



Committee and Date

Cabinet

25th March 2015

CABINET

Minutes of the meeting held on 11 February 2015

In the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

12.30 - 2.30 pm

Responsible Officer: Penny Chamberlain

Email: penny.chamberlain@shropshire.gov.uk Tel: 01743 252729

Present

Councillor Keith Barrow (Chairman)

Councillors Ann Hartley (Deputy Leader), Tim Barker, Karen Calder, Lee Chapman, Steve Charmley, Mike Owen, Malcolm Price and Claire Wild

82 Apologies for Absence

82.1 There were no apologies for absence.

83 Disclosable Pecuniary Interests

83.1 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.

84 Minutes

84.1 RESOLVED:

That the Minutes of the Cabinet meetings held on 10th December 2014 and 21st January 2015 be approved as a correct record and signed by the Leader.

85 Public Questions

85.1 At the commencement of this item the Leader informed the public present at the meeting that a number of amendments were likely to be proposed to the officer recommendations in the report on the Hackney Carriage and Private Hire Licensing Policy. Copies of the proposed amendments were circulated at this point in the meeting to assist those members of the public present for the consideration of this item and also those who had submitted public questions.

The Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) also confirmed his intention to propose the recommendations set out in the officer's report subject to the inclusion of the amendments circulated at the meeting. In doing so he referred to the extensive consultation which had been undertaken on the matter and emphasised that in listening to the concerns raised by the trade and others, the authority's responsibilities for public safety and safeguarding had been

taken very seriously and the Council would continue to work closely with the trade towards introducing higher levels of safety for all parties.

Question 1

Mr Martin Croll of Shrewsbury had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr Croll queried the proposed wheelchair accessibility requirements and the implications of this and other issues for his business going forward. In response the Licensing Officer indicated that officers considered that there should be a cut off period point but that matters could be dealt with on a case by case basis.

Question 2

Mr Richard Price of Shrewsbury had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr Price indicated that the concerns raised in his question had been attended to in the proposed amendments.

Question 3

Mr Matt Young of Shrewsbury had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr Young expressed concern at the implications of the proposals for his business in cases of vehicles being written off. In response the Licensing Officer indicated that matters could be dealt with on a case by case basis and offered discussions outside of the meeting with Mr Young regarding guidance in relation to his individual private concerns.

Question 4

Ms Samantha Williams of SD Travel had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

Speaking of behalf of SD Travel Mr Simon Duncan indicated he was satisfied with the proposed amendments to the Policy and had no need to ask a supplementary question.

Question 5

On behalf of Central Taxis (Shrewsbury) and Diamond Cars (Shifnal) Mr David Wilson had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr David Wilson suggested that the proposals were too complicated and that this would have serious implications for the trade. He asked for the introduction of a more simplified set of proposals. In turn the Licensing Officer indicated that consultation responses had supported differentiation between petrol and diesel vehicles and euro ratings. Guidance and assistance would be provided to applicants each time a licence was due to be renewed. The Leader indicated his support for the amended Policy to be agreed as it stood but for the matter to be looked at in more detail outside of the meeting with the trade and for any ramifications of the issue being submitted for consideration to a future cabinet meeting if necessary.

Question 6

Mr Paul Merrieffield of Comet Cars had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

Speaking on behalf of Comet Cars Ms Samantha Williams indicated that she was satisfied with the proposed amendments to the Policy and had no need to ask a supplementary question.

Questions 7

Mr John Herzig had submitted a question on the proposed Hackney Carriage and Private Hire Licensing Policy. A written reply from the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr Herzig referred to the difficulties being experienced by himself in trying to establish euro rating requirements for his Vauxhall Vectra vehicle. In turn the Licensing Officer indicated that officers would work with Mr Herzig outside of the meeting to establish the position with regard to his vehicle.

86 Hackney Carriage and Private Hire Licensing Policy

- 86.1 The Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) presented a report by the Director of Commissioning – copy attached to the signed minutes – on proposals for a revised Hackney Carriage and Private Hire Licensing Policy during which he recommended approval of the recommendations in the officer report subject to the addition of the amended proposals circulated at the meeting and referred to during the public question time.

86.2 During the ensuing discussion several Members expressed support for the proposals as amended and emphasised the importance of them in addressing public safety and children's safeguarding issues. The Chairman of the Young People's Scrutiny Committee also reported on the committee's consideration of the matter and welcomed the inclusion of their recommendations in the Policy being considered by Cabinet.

86.3 **RESOLVED:**

That subject to the amendments set out below, the proposed Hackney Carriage and Private Hire Licensing Policy 2015 to 2019, as set out in Appendix A to the report, be adopted by the Council and implemented with effect from 1st April 2015:

Safeguarding

That the third bullet point of **paragraph 1.2** be amended to read:

- that the action to promote the welfare of children and to protect them from harm is everyone's responsibility, in particular, prospective and licenced drivers and operators who will have dealings with children and families have a duty to report matters of concern that could relate to the safety of children and vulnerable persons to the relevant authorities (refer to **Appendix A** for further information);

And that the necessary amendments are made to the text of the Policy and the appendices to sequentially reference the appendices to reflect the insertion of this new **Appendix A**.

That the content of the new **Appendix A** focuses on providing information to the hackney carriage and private hire trade about child sexual exploitation and the authority to agree the content of the new **Appendix A** be delegated to the Head of Public Protection in consultation with the Director of Children's Services and the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North).

That further paragraphs be added to **Appendix A** (as currently drafted) to read:

Safety of children and vulnerable persons

1.28 Drivers must complete basic safeguarding awareness training and provide written evidence of satisfactory completion of this training to the Council within 12 months of the date of being granted a new licence or within 12 months of the date that an existing licence is first renewed after the date the Policy comes into force. Failure to complete this training, within the specified period, will permit the Council to refuse to renew a driver's licence.

1.29 Where a driver has concerns that could relate to the safety of children and vulnerable persons, they must report those concerns to either the licensed operator's Designated Person for Safeguarding or, where this is not possible, directly to the relevant authority.

That **paragraph 1.20 of Appendix D** (as currently drafted) relating to the records to be retained by licensed operators be amended to include:

i) written evidence that each driver has satisfactorily completed basic safeguarding awareness training.

That further paragraphs be added to **Appendix D** (as currently drafted) to read:

Safety of children and vulnerable persons

1.42 Operators must have a suitably trained Designated Person (DP) with specific responsibility for safeguarding.

1.43 Operators must provide all drivers with details of the DP and how the DP can be contacted.

1.44 Operators must ensure that all drivers have completed basic safeguarding awareness training and retain relevant records in accordance paragraph 1.20 (i) above.

1.44 Operators must take steps to ensure drivers know that they must report matters of concern which could relate to the safety of children and vulnerable persons to the DP as soon as is practicable.

1.45 Operators must pass on any matters of concern reported to them which could relate to the safety of children and vulnerable to the relevant authorities.

European Emissions Standards

That the **table set out in paragraph 3b.12** is amended to remove the following line:

New Diesel 1 April 2018 to 31 March 2024 Euro 6

And additional bullet points are inserted immediately after the end of the table to read:

- Any vehicle with an existing licence as at 1 April 2015 that sustains damage resulting from a road traffic accident rendering it unsafe such that it cannot be adequately repaired in order to return it to legally compliant road use or one that is beyond economical repair (an insurance 'Write Off') will be treated as a renewal vehicle application in accordance with the table set out immediately above. This is subject to relevant confirmation being received by the Council from the vehicle's insurer. The replacement vehicle must not be older than the age of the vehicle currently licenced and, as a minimum, satisfy the same (not lower) European Emission Standard and NCAP Safety Rating (see paragraphs 3b.14 and 3b.15) as held by the vehicle that had the existing licence as at 1 April 2015.

- All other requests to transfer a vehicle licence onto another vehicle will be treated as a new vehicle application in accordance with the table immediately above.

That the **table set out in paragraph 3c.8** is amended to remove the following line:

New Diesel 1 April 2018 to 31 March 2024 Euro 6

And additional bullet points are inserted immediately after the end of the table to read:

- Any vehicle with an existing licence as at 1 April 2015 that sustains damage resulting from a road traffic accident rendering it unsafe such that it cannot be adequately repaired in order to return it to legally compliant road use or one that is beyond economical repair (an insurance 'Write Off') will be treated as a renewal vehicle application in accordance with the table set out immediately above. This is subject to relevant confirmation being received by the Council from the vehicle's insurer. The replacement vehicle must not be older than the age of the vehicle currently licenced and, as a minimum, satisfy the same (not lower) European Emission Standard and NCAP Safety Rating (see paragraphs 3c.10 and 3c.11) as held by the vehicle that had the existing licence as at 1 April 2015.
- All other requests to transfer a vehicle licence onto another vehicle will be treated as a new vehicle application in accordance with the table immediately above.

Euro NCAP Safety Standards

That **paragraph 3b.14** is amended to read:

Vehicles must meet the following safety standards as defined by the European New Car Assessment Programme (NCAP). In this respect, the Overall Rating must be used. Where the Overall Rating is not available, the Adult Rating is the relevant standard:-

- All new vehicle applications submitted on or after 1 April 2015 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2018 are required to be NCAP 5 star.

That in **paragraph 3b.15** the reference to 3b.16 is amended to read 3b.14.

That the **bullet points in paragraph 3c.10** are amended to read:

- All new vehicle applications submitted on or after 1 April 2015 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2018 are required to be NCAP 5 star.

87 Matters Referred from Scrutiny/Council

87.1 There were no matters referred from Scrutiny/Council.

88 Reports of Scrutiny Committee

88.1 The Chairman of the Enterprise and Growth Scrutiny Committee referred to the items raised during the Committee's discussion and consideration of the report on the Financial Strategy 2015/2016 to 2017/2018 at their meeting on 29th January 2015 and confirmed that the report had been noted.

89 Revenue Monitor 2014/15 Period 9

89.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the Revenue forecast for 2014/2015 as at Quarter 3 and identified the current projections on the delivery of savings included within the forecast.

89.2 During the discussion a Member queried the position with the renegotiation of the Veolia contract following which the Leader indicated that the Member should speak with the Director of Commissioning on the matter after the meeting.

89.3 **RESOLVED:**

(a) That it be noted that at the end of Quarter Three (2 January 2015), the full year forecast was a potential overspend of £0.371m;

(b) That it be noted that the impact of this on the Council's General Fund Balance had been considered by Cabinet.

(c) That approval be given to Shropshire Council acting as accountable body for the new LEADER programme.

(d) That approval be given to the extension of ERDF funded projects including Marches and Staffordshire Business Enterprise Fund, Eureka! Moment, Growing Talent and Optimising Business Broadband to December 2015.

(e) That approval be given to Shropshire Council acting as the host authority of the pooled budget arrangement for the Better Care Funding.

90 Capital Monitor 2014/15 Period 9

90.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the current position for the Council's 2014/2015 to 2017/2018 capital programme taking into account the latest monitoring information on the progress of the schemes, any necessary budget increases and decreases and the re-profiling of budgets between 2014/2015 and future years.

90.2 **RESOLVED:**

(a) That approval be given to the net budget variations of £3m to the 2014/15 capital programme, detailed in Appendix 1/Table 1 and the re-profiled 2014/15 capital budget of £66.6m. Including new allocations of capital receipt funding as follows:

- Acquisition - Former Oswestry Health Centre £340,900.
- (b) That approval be given to the re-profiled capital budgets of £51.5m for 2015/16 and £31.2m for 2016/17 and £19.8m for 2017/18 as detailed in Appendix 1/Table 4.
- (c) That the expenditure to date of £34.4m, representing 51.6% of the revised capital budget for 2014/15, with 75% of the year having elapsed, be accepted.

91 Business Plan and Financial Strategy 2014/2015

- 91.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the refresh of the Council's Business Plan and Financial Strategy ahead of setting the Council's 2015/2016 Budget. The final refreshed plan attached as an appendix to the report also included the Council's three year Medium Term Financial Plan covering the same period. The Plan and Strategy had also been set within the context of the Council's other key strategic documents, in particular, the Treasury Management Strategy, and the Capital Strategy which was also incorporated within the Council Business Plan. The report also included an update of the capital programme for 2015 to 2017 based on current confirmed funding and delivery schedules for capital schemes.
- 91.2 In response to a query from a Member the Head of Finance, Governance and Assurance confirmed the public consultation had now closed and that following the redaction of some personal details and contact with the individuals concerned to make sure they had no objection to their comments being made public, the consultation responses would be appended to the report to Council.
- 91.3 **RESOLVED:**
- (a) That Council be recommended to agree the refreshed Business Plan and Financial Strategy attached at Appendix 1 and agree the proposals for setting the Council's budget until 2016/17.
 - (b) That it be noted that the funding gap of £80m for the period 2014-17 identified in the Council Business Plan and Financial Strategy agreed by Council in February 2014 had been reviewed and retained for planning purposes.
 - (c) That the initial savings proposals identified for achievement by 2015/16 of £66.333m and the progress made in achieving savings be noted and therefore agreement has been given to the amendments and approve the savings proposals identified as removed from base for 2015/16 of £58.909m service savings with the balance of £7.424m to be met by additional ongoing and one off resources.
 - (d) That it be noted that the additional service pressures identified for 2015/16 of £7.644m was to be met by additional ongoing and one off resources in 2015/16.
 - (e) That the budget for 2015/16 of £571.758m, after savings and internal market costs adjustments be approved.
 - (f) That approval be given to accept Council Tax Freeze Grant for 2015/16 of £1.320m on the basis that Council Tax would be frozen for 2015/16.
 - (g) That the financial implications of the transfer of Fulcrum and Help2Change to ip&e be noted.
 - (h) That the revised Capital Programme for 2015/16 to 2016/17 as set out within the report be agreed and be recommend to Council for approval.

- (i) That the Highways & Transport programme of schemes for delivery in 2015/16 be approved and delegated authority be given to the Area Commissioner South in consultation with the Portfolio Holder to approve any changes to the implementation plan of schemes for delivery in 2015/16, within the parameters of the outline capital programme.

92 **Statement of Chief Financial Officer on Robustness of Estimates and Adequacy of Reserves**

92.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Council's Chief Financial Officer – copy attached to the signed minutes – on the robustness of the estimates made for the purposes of the budget calculations and the adequacy of the proposed reserves which had been prepared in accordance with Section 25 of the Local Government Act 2003.

92.2 **RESOLVED:**

- (a) That approval be given to the recommended level of general balances to support the 2015/16 revenue budget at £15.86m, noting that the projected balance would be below this for 2015/16.
- (b) That the projected recommended level for the following two years at £15.52m and £15.76m be noted, and also that the projected level of general balances was planned to be brought broadly in line with the target for 2017/18.

93 **Estimated Collection Fund Outturn 2014/15**

93.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the estimated Collection Fund surpluses/deficits for 2014/2015, calculated as at the end of 15th January 2015 for Council Tax and as at 31st January 2015 for Non-Domestic Rates, for the year ending 31st March 2015. The report also determined the respective shares of the estimated surpluses/deficits notifiable to the major precepting authorities.

93.2 **RESOLVED:**

- (a) That it be noted that the overall Collection Fund estimated surplus of £3,154,626 for the year ending 31st March 2015, comprised of an estimated surplus of £5,060,852 for Council Tax and an estimated deficit of £1,906,226 for Non-Domestic Rates (NDR).
- (b) That the distribution of the Collection Fund estimated surplus and deficit for Council Tax and NDR respectively to the major/relevant precepting authorities and the Secretary of State be noted.
- (c) That it be noted that Shropshire Council's share of the overall estimated surplus of £3,204,413, comprised of an estimated surplus of £4,138,464 for Council Tax and an estimated deficit of £934,051 for NDR.
- (d) That the inclusion of Shropshire Council's share of the overall estimated surplus in the 2015/16 budget be noted.

94 **Treasury Management Update - Quarter 3 2014/15**

94.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the treasury management activities of the Council in the last quarter. The report highlighted the economic environment in which treasury management decisions had been made and the interest rate forecasts of the Council's Treasury Advisor, Capita Asset Services. It also updated Members on the internal treasury team's performance.

94.2 RESOLVED:

That the position set out in the report by the Head of Finance, Governance and Assurance on the Treasury Strategy as at quarter 3 2014/2015 be noted.

95 Treasury Strategy 2015/16

95.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the proposed Treasury Strategy for 2015/2016 to 2017/2018.

95.2 RESOLVED:

That Council be recommended as follows:

- (a) To approve the Treasury Strategy for 2015/16.
- (b) To approve the Prudential Indicators, set out in Appendix 1 of the report, in accordance with the Local Government Act 2003.
- (c) To approve the Investment Strategy, set out in Appendix 2 of the report in accordance with the CLG Guidance on Local Government Investments.
- (d) To approve the Minimum Revenue Provision (MRP) Policy Statement, set out in Appendix 3 of the report.
- (e) To authorise the Section 151 Officer to exercise the borrowing powers contained in Section 3 of the Local Government Act 2003 and to manage the Council's debt portfolio in accordance with the Treasury Strategy.
- (f) To authorise the Section 151 Officer to use other Foreign Banks which met Capita's creditworthiness policy and Money Market Funds again if required as money markets continued to stabilise.
- (g) To note the proposed Prudential Indicators would enable the Authority to use the equivalent of up to 3% of Council Tax in 2015/16 or future years, to fund borrowing under the Prudential Code should the Council decide to do so.

96 Income Review of Fees and Charges for 2015 to 2016

96.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – on the recommended level of fees and charges to be applied in 2015/2016. The report also recommended the approach to be followed to calculate rent levels for the Council's retained housing stock for the 2015/2016 financial year.

96.2 RESOLVED:

- (a) That the breakdown of the total income for 2014/15 be noted and in particular that the charges for discretionary services represented only £15.570m of the £57.522m of income derived from Fees and Charges.

- (b) That Council be recommended to accept the charges for 2015/16 as detailed in Appendix 3 to be implemented 1 April 2015, recognising that managers had proposed varying policies for 2015/16 fees and charges ranging from a freeze in certain areas to above inflation level increases in others, based on the nature of the service, market forces, customer reaction and competition from other providers as well as the state of the economy. Any changes required further to ongoing reviews would be approved in line with the Council's charging policy, officer delegations and the financial rules.
- (c) That it be noted that as previously agreed, any changes to fees and charges proposed by Shropshire Community Leisure Trust Ltd. in relation to the outsourced leisure facilities would only be referred to Cabinet and Council for approval if the proposed increases exceeded Consumer Price Index (CPI) for the preceding November.
- (d) That it be noted that monitoring reports would identify adjustments required to income budgets in the financial strategy which might or might not be offset by corresponding adjustments to expenditure budgets.
- (e) That it be noted that the impact of the Council's policy decisions on income should be clearly identified and adjustments made as required to the Business Plan and Financial Strategy.
- (f) That Council be recommended to accept that Social Housing Rents for 2015/16 should increase by September 2014 CPI plus 1% plus a final incremental step to achieve target rent.
- (g) That Council be recommended to accept that Affordable Rents for 2015/16 should increase by September 2014 CPI plus 1% (2.2%) in line with Government revised guidance.
- (h) That Council be recommended to accept that where individual rents did not reach their target by April 2015 the rent would switch directly to Target on re-let in accordance with Government revised guidance.

97 **Quarter 3 2014/15 Performance Report**

97.1 The Portfolio Holder for Performance presented a report by the Performance Manager – copy attached to the signed minutes – which summarised the latest measures of performance relating to the four outwards focusing outcomes for Shropshire Council during the third quarter of 2014/2015. Information from the Change info graphic dashboard reflected the progress towards the fifth council outcome. The Portfolio Holder asked Members to consider any underlying and emerging issues in the report and whether there were any performance areas which they felt should be considered in greater detail or referred to the appropriate scrutiny committee.

97.2 **RESOLVED:**

That the key underlying and emerging issues in the report and appendices be noted.

98 **Asset Management Strategy**

98.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Commercial Services – copy attached to the signed minutes – on a proposed new Asset Management Strategy for the Council in order to provide clear

principles, ethos and goals for the authority in the management of its property including land and buildings.

98.2 RESOLVED:

That the Council's new Asset Management Strategy be approved.

99 Hubs Commissioning Model

99.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Customer Involvement – copy attached to the signed minutes – on the progress of work being carried out to develop a hub commissioning model for Shropshire based on customer independent and early intention working alongside other organisations. The Council would retain responsibility for one fully manned main hub (Hub Central) located in Shrewsbury, to ensure the Council retained sufficient provisions to meet requirements around specialist work, and coordinated the support activity around the commissioned Hubs.

99.2 In response to a query from a Member regarding proposed consultation the Director of Commissioning confirmed that conversations with the community formed part of the commissioning approach and cited instances of such activity already having taken place in Craven Arms and Whitchurch. The Portfolio Holder also expressed support for discussions to take place in the rural areas.

99.3 RESOLVED:

(a) That the Director of Commissioning, in consultation with the relevant portfolio holders, be authorised to commission the hubs provision in the stated locations in line with the Hubs model set out in Appendix A of the report.

(b) That responsibility for the Shrewsbury Hub be maintained by Shropshire Council.

100 Discretionary Housing Payments Policy

100.1 The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Customer Involvement – copy attached to the signed minutes – on the draft policy for the administration of the Discretionary Housing Payments Scheme within Shropshire Council.

100.2 During the ensuing discussion a Member expressed concern that money had been returned unspent to Central Government. In response the Portfolio Holder for Planning, Housing and Commissioning (Central) explained that the Council's aim was to ensure that the money was awarded to persons in most need and sufficient funds were available to deal with any unknowns particularly in light of the introduction of new benefit legislation. It was expected that in future years the allocation spent would be near to the limit.

100.3 RESOLVED:

That the draft policy be published for consultation before being brought back to Cabinet for approval after any amendments have been made as a result of the consultation.

101 Local Support and Prevention Fund Policy

101.1 The Portfolio Holder for Finances, Resources and Support presented a report by the Head of Customer Involvement – copy attached to the signed minutes – on the draft policy for the administration of The Local Support and Prevention Fund within Shropshire Council.

101.2 **RESOLVED:**

That the draft policy be published for consultation before being brought back to Cabinet for approval after any amendments have been made as a result of the consultation.

102 Better Care Funding

102.1 The Portfolio Holder for Adult Services and Commissioning (South) presented a report by the Director of Adult Services – copy attached to the signed minutes – on the proposed adoption of a Partnership Agreement across the Shropshire Clinical Commissioning Group and Shropshire Council to ensure the smooth delivery and implementation of the Better Care Fund Plan. The Agreement would also ensure that the level of risk both financial and non-financial the Council, CCGs, partner organisations and providers might be exposed to was managed appropriately.

102.2 **RESOLVED:**

- (a) That the content of the draft Partnership Agreement be noted and agreement be given so that final amendments could be agreed by the Health and Wellbeing Delivery Group in cooperation with the Portfolio Holder for Adult Services and the Clinical Commissioning Group Clinical Lead for the Better Care Fund.
- (b) That approval be given to enter into the Partnership Agreement on behalf of Shropshire Council.
- (c) That the funds be held in a s75 pooled budget and a s75 agreement be entered into for this arrangement.
- (d) That Shropshire Council be the host for the pooled budget.
- (e) That the agreement be reviewed by the Health & Wellbeing Delivery Group and the findings reported to Cabinet, and the Clinical Commissioning Group and Health and Wellbeing Board in 6 months

103 Update re Shrewsbury Student Accommodation Policy

103.1 The Portfolio Holder for Planning, Housing and Commissioning (Central) presented a report by the Chief Executive – copy attached to the signed minutes – on the requirements and process for the development of a comprehensive approach to providing student accommodation in order to fully consider the demand for student residential space for the University Centre Shrewsbury in the short, medium and long term. The creation of the strategy would involve consultation with the local community and private sector accommodation providers.

103.2 **RESOLVED:**

That authority be delegated to the Head of Economic Growth and Prosperity in consultation with the Portfolio Holder for Planning, Housing and Commissioning to further develop a comprehensive Student Accommodation Strategy together with

the required policies (including appropriate consultation requirements), with the Final Draft Accommodation Strategy to be presented to a future Cabinet prior to formal adoption by full Council, and resulting policies forming part of the Strategy being approved in accordance with the appropriate approval processes for such policies.

104 Final Business Case for the Development of a New Delivery Model for Planning Public Protection Environmental and Business Support Services

104.1 The Portfolio Holder for Planning, Housing and Commissioning (Central) presented a report by the Director of Commissioning – copy attached to the signed minutes – on the proposed transfer of Development Management, Public Protection and Environment Services and the Regulatory function of Private Sector Housing into ip&e Ltd.

104.2 In response to concerns raised by a Member regarding the responsibilities of ip&e Ltd and the Council in the decision making process the Director of Commissioning indicated that he would speak with the Member on the issue after the meeting.

104.3 RESOLVED:

That agreement be given to the following, subject to approval of the Council's Financial Strategy by full Council on the 26 February 2015:

- (a) That certain Council services, comprising Development Management, Building Control, Land Charges, Street Naming and Numbering and Local Land and Property Gazetteer, Public Protection (including Trading Standards, Environmental Health and Licensing functions and Parking Enforcement), Historic and Natural Environment and regulation of Private Sector Housing, including the business support elements of these services (the Services), will be delivered by ip&e Ltd for a period of up to 12 months whilst issues relating to a longer term transfer of the services and staff are resolved.
- (b) To delegate authority to the Director of Commissioning in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) and the Portfolio Planning, Housing and Commissioning (Central) to agree the terms of the contract between the Council and ip&e Ltd for the delivery of the Services for a period of up to 12 months and to agree the date upon which ip&e Ltd will commence delivery of the Services.
- (c) To second staff currently employed in the delivery of the Services into ip&e Ltd for the period of the service contract referred to in Recommendation (a) above.
- (d) To delegate authority to the Director of Commissioning in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) and the Portfolio Planning, Housing and Commissioning (Central) to second such other staff into ip&e Ltd where there is a clear need to do so to assist the delivery of the Services through ip&e Ltd for the period of the service contract referred to in Recommendation (b) above.
- (e) To delegate authority to the Director of Commissioning in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) and the Portfolio Planning, Housing and Commissioning (Central), to finalise the Council's governance arrangements and commissioning staff structure

requirements in respect of the ongoing commissioning and monitoring of the Services.

- (f) To delegate authority to the Chief Executive in consultation with the Leader of the Council to agree an appropriate employment model which would enable the transfer of Council staff to ip&e Limited in accordance with the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) whilst retaining the ability for the Council to authorise officers as necessary to exercise the Council's statutory powers.
- (g) Within the 12 month period referred to in recommendation (a) and subject to the Chief Executive approving an employment model in accordance with recommendation (f) above, to delegate authority to the Director of Commissioning and the Section 151 officer in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) and the Portfolio Planning, Housing and Commissioning (Central) to agree, upon receipt of a satisfactory business plan from ip&e Ltd, to transfer the Services to ip&e Ltd and agree the duration, budget and terms of a service contract between the Council and ip&e Ltd for the delivery of the Services for a period of up to 5 years.

105 Exclusion of Press and Public

104.1 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 106 and 107.

(Note: Following the publication of the agenda it was agreed that exempt agenda item 26 - Final Business Case for the Development of a New Delivery Model for Planning, Public Protection, Environmental and Business Support Services - would be considered in the open part of the meeting.)

106 Exempt Minutes

106.1 RESOLVED:

That the Exempt Minutes of the meetings of Cabinet held on 10th December 2014 and 21st January 2015 be approved as a correct record and signed by the Leader.

107 Retender of the Community Substance Misuse Services

107.1 The Portfolio Holder for Health presented an exempt report by the Director of Public Health – copy attached to the signed exempt minutes – on the proposed retender of the Substance Misuse Services.

107.2 RESOLVED:

That the recommendations in the exempt report of the Director of Public Health be approved.

(The full version of Minute 107 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 (Chairman)

Date: