

**Cabinet Decision Statement – Wednesday 1 February 2017**

**Gloucestershire  
County Council**

**Published – Thursday 2 February 2017**

<b>Agenda Item</b>	<b>Decision</b>	<b>Portfolio</b>
<p><b>5</b></p>	<p><b>FINANCIAL MONITORING REPORT: 2016/17</b></p> <p>Cllr Ray Theodoulou, Cabinet Member: Finance and Change, gave an update on the year end forecast for the 2016/17 County Council’s Revenue and Capital Budgets.</p> <p>Having considered all of the information, including known proposals and the reasons for the 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;</i><ol style="list-style-type: none"><li>a) <i>Revenue year end position, as at the end of November for the 2016/17 financial year, of a £0.893 million under-spend.</i></li><li>b) <i>Capital year end position for 2016/17 of a £1.64 million under-spend against the re-profiled budget and the changes to the 2016/17 re-profiled budgets detailed in section B.</i></li></ol></li><li>2. <i>Approve the transfer of £0.454 million from a revenue underspend in the Technical &amp; Corporate budget to the Economic Stimulus Reserve to fund costs associated with expanding the Council’s apprenticeship programme.</i></li><li>3. <i>Confirm the revised payment timetable of £1.0 million to Highways England between 1<sup>st</sup> February 2017 and 1<sup>st</sup> January 2018 in relation to the A417 Missing Link project in line with the funding agreement between the Council and Highways England.</i></li><li>4. <i>Approve the following changes to the capital programme:</i></li></ol>	

	<p>a) <i>Increase the Adults capital programme by £1.834 million (£0.8 million in 2016/17 and £1.034 million in 2017/18), funded by a Department of Health Capital Grant, to enable the purchase and adaptation of various properties for people with learning difficulties.</i></p> <p>b) <i>Increase the Highway capital budget by £0.44 million, funded from a revenue contribution of £0.35 million and an additional £0.09 million of developer and other external contributions to help fund a variety of highway schemes.</i></p> <p>c) <i>Increase the capital programme for Safety Fencing by £0.25 million, funded from a revenue contribution from the Highways revenue budget.</i></p> <p>d) <i>Increase the Waste capital budget by £0.10 million to fund capital improvements at Household Recycling Centres funded from a revenue contribution from the Waste revenue budget.</i></p> <p>e) <i>Increase the ICT capital budget by £0.450 million, funded by a revenue contribution from a one off underspend in the ICT revenue budget, to fund investment in ICT equipment for social workers which will facilitate mobile working.</i></p>	
6	<p><b>RECOMMENDATIONS TO COUNCIL: COUNCIL STRATEGY AND MEDIUM TERM FINANCIAL STRATEGY 2017/18 - 2019/20</b></p> <p>Cllr Mark Hawthorne, Leader of Council, outlined the Cabinet’s recommendations to Council on the</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>1. <i>Consider the outcome of the consultation received, as summarised in the published decision report and in Section C of the MTFs, and as set out in detail in the consultation report.</i></li> <li>2. <i>Approve the Draft Council Strategy for submission to County Council.</i></li> </ol>	FIELD_DEPARTMEN T

	<p>3. <i>Approve changes to the draft budget as set out in paragraphs 8 (revenue) and 10 (capital), which are now included within the MTFS, and to approve the MTFS and final revenue and capital budget for 2017/18 for recommendation to Council, including all of the proposals set out in the annexes to the published decision report.</i></p> <p>4. <i>Note the schools funding, the provisional local government finance settlement and forecast reserve movements as summarised in this report and set out in the MTFS, and to recommend to Council a revenue budget of £402.68 million, and a band D council tax of £1179.26, and consequential precepts on District Councils.</i></p> <p>5. <i>Approve, for recommendation to Council, the Treasury Management Strategy, Investment Strategy and Prudential Indicators as set out in Section I of the published decision report and Annex 9 of the detailed MTFS.</i></p> <p>6. <i>Approve, for recommendation to Council, the Risk Management Policy Statement &amp; Strategy as set out in Section M of the published decision report and Annex 10 of the detailed MTFS.</i></p>	
<p>7</p>	<p><b>PROPOSED AWARD OF A SOUTH-WEST SUB-REGIONAL FRAMEWORK AGREEMENT FOR THE PROVISION OF LEAVING CARE/INDEPENDENT LIVING SETTINGS</b></p> <p>Cllr Paul McLain, Cabinet Member: Children and Young People and Strategic Commissioning, sought approval for the council to participate in a collaborative tendering process led by South Gloucestershire Council for the creation and award of a sub-regional framework for the provision of leaving care or independent living settings.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Commissioning Director: Children and Families to:</i></p>	<p>FIELD_DEPARTMEN T</p>

	<ol style="list-style-type: none"> <li>1 <i>Participate in a competitive tendering process compliant with the provisions of Schedule 3 of the Public Contracts Regulations 2015 (SI 2015/102) and conducted by South Gloucestershire Council as the lead authority for the award of a four year South West sub-regional Framework Agreement (the Framework) commencing on the 1st July 2017 for the provision of leaving care/independent living settings.</i></li> <li>2 <i>Enter into a Participation Agreement with South Gloucestershire Council to give effect to the recommendation above and pay South Gloucestershire Council up to £5,000 (tbc) as a contribution to their costs in acting as lead authority for the procurement of the Framework.</i></li> <li>3 <i>Enter into such number of call-off contracts (placements) as are required to meet the Council's responsibility to provide services for Care Leavers who require Independent Supported Living.</i></li> </ol>	
8	<p><b>GLOUCESTER SOUTH WEST BYPASS (GSWB) – LLANTHONY ROAD IMPROVEMENTS</b></p> <p>Cllr Nigel Moor, Cabinet Member: Fire, Planning and Infrastructure, sought approval to underwrite the risk of the County Council not receiving all of the committed Growth Deal funding scheduled for 2018/19, thereby allowing the land acquisition to be brought forward from 2018/19 to 2017/18. Cabinet to also consider the making of orders required to proceed with the scheme.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>(1) <i>Make provision to allow the County Council to underwrite the risk of the County Council not receiving all of the committed Growth Deal funding scheduled for 2018/19;</i></li> <li>(2) <i>Commence land acquisition via Compulsory Purchase Order (CPO) in addition to negotiated settlement route allowing the land acquisition to commence in financial year 2017/18; and</i></li> </ol>	FIELD_DEPARTMENT

	<p><i>(3) Make any other ancillary orders that might be required to successfully implement the scheme.</i></p>	
9	<p><b>A40 OVER ROUNDABOUT IMPROVEMENT SCHEME</b></p> <p>Cllr Nigel Moor, Cabinet Member: Fire, Planning and Infrastructure, sought approval to conduct a legally compliant, competitive, tender process for the purpose of awarding a contract to carry out construction works in accordance with the detailed design of the A40 Roundabout Improvement Scheme.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Commissioning Director, Communities &amp; Infrastructure to:</i></p> <ol style="list-style-type: none"> <li><i>1) Conduct a legally compliant competitive tender process for the award of a works contract to a single supplier for the construction of the A40 Over Roundabout Improvement Scheme; and</i></li> <li><i>2) Upon conclusion of the competitive tender process, and in consultation with the Lead Cabinet Member for Fire, Planning and Infrastructure, to enter into a contract with the preferred provider evaluated as offering the Council best value for money for delivery of the works OR, in the event that the preferred provider for the contract is either unable or unwilling to enter into that contract, to enter into such contract with the next willing highest placed suitably qualified provider.</i></li> </ol>	FIELD_DEPARTMENT
10	<p><b>INVESTING IN SUPPORT FOR HOMELESS VULNERABLE PEOPLE - INTERIM ARRANGEMENTS</b></p> <p>Cllr Kathy Williams, Cabinet Member: Long-Term Care sought to endorse the council's continued involvement with district councils in developing and reviewing services for homeless, vulnerable people.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p>	FIELD_DEPARTMENT

	<p><b>RESOLVED to:</b></p> <p>1) a) <i>Note the Social Impact Bond investment of up to £990k as detailed in section 5 of the report, which will enable personalised support to rough sleepers and individuals entrenched within the homelessness system and provide link workers to support each individual to navigate their journey away from homelessness to positive, sustainable outcomes.</i></p> <p>b) <i>Endorse the council’s continued involvement, with district councils, in developing the Social Impact Bond and review of services to homeless vulnerable people.</i></p> <p>2) <i>Delegate authority to the Commissioning Director: Children and Families, in consultation with Cabinet Member Long Term Care, to:</i></p> <p>a) <i>Direct award interim contracts to the five incumbent providers of each of the contracts for homeless vulnerable adults, as listed in Section A of Appendix A of the published decision report, so that they should all expire 30th September 2018, and</i></p> <p>b) <i>Exercise contractual options to extend the existing contracts for accommodation-based support for homeless young vulnerable people with each of the six providers, as listed in Section B of Appendix A of this report, for a further period of 1 year, commencing on 1 July 2017, and then, vary such contracts to extend their terms by a further three month period to expire 30th September 2018 on the basis set out in Section C of Appendix A to the published decision report,</i></p> <p><i>for the purpose of aligning contract end dates to enable their alignment with future plans as described in section 9 of the decision report.</i></p>	
11	<p><b>PROPOSAL TO DEVELOP AN INTENSIVE INTERVENTION SERVICE FOR CHILDREN AND YOUNG PEOPLE</b></p> <p>Cllr Paul McLain, Cabinet Member: Children &amp; Young People and Strategic Commissioning sought approval to develop an intensive intervention service for the most vulnerable at risk young people.</p>	FIELD_DEPARTMEN T

	<p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>1. <i>Approve the proposal to develop an Intensive Intervention Service for Young People, and</i></li> <li>2. <i>Authorise the Commissioning Director, Children and Families, in consultation with the Cabinet Member for Children and Young People and Strategic Commissioning, to enter into a formal joint funding agreement with Gloucestershire Clinical Commissioning Group, if required, to invest in the Intensive Intervention Service.</i></li> </ol>	
12	<p><b>PRIORS AND OAKLEY FLOOD ALLEVIATION SCHEME</b></p> <p>Cllr Vernon Smith, Cabinet Member: Highways and Flood sought approval of a legal strategy to enable the implementation of the Priors and Oakley Flood Alleviation Scheme, Cheltenham.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report, including the exempt annex, and,</p> <p><b>RESOLVED to:</b></p> <ol style="list-style-type: none"> <li>i. <i>Subject to the granting of planning permission, approve the use of Section 64 of the Land Drainage Act 1991 to issue a notice on the relevant landowners for the purpose of undertaking the construction of a flood alleviation scheme in relation to the land outlined red in the planning application 17/00017/FUL;</i></li> <li>ii. <i>Settle compensation claims from affected landowners arising from the interference in their use of land affected by the work if it can be shown that injury is sustained by reason of the exercise of the Council to construct the flood alleviation asset, the periods of time when the storage basins fill with surface water and the occasions when maintenance and inspection is undertaken, and;</i></li> </ol>	FIELD_DEPARTMENT

	<p>iii. <i>Delegate authority to the Commissioning Director for Communities and Infrastructure in consultation with the Lead Cabinet member for Highways and Flood and the S151 officer, to undertake such ancillary steps necessary to;</i></p> <p style="padding-left: 40px;"><i>(a) Exercise the powers contained in the FWMA 2010 to approve the designation of the flood risk management asset on completion and, subject to the granting of planning permission, and</i></p> <p style="padding-left: 40px;"><i>(b) Undertake such ancillary steps necessary to implement the recommendations set out above in paras (i), (ii), and (iii)</i></p> <p>Prior to the discussion, members were advised that, should Cabinet wish to discuss the contents of the exempt annex at the meeting, consideration would need to be given as to whether the press and public should be excluded from the meeting in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Cabinet agreed to consider the item without reference to the exempt information.</p>	
13	<p><b>CONTRACT AWARD: FASTERSHIRE BROADBAND STRATEGY STAGE 3 - LOTS 3C, 3D, 3E AND 4</b></p> <p>Cllr Mark Hawthorne, Leader of Council, sought to authorise the Commissioning Director: Communities and Infrastructure to award the contracts for Stage 3 Lots 3c, 3d, 3e and 4 of the Fastershire Broadband Strategy 2015 – 2018, for the deployment of superfast broadband in Gloucestershire, (and Herefordshire), and to award the contracts for delivery of Lots 3a and 3b.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and,</p> <p><b>RESOLVED to:</b></p> <p><i>Authorise the Commissioning Director: Communities and Infrastructure, in consultation with the Leader of the Council and Director of Strategic Finance, to:</i></p>	FIELD_DEPARTMEN T



*(a) Award a contract to the highest scoring supplier (namely “Gigaclear”) that was identified in a competitive procurement process carried out by Herefordshire Council, (in its role on the joint Gloucestershire County Council and Herefordshire Council Fastershire project), for the deployment of superfast broadband in Gloucestershire (and Herefordshire). Such a contract shall require Gigaclear to (i) deliver fibre broadband infrastructure within the areas described in **Lot 3c**, (South Herefordshire & West Gloucestershire), **Lot 3d**, (North Gloucestershire), **Lot 3e**, (South Gloucestershire) and **Lot 4**, (North Herefordshire) and (ii) provide gap funding in respect thereof. The maximum value of such a contract, (for Lots 3c, 3d, 3e and 4), shall be £12.7m, (made up of £5.14m to be contributed by Gloucestershire County Council and £7.56m to be contributed by Herefordshire Council). Such a contract shall include an option to increase Herefordshire Council’s Lot 3c subsidy contribution by no more than £1.4m in accordance with the original published subsidy limit set out in the ITT. Such an option may be exercised only if a delivery plan has been agreed by Gloucestershire County Council’s Commissioning Director. The term of such contract shall expire seven years after the final infrastructure payment is made, (anticipated to be December 2019). The said contract shall not be entered into with Gigaclear until Herefordshire Council has provided its approval, therefore;*

*(b) Subject to the positive conclusion of BDUKs due diligence, to award a contract to the highest scoring supplier that was identified in a competitive procurement process carried out between September and November 2016 for the deployment of superfast broadband in Gloucestershire (and Herefordshire). Such contract shall require the highest scoring supplier to i) deliver fibre broadband infrastructure within the areas described in **Lot 3a** (Cheltenham and Gloucester) and **Lot 3b** (Hereford). The value of such contract shall be £910k (made up of £0.691m to be contributed by Gloucestershire County Council and £0.219m to be contributed by Herefordshire Council). The term of such contract shall expire seven years after the final infrastructure payment (anticipated to be December 2019). The said contract shall not be entered into with the highest scoring supplier until Herefordshire Council has provided its approval therefore; .*

*(c) Take all operational decisions in relation to (i) the approved £0.58m of uncommitted funds detailed as “Future Procurements and Contract Extensions” in the table below, (ii) further ERDF and EAFRD European Funding (subject to approval); and (iii) the possible reinvestment of any*

	<p><i>underspend from previous stages of the approved Fastershire Broadband Strategy.</i></p> <p>Prior to the discussion, members were advised that, should Cabinet wish to discuss the contents of the exempt information at the meeting, consideration would need to be given as to whether the press and public should be excluded from the meeting in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Cabinet agreed to consider the item without reference to the exempt information.</p>	
14	<p><b>SCHEDULE OF PROPOSED DISPOSALS</b></p> <p>Cllr Ray Theodoulou, Cabinet Member: Finance and Change sought approval of the Schedule of Disposals proposed to meet the three year 'Meeting The Challenge 2' capital receipt target of £60 million covering the period 2015/16 to 2017/18.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report, in line with the Policy for the Disposal of Property, resolved to:</p> <ol style="list-style-type: none"> <li>1) <i>Confirm that those sites described at Appendix A (Exempt) which have previously been declared surplus by Cabinet in September 2016 and not yet disposed of, continue to be declared surplus to requirements</i></li> <li>2) <i>Declare the sites listed on the proposed Schedule of Disposals Appendix B (Exempt) surplus to the Council's land and property requirements,</i></li> </ol> <p><i>and in relation to these schedules, delegate authority to the Head of Property Services to dispose of the sites in consultation with the Cabinet Member for Finance and Change.</i></p> <p>Prior to the discussion, members were advised that, should Cabinet wish to discuss the contents of the exempt information at the meeting, consideration would need to be given as to whether the press and public should be excluded from the meeting in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Cabinet agreed to consider the item without reference to the exempt information.</p>	FIELD_DEPARTMEN T

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The decisions published above will come into force and may be implemented on **Friday 10 February 2017**, 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 Thursday 9 February 2017**.

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

Jo Moore (Democratic Services Unit)

Tel: 01452 324196; Fax: 01452 425240; email: [jo.moore@gloucestershire.gov.uk](mailto:jo.moore@gloucestershire.gov.uk)