



Committee and Date

Cabinet
10th June 2015

12.30 pm

CABINET

Minutes of the meeting held on 20 May 2015

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

12.30 - 1.30 pm

Responsible Officer: Penny Chamberlain

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Present

Councillor Keith Barrow (Chairman)

Councillors Steve Charmley (Deputy Leader), Lee Chapman, Ann Hartley, Simon Jones, Malcolm Price and Claire Wild

1 Apologies for Absence

1.1 Apologies for absence had been received from Tim Barker, Karen Calder and Mike Owen.

2 Disclosable Pecuniary Interests

2.1 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.

2.2 Mr Simon Jones declared a pecuniary interest in item 14 (Transfer of the Management and Development into supported living accommodation of Kempsfield etc.) due to his daughter's employment as a care worker. He left the room during the consideration and voting on this matter.

3 Minutes

3.1 RESOLVED:

That the Minutes of the Cabinet meeting held on 25 March 2015 be approved as a correct record and be signed by the Leader.

4 Public Questions

4.1 Mr Peter Norman of Ludlow had submitted a question on Clause 6.4 of the Strategic Contract between Shropshire Council and ip&e Ltd. A written reply from the Leader was tabled at the meeting – copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question Mr Norman indicated that the explanation in the reply seemed reasonable but expressed concern that the Annual Business Plan remained exempt so he was unable to take an independent view. Referring to the Leader's recent appointment as Chairman of the Board he queried whether or not the Leader considered this to be clear conflict of his role and contrary to the principles of good governance and justification for the public to consider the Council was in danger of becoming an autocracy.

In response the Leader refuted the claim indicating that ip&e Ltd was owned solely by the Council with Cabinet being the shareholder committee. He also expressed his view that as the company grew and developed it was likely that the Board of Directors would change with perhaps members of the public coming onto the Board. Finally he issued an invitation to speak with Mr Norman on any matter outside of the meeting.

5 Matters Referred from Scrutiny/Council

5.1 There were no matters referred from Scrutiny/Council.

6 Reports of Scrutiny Committee

6.1 The Chairman of the Enterprise and Growth Scrutiny Committee introduced a report – copy attached to the signed minutes – on the final report of the Economic Growth Redesign Task and Finish Group and expressed his appreciation of the Group's work. The Chairman of the Task and Finish Group then presented their findings in more detail and drew particular attention to the recommendations set out in the report.

6.2 During the ensuing discussion a Member expressed concern at the number of broadband not spots in her division and the associated impact of this on both the general public and business community. She indicated any pressure the Council could bring to improve the situation would be most welcome. Several other Members also expressed appreciation of the work carried out by the Group and the need to progress and implement the findings as a matter of urgency.

6.3 RESOLVED:

That the report by the Head of Economic Growth and Prosperity be noted and the Portfolio Holder for Business, ip&e, Culture and Commissioning (North) be requested to lead on the actions proposed therein.

7 Proposal to transfer selected Education Support Services Operating as Inspire to Learn to ip&e Ltd

7.1 The Portfolio Holder for Children's Services presented a report by the Director of Children's Services – copy attached to the signed minutes – on the proposed transfer of selected Education Support Services, operating as Inspire to Learn, to ip&e Ltd.

7.2 During the ensuing discussion some concern was expressed by Members regarding perceived difficulties with scrutinising this area in future and other

services which transferred to ip&e Ltd. Particular mention was made to scrutiny's inability to require representatives from ip&e to attend meetings so that they might be held to account directly rather than through the Council's commissioning officers. In response the Leader reminded the Members concerned that representatives from Veolia had attended scrutiny meetings to answer questions irrespective of them being from a private company and reiterated the Council's 100% ownership of ip&e and the role of Cabinet as the Shareholder Committee. Consequently he foresaw no problem with ip&e directors and officers attending scrutiny committees. Other Members also pointed out that as the education services were being provided to the schools then ultimately given the competitiveness of the market place they would look elsewhere should the provision not be to their satisfaction.

7.3 RESOLVED:

- (a) That it be agreed that on a phased basis as detailed in Appendix B of the report, the following services currently delivered by Shropshire Council will be delivered in full (or part) by ip&e Ltd under an Enabling Services Contract to the end of March 2016 while consideration is given to a new operating model : School Library Services, Shropshire Music Service, School Financial Services, Schools IT Support Services, Education Access Services, Information Advice and Guidance and Governor Services, subject to completion of staff consultation.
- (b) That authority be delegated to the Director of Children's Services in consultation with the Portfolio Holder for Children's Services to agree the terms of the Enabling Services Contract with ip&e Ltd, including the specification of the service to be commissioned by Shropshire Council and the outcomes to be achieved from the enabling services being commissioned.
- (c) That authority be delegated to the Director of Children's Services in consultation with the Portfolio Holder for Children's Services to second staff currently employed in the delivery of services during the period of the Enabling Services contract.

8 Future Delivery of Customer Services in Shropshire

8.1 On behalf of the Portfolio Holder for Finance, Resources and Support, the Portfolio Holder for Regulatory Services, Housing and Commissioning (Central) presented a report by the Director of Public Health – copy attached to the signed minutes – on the future delivery of Customer Services in Shropshire.

8.2 RESOLVED:

- (a) That approval be given to the proposals set out in the report of the Director of Public Health which were to explore the commissioning options with the advantages and potential disadvantages for delivering the Customer Services function.
- (b) That delegated authority be given to the Director of Public Health, in consultation with the Portfolio Holder for Resources and Support, with input from Commissioning Directors, to make any further decisions around changes to service scope.

- (c) That a further report on the outcomes be submitted to Cabinet following completion of the required financial and due diligence work and any resulting proposal relating to a revised delivery model.

9 ip&e Annual Business Plan and Update Report

9.1 The Portfolio Holder for Business, ip&e, Culture and Commissioning (North) presented a report by the Chief Executive – copy attached to the signed minutes – on the ip&e Ltd Annual Business Plan which set out the company's vision, mission and principal business activities for the three year period from April 2015 to March 2018. The report also updated Cabinet on a number of changes that were proposed to be made to previously advised processes. (Minute 11 below also refers.)

9.2 **RESOLVED:**

(a) That the attached draft ip&e Ltd Annual Business Plan be approved and the implications of this be incorporated into the Council's next refresh of its Business Plan and Financial Strategy.

(b) That the further updates as set out in Section 6 of the report by the Chief Executive be approved.

10 Exclusion of Press and Public

10.1 **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.

11 ip&e Annual Business Plan and Update Report

11.1 The Portfolio Holder for Business, ip&e, Culture and Commissioning (North) referred to the consideration of the report by the Chief Executive earlier in the meeting (Minute 9 refers) and re-endorsed approval of the draft ip&e Ltd Annual Business Plan.

11.2 **RESOLVED:**

That the attached draft ip&e Ltd Annual Business Plan be approved and the implications of this be incorporated into the Council's next refresh of its Business Plan and Financial Strategy.

12 Exempt Minutes

12.1 **RESOLVED:**

That the Exempt Minutes of the Cabinet meeting held on 25 March 2015 be confirmed as a correct record and be signed by the Leader.

13 Much Wenlock Flood Alleviation Scheme - Compulsory Purchase Order (CPO)

13.1 The Portfolio Holder for Regulatory Services, Housing and Commissioning (Central) presented an exempt report by the Director of Commissioning – copy attached to the signed exempt minutes – on the proposed implementation of a Flood Alleviation Scheme in Much Wenlock.

13.2 RESOLVED:

That the three recommendations set out in the exempt report of the Director of Commissioning be approved.

14 Transfer of the Management and Development into Supported Living Accommodation of Kempfield - Residential Home for Adults with Learning Disabilities - Recommendations for the Award of Contract

14.1 The Portfolio Holder for Adult Services and Commissioning (South) presented an exempt report by the Director of Adult Services – copy attached to the signed exempt minutes – on the outcome of the procurement process undertaken and the bids received in response to the opportunity to manage the Council's residential home for adults with learning disabilities at Kempfield, in Shrewsbury and to redevelop it into supported living accommodation.

14.2 RESOLVED:

That the recommendations in the exempt report of the Director of Adult Services be approved.

15 Marches Local Enterprise Partnership Local Growth Fund and Priority Projects

15.1 The Portfolio Holder for Business, ip&e, Culture and Commissioning (North) presented a report by Director of Commissioning – copy attached to the signed exempt minutes – on the infrastructure projects being promoted by the Council as part of the Marches Strategic Economic Plan and use of the Local Growth Fund allocation. Approval was also sought for the submission of the Outline Business Cases for the Shrewsbury Integrated Transport Project and Oxon Link Road.

15.2 RESOLVED:

That the recommendations set out in the exempt report of the Director of Commissioning be approved.

16 Connecting Shropshire Phase 2 Procurement

16.1 The Portfolio Holder for Business, ip&e, Culture and Commissioning (North) presented an exempt report by the Director of Commissioning – copy attached to the signed exempt minutes – on the outcome of the Council's procurement process undertaken, following Cabinet's recommendation to commence a procurement exercise using the BDUK (Broadband Delivery UK) procurement framework on 10th December 2014.

16.2 RESOLVED:

That the recommendations set out in the exempt report of the Director of Commissioning be approved.

(The full version of Minutes 11 to 16 constitutes exempt information under categories 1,2 and 3 of paragraph 10.4 of the Council's Access to Information Rules and has accordingly been with-held from publication.)

Signed (Chairman)

Date: