

<b>Cabinet Decision Statement – Wednesday 24 July 2019</b>	<b>Gloucestershire County Council</b>
<b>Published - Wednesday 24 July 2019</b>	

<b>Agenda Item</b>	<b>Decision</b>	<b>Portfolio</b>
<b>5</b>	<p><b>FINANCIAL MONITORING REPORT 2019/20</b></p> <p>Leader of the Council, Cllr Mark Hawthorne, gave an update on the year-end forecast for the 2019/20 County Council's Revenue and Capital Budgets</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>1. <i>Note the forecast revenue year end position as at the end of May 2019 for the 2019/20 financial year as showing a net £2.956 million overspend against the revenue budget of £429.661 million.</i></li> <li>2. <i>Note the one off transfer of £0.028 million to GFRS from the Transformation Reserve to subsidise travel on a targeted basis for key stage 2 and 3 children across Gloucestershire.</i></li> <li>3. <i>Note the forecast capital year end position as at the end of May 2019 of £1.147million overspend against the current budget of £121.537 million</i></li> <li>4. <i>Approve the addition of £1.147 million to the Highways capital budget funded from a variety of sources as outlined in the body of the report.</i></li> <li>5. <i>Note the allocation of £1.209 million from the approved carriageway resurfacing budget to specific schemes as outlined in the body of the report.</i></li> </ol>	Leader of the Council
<b>6</b>	<p><b>TO CONSIDER THE FUTURE PROVISION OF CARE HOMES IN GLOUCESTERSHIRE AND THE RELEVANT CONSULTATION</b></p> <p>Cllr Roger Wilson, Cabinet Member for Adult Social Care, (Commissioning), sought approval for the proposed closures of Southfield House Care Home, Stroud, and Wyatt House Care</p>	Adult Social Care, (Commissioning)

	<p>Home, Stroud and to undertake consultation on the impact of the closures.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>1. <i>Approve the closure of Southfield House Care Home, Stroud.</i></li> <li>2. <i>Agree that any capital receipts arising from the disposal of Southfield House Care Home will be ring-fenced for future developments for older people in the County.</i></li> <li>3. <i>Delegate authority to the Director of Integration, in consultation with the Cabinet Member for Adult Social Care Commissioning, to:</i> <ol style="list-style-type: none"> <li>i) <i>Consult with residents and families of Southfield House Care Home on the impact of and arrangements for the closure of the care home.</i></li> <li>ii) <i>Facilitate moving the residents to an alternative care home that will meets their needs.</i></li> </ol> </li> <li>4. <i>Approve the closure of Wyatt House Care Home.</i></li> <li>5. <i>Agree that any capital receipts arising from the disposal of the properties will be ring-fenced for future developments for older people in the County.</i></li> <li>6. <i>Delegate authority to the Director of Integration, in consultation with the Cabinet Member for Adult Social Care Commissioning to:</i> <ol style="list-style-type: none"> <li>i) <i>Consult with residents and their families of Wyatt House on the impact of and arrangements for the closure of the care home.</i></li> <li>ii) <i>Facilitate moving the residents to an alternative care home that will meet their needs.</i></li> </ol> </li> </ol>	
<p><b>7</b></p>	<p><b>DELIVERY OF STRUCTURAL MAINTENANCE WORKS 2020-2022</b></p> <p>Cllr Vernon Smith, Cabinet Member for Highways and Flood, sought approval for the procurement and award of a contract for the delivery of structural maintenance works from April 2020.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations,</p>	<p>Highways and Flood</p>

	<p>Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Lead Commissioner, Highways Authority, to:</i></p> <ol style="list-style-type: none"> <li>1. <i>Carry out a public procurement law compliant competitive tender process for the delivery of a two year single provider contract for the delivery of structural maintenance works commencing 1st April 2020, and</i></li> <li>2. <i>Award such contract (following the conclusion of the said competitive tender process) in consultation with the Cabinet Member for Highways and Flood, to the preferred provider(s) evaluated as offering the Council best value for money for delivery of the required works.</i></li> </ol> <p><i>In the event that the preferred provider is either unable or unwilling to enter into that contract with the Council then the Lead Commissioner, Highways Authority shall be authorised to award such contract to the next willing highest scoring suitably qualified provider.</i></p>	
<p>8</p>	<p><b>CHILDREN AND FAMILIES CAPITAL PROGRAMME UPDATE</b></p> <p>Cllr Patrick Molyneux, (Cabinet Member for Economy, Education and Skills), sought approval to approve changes to the approved Children and Families Capital Programme.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Approve changes to the Children &amp; Families Capital Programme as set out in the published decision report, to approve:</i></p> <ol style="list-style-type: none"> <li>1. <i>A new scheme for the provision of additional places at Prestbury St Mary's C of E Primary School, funded by the transfer of £0.270 million from the approved basic need provision, and</i></li> <li>2. <i>An additional £0.206 million developer s106 contributions for Cleeve Secondary Academy.</i></li> </ol>	<p>Economy, Education and Skills</p>
<p>9</p>	<p><b>TARGETED FAMILY SUPPORT IN CHILDREN AND FAMILY CENTRE CONTRACT EXTENSION</b></p>	<p>Children's Safeguarding and Early</p>

	<p>Cllr Richard Boyles, (Cabinet Member for Children’s Safeguarding and Early Years), sought to extend existing contracts for the provision of targeted family support services in children and families centres located in Gloucester City, Forest of Dean, and in the Stroud, Cheltenham and Tewkesbury localities.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Delegate authority to the Director of Children’s Services to exercise the option to extend the current contracts for the provision of targeted support services in the 16 Children and Family Centres located in Gloucester City, Forest of Dean, and Stroud, Cheltenham and Tewkesbury localities from 1 April 2020 to 31 March 2022.</i></p>	Years
10	<p><b>ESTABLISHING A DYNAMIC PURCHASING SYSTEM FOR THE PROCUREMENT OF TRANSPORT CONTRACTS</b></p> <p>Cllr Nigel Moor, (Cabinet Member for Environment and Planning), sought approval to conclude the establishment of a Dynamic Purchasing System (DPS) for Transport Services.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Delegate authority to the Lead Commissioner - Community Infrastructure to:</i></p> <ol style="list-style-type: none"> <li>1) <i>Conduct a public procurement law compliant procurement process for the establishment of a ten year Dynamic Purchasing System (“DPS”) for the provision of passenger transport services commencing February 2020;</i></li> <li>2) <i>Admit or remove suppliers from the DPS during its ten year term in accordance with the selection criteria or any revised selection criteria set out in the DPS;</i></li> <li>3) <i>Procure transport services, using the DPS, from providers of Passenger Transport Services (including Home to School Transport Services and Social Care Transport Services) and award contracts for such services up to the value of £499,999 in aggregate in respect of any single contract award <b>PROVIDED</b> that the Lead</i></li> </ol>	Environment and Planning

	<p><i>Commissioner - Community Infrastructure reports back to Cabinet on an annual basis throughout the term of the DPS with details of the aggregate value of all contracts that were awarded using the DPS in the previous year and,</i></p> <p><i>4) Procure contracts for the supply of transport services during financial year 2019/2020 (whose estimated aggregate values shall equal £18m) from operators admitted to the existing DPS and the proposed new DPS; contracts for transport services required by the council in subsequent financial years shall be the subject of separate Cabinet decisions.</i></p>	
<p>11</p>	<p><b>TENDER AND AWARD OF TRANSPORT CONTRACTS UNDER THE DYNAMIC PURCHASING SYSTEM FOR TRANSPORT</b></p> <p>Cllr Nigel Moor, (Cabinet Member for Environment and Planning), sought approval to use the council’s Dynamic Purchasing System (DPS) to procure and award the passenger transport contracts referred to in the decision report and to provide feedback on the council’s progress in implementing transport related decisions agreed in July 2018. .</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Lead Commissioner: Community Infrastructure to:</i></p> <ol style="list-style-type: none"> <li><i>1) Use the TDPS in accordance with its terms to undertake in each case a legally compliant procurement process to procure contracts between July 2019 and July 2021 for the provision of each of the local bus services set out in Table 1 of the published decision report;</i></li> <li><i>2) Upon the conclusion of each of the procurement processes described in Recommendation 1 above, to award a contract to the highest scoring preferred provider in each case evaluated as offering the Council best value for money for delivery of the services in accordance with the TDPS requirements.</i></li> </ol> <p><i>In the event that a preferred provider for a contract is either unable or unwilling to enter into a contract with the Council then the Lead Commissioner: Community Infrastructure is authorised to enter into such contract with the next willing, highest scoring, suitably qualified provider.</i></p>	<p>Environment and Planning</p>

<p>12</p>	<p><b>COMMISSIONING OF A POSITIVE BEHAVIOUR SUPPORT SERVICE FOR CHILDREN AND YOUNG PEOPLE WITH A LEARNING DISABILITY/AUTISM</b></p> <p>Cllr Richard Boyles, (Cabinet Member for Children’s Safeguarding and Early Years), sought approval to tender for the provision of an intensive Positive Behaviour Service for Children and Young People with learning disabilities and/or autism.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ul style="list-style-type: none"> <li>a) <i>Approve the commissioning of an intensive positive behaviour support service for children and young people, to be facilitated by the Provider using a Social Impact Bond;</i></li> <li>b) <i>Delegate authority to the Director of Children’s Services to carry out an OJEU compliant competitive tender process and award a contract, in consultation with the Cabinet Member for Children’s Safeguarding and Early Years, for a positive behaviour support service for children and young people</i></li> <li>c) <i>Delegate authority to the Director of Children’s Services to develop a commissioning implementation plan, in consultation with the Cabinet Member for Children’s Safeguarding and Early Years.</i></li> </ul>	<p>Children’s Safeguarding and Early Years</p>
<p>13</p>	<p><b>A38/A419 WHITMINSTER ROUNDABOUT BRIDGES AND CANAL IMPROVEMENTS (CONTRACT PROCUREMENT AND ANCILLARY ORDERS)</b></p> <p>Cllr Vernon Smith, (Cabinet Member for Highways and Flood), sought authorisation for the Lead Commissioner, Highway Authority to receive funds from Highways England (via Cotswold Canal Trust) for the proposes of procuring a contract for works in respect of the proposed A38/A419 Whitminster Roundabout Bridges and Canal Improvements</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Lead Commissioner; Highway Authority to:</i></p> <p><i>(1) Receive £4.0m by way of funding from Highways England</i></p>	<p>Highways and Flood</p>

*(via Cotswold Canal Trust) for the purpose of funding a contract for works in respect of the proposed A38/A419 Whitminster Roundabout Bridges and Canal Improvements described in this report (the “Contract for Improvement Works”);*

*(2) Permit the council to become the “Client” for the purposes of procuring the proposed Contract for Improvement Works;*

*(3) Conduct, in consultation with the Cabinet Member for Environment and Planning, a public procurement law compliant tender process for the purpose of awarding the proposed Contract for Improvement Works;*

*(4) Award and enter into the proposed Contract for Improvement Works with the preferred tenderer evaluated as offering the Council best value for money for delivery of the required works or, in the event that the preferred tenderer for the contract is either unable or unwilling to enter into that contract with the Council, to award and enter into such contract with the next willing highest scoring suitably qualified tenderer.*

The decisions published above will come into force and may be implemented on 1 August 2019, unless a request is made for the decision to be called-in.

### **CALL-IN PROCEDURE**

A decision may only be only called-in if one or more of the following conditions are satisfied: -

- 1) The decision conflicts in whole or part with any existing policy that has been formally approved or adopted by the Council;
- 2) The decision would not be wholly in accordance with the Council’s budget;
- 3) In making the decision, the Cabinet, the Leader of the Council, or a Cabinet Member or Officer under delegated powers, has taken account of an irrelevant matter or failed to take account of a relevant matter, which in the opinion of the Chief Executive, had (or would have), a significant bearing on that decision;
- 4) The Cabinet, the Leader of the Council, or a Cabinet Member or Officer under delegated powers, acted contrary to the Cabinet Procedure Rules, the Access to Information about the County Council’s Formal Business, and/or the principles of the decision making set out in Part 2, Article 7.02 of the Council’s Constitution.

At least **five members** of the council must give notice in writing of their request to call-in a decision.

The request, including reasons for the call-in, must be delivered to the Chief Executive before the end of the fifth working day after the day on which the decision is published.

The request for a call-in of any of the decisions above should be made to Jo Moore (DSU) by **5 pm on 31 July 2019**

For more information on the contents of this Decision Statement, please contact: -

Jo Moore (Democratic Services Unit)

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