in the report be agreed and recommended to Council for approval.
- (e) That in accordance with the regulations, a Capital Allowance of £1 million for 2014/15 be approved to enable the Council to retain in full, capital receipts received from the disposal of Housing Revenue Account (HRA) assets (excluding Right to Buy sales). Furthermore, it be agreed that the capital receipts from such sales be reserved for expenditure on the Council's housing stock.

116.0 Statement of Chief Financial Officer on the Robustness of the Estimates and Adequacy of Reserves 2013-2016

- 116.1 The Portfolio Holder for Resources, Finance and Assurance presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed minutes – which explained that under Section 25 of the Local Government Act 2003, the Authority's Chief Financial Officer was required to report annually on the robustness of the estimates made for the purposes of the budget calculations and the adequacy of the proposed reserves.
- 116.2 Mention was made by a Member to the Waste Moving Reserve and the proposed part release of it for funding the Council's Voluntary Redundancy Programme. The Head of

Finance confirmed that a repayment of £2 million per year over the next 19 year period would provide a £38 million contribution plus additional growth back into this Reserve. He emphasised that the early release of funds from this Reserve would enable the Council to make £17 million of savings in staff costs per annum over this 19 year period.

116.3 RESOLVED:

- (a) That the recommended level of general balances to support the 2014/15 revenue budget at £18.5 million be approved with it being noted that the projected balance would be below this for 2014/15.
- (b) That the projected recommended level for the following two years at £15.2 million and £12.1million be noted and that the projected level of general balances would be brought in line with the target for 2016/17.

117.0 Sex Establishments Policy

117.1 The Portfolio Holder for Business Growth, ip&e and Commissioning (North) presented a report by the Head of Public Protection – copy attached to the signed minutes – on the revision undertaken of the scope of the Council's Sex Establishment Policy to encompass sexual entertainment venues, sex cinemas and sex shops. The Policy also intended to make it clear to all stakeholders the manner by which the Council would exercise its functions in respect of these types of establishments. The report also sought to address officer delegations insofar as they related to individual sex establishment licence applications and the power to reject objections where they were not deemed to be on relevant grounds under the legislative provisions and for the purposes of determining applications where no valid objections were submitted.

117.2 RESOLVED:

- (a) That having considered the comments received as a result of the consultation as set out in Appendix A of the report, Council be recommended to approve, with any necessary modifications, the Sex Establishments Policy as set out in Appendix B of the report and that the policy be adopted with effect from 1 April 2014.
- (b) That Council be recommended to delegate to the Public Protection Officers (Specialist) the power to reject objections to sex establishment licence applications that were not relevant to the grounds set out in Schedule 3 Paragraph 12 of the Local Government (Miscellaneous Provisions) Act 1982 or were frivolous or vexatious or which related to moral grounds.

118.0 Shropshire Council Better Regulation and Enforcement Policy

118.1 The Portfolio Holder for Business Growth, ip&e and Commissioning (North) presented a report by the Head of Public Protection – copy attached to the signed minutes – on the

updating of the Public Protection Enforcement Policy adopted in 2009 in order to better reflect regulatory practices within Public Protection and to broaden the scope of the policy to cover all regulatory functions for which Shropshire Council had responsibility.

118.2 RESOLVED:

That, having considered the feedback and comments received as a result of the formal consultation as set out Appendix A of the report, approval be given, with any necessary amendments, to the proposed Better Regulation and Enforcement Policy as set out in Appendix B of the report, and that the policy be adopted from 1st April 2014.

119.0 Shropshire Council Adult Social Care – Local Account 2012/13

119.1 The Portfolio Holder for Adult Services presented a report by the Director of Adult Services – copy attached to the signed minutes –on the Local Account for Shropshire for 2012/13. It was the third year of the local account being produced in this format and was both a retrospective review of the achievements during 2012/13 and an indication of the Council's aspirations, challenges and direction of travel for the next two years.

119.2 RESOLVED:

That the Adult Social Care Local Account for 2012/13 be approved.

120.0 Re-commissioning of Day Opportunities Centres for Adults with Learning Disabilities

120.1 The Portfolio Holder for Adult Services presented a report by the Head of Social Care and Improvement – copy attached to the signed minutes – on the proposed procurement process for the re-commissioning of two day opportunities centres, in Shrewsbury, for Adults with Learning Disabilities during the first part of 2014. Approval was also sought for the re-commissioning of other Council provided day opportunities over a further period of 18 months to two years.

120.2 In response to queries from a number of Members, the Portfolio Holder advised that regular consultation would take place with staff and service users on the matter with Members receiving progress reports. Any award of contract would be submitted for consideration to Cabinet with the length of any contract to be dependent on individual circumstances. He emphasised the importance of concentrating on the delivery and commissioning of the service rather than focusing on individual ownership of the centres.

120.3 RESOLVED:

(a) That a procurement process be undertaken to appoint an alternative service provider for Aquamira and Albert Road day opportunities as set out in the report by the Head of Social Care and Improvement.

- (b) That other day opportunity services which would remain following the transformation of services and currently provided by the Council be re-commissioned through a competitive procurement process in order to appoint an alternative Provider during 2014 and 2015.

121.0 The Marches Local Enterprise Partnership European Union (EU) Investment Strategy, Strategic Economic Plan and Growth Deal

121.1 The Portfolio Holder for Business Growth, ip&e and Commissioning (North) presented a report by the Head of Economic Growth and Prosperity – copy attached to the signed minutes – on proposals by The Marches LEP:

- to submit the final EU Structural and Investment Fund Strategy by 31 January 2014 as set out in Appendix1 of the report; and
- to submit the final Strategic Economic Plans and Growth Deal proposals to Government by 31 March 2014 as set out in Appendix 2 of the report.

121.2 The report also outlined the proposal for Shropshire Council to take on the role as Accountable Body for all new LEP funding.

121.3 RESOLVED:

- (a) That authority be delegated to the Leader, or in his absence, the Portfolio Holder for Business Growth, ip&e and Commissioning (North) to take decisions on behalf of the Council at The Marches LEP Board or its advisory sub-groups.
- (b) That authority be delegated to the Head of Economic Growth and Prosperity in consultation with the Portfolio Holder for Business Growth, ip&e and Commissioning (North) to agree the submissions on behalf of Shropshire Council of the Marches EU Structural and Investment Strategy, and the Marches Strategic Economic Plan and Marches Deal.
- (c) That approval be given to Shropshire Council taking on the lead role of Accountable Body for the Marches LEP, and authority be delegated to the Head of Economic Growth and Prosperity in consultation with the Portfolio Holder for Business Growth, ip&e and Commissioning (North) and the Portfolio Holder for Resources, Finance and Support, to formalise arrangements.

122.0 Exclusion of Press and Public

122.1 RESOLVED:

That in accordance with the provisions of Schedule 12A of the Local Government Act 1972, Section 5 of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations, and Paragraph 10.2 of the Council's Access to Information Rules, the public and press be excluded during consideration of the following items.

123.0 Shropshire Hills Discovery Centre, Craven Arms

123.1 The Portfolio Holder for Business Growth, ip&e and Commissioning (North) presented an exempt report – copy attached to the exempt signed minutes – on the Shropshire Hills Discovery Centre at Craven Arms.

123.2 RESOLVED

That the six recommendations set out in the exempt report be approved.

124.0 Oak Farm, Ditton Priors

124.1 The Portfolio Holder for Adult Services and Commissioning (South) presented an exempt report by the Head of Social Care Improvement and Efficiency – copy attached to the exempt signed minutes – on Oak Farm at Ditton Priors.

124.2 RESOLVED:

That, subject to the delegation amendment agreed at the meeting in relation to recommendation (b), the two recommendations set out in the exempt report be approved.

125.0 Quality in Community Services (QiCS) PFI Contract Review

125.1 The Portfolio Holder for Adult Services and Commissioning (South) presented an exempt report by the Head of Social Care Improvement and Efficiency – copy attached to the exempt signed minutes – on the Qualities in Communities Project funded by Private Finance Investment in May 2005.

125.2 RESOLVED:

That the five recommendations set out in the exempt report be approved.

(The full version of Minutes 123, 124 and 125 constitutes exempt information under category 3 of Paragraph 10.4 of the Council's Access to Information Rules and has accordingly been with-held from publication.)

Signed (Leader)

Date: 19 February 2014