

Cabinet Decision Statement (9 October 2019)	Gloucestershire County Council
Published Wednesday 9 October 2019	

Agenda Item	Decision	Portfolio
5	<p>RECOMMENDATION TO COUNCIL: YOUTH JUSTICE MANAGEMENT PLAN</p> <p>Having considered all of the information, including representations from the Children and Families Scrutiny Committee meeting on 18 July 2019, alternative options and the reasons for the recommendations, Cabinet noted the report and,</p> <p>RESOLVED to</p> <p><i>Recommend that the Youth Justice Plan 2019/20 (Appendix 1 if the decision report) be presented to Full Council for approval.</i></p>	Children's Safeguarding And Early Years
6	<p>FINANCIAL MONITORING REPORT</p> <p>Cllr Lynden Stowe, Cabinet Member for Finance and Change, 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>RESOLVED to</p> <ol style="list-style-type: none"> 1. <i>Note the forecast revenue year end position as at the end of August 2019 for the 2019/20 financial year of a net £4.490 million overspend against the revenue budget of £429.661 million.</i> 2. <i>Note the forecast capital year end position as at the end of August 2019 of £112.620 million against the budget of £126.048 million.</i> 3. <i>Approve the addition of £0.043 million to the Highways capital budget funded from a variety of sources as outlined in the body of the report.</i> 4. <i>Approve the allocation of £3.887 million from the approved</i> 	Finance and Change

	<p><i>carriageway resurfacing budget to schemes as outlined in the body of the report.</i></p> <p>5. <i>Approve the reduction of £0.191million to the Flood Alleviation capital budget as outlined in the body of the report.</i></p>	
7	<p>PRODUCING THE COUNCIL STRATEGY AND MEDIUM TERM FINANCIAL STRATEGY 2020-21</p> <p>Cllr Lynden Stowe, Cabinet Member for Finance and Change, set out the context and process for producing the Medium Term Financial Strategy for the period 2020/21 to 2022/23.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p>RESOLVED to:</p> <p><i>Agree the proposed process for developing the Council's three-year Medium Term Financial Strategy (MTFS) covering the period 2020/21 to 2022/23.</i></p>	Finance and Change
8	<p>PUBLIC HEALTH NURSING SERVICE</p> <p>Cllr Tim Harman, Cabinet Member for Public Health and Communities, sought approval to extend the current Section 76 Agreement with Gloucestershire Care 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>RESOLVED to:</p> <p><i>Authorise the Director of Public Health, in consultation with the Cabinet Member for Public Health and Communities, to extend the term of the current Public Health Nursing Service model arrangements for a further period of two years (to expire March 2022) with the option to extend such period for an additional period of two years (to expire March 2024).</i></p>	Public Health and Communities,
9	<p>SOUTH WEST SUB-REGIONAL RESIDENTIAL DYNAMIC PURCHASING SYSTEM</p> <p>Cllr Richard Boyles, Deputy Leader and Cabinet Member for Children's Safeguarding and Early Years, sought approval for Gloucestershire County Council to participate in a competitive tendering process conducted by South Gloucestershire Council (as the lead authority) for the award of a four year (plus) South West</p>	Children's Safeguarding and Early Years

	<p>Sub-Regional Dynamic Purchasing System (DPS) commencing 1st April 2020 for the provision of independent residential care for looked after children.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p>RESOLVED to:</p> <p><i>Authorise the Assistant Director for Integrated Children and Families Commissioning to:</i></p> <ol style="list-style-type: none"> 1 <i>Participate in a public procurement law compliant procurement process conducted by South Gloucestershire Council (as the lead authority) to establish a four year (with the option to extend for a further two years) Dynamic Purchasing System (to be known as the “South West sub-regional Dynamic Purchasing System” (the “DPS”) commencing on the 1st April 2020 for the provision of independent residential care for looked after children using a light-touch approach;</i> 2 <i>Enter into a Participation Agreement with South Gloucestershire Council to give effect to recommendation 1. above and make a one off payment to South Gloucestershire Council of £5,000 as a contribution towards their costs in acting as lead authority for the procurement of the DPS;</i> 3 <i>Procure such number of call-off contracts (placements) under the DPS as are required to meet the Council’s responsibility to provide residential care services for children and young people who become or are looked after Provided that the value of any single call-off contract will not exceed £499,999.99. Any single contract under the DPS with a value that exceeds this sum must be the subject of a separate cabinet decision; and</i> 4 <i>Report back to Cabinet on an annual basis throughout the continuance of the DPS with details of the aggregate value of all call-off contracts that have been awarded by the Council under the DPS in the preceding year.</i> 	
<p>10</p>	<p>ADOPTION OF A WASTE TIPPING AWAY POLICY</p> <p>Cllr Nigel Moor, Cabinet Member for Environment and Planning, set out proposals for the adoption of a Waste Tipping Away Policy to be used in the calculation of Waste Tipping Away payments made by the Council.</p> <p>Cllr Moor also provided feedback on comments made at the Joint Waste Committee meeting on 8 October 2019, including the proposal that the Tipping Away Policy reaffirm the partnership commitment to working together on service changes and consider the impacts of climate change as part of the decision making</p>	<p>Environment and Planning</p>

	<p>process.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p>RESOLVED to:</p> <p><i>Approve the adoption of a Waste Tipping Away Policy as set out in section 4 of the published decision report.</i></p>	
<p>11</p>	<p>ESTABLISHMENT AND CONSTRUCTION OF A NEW 75 PLACE SPECIAL SCHOOL FOR CHILDREN AND YOUNG PEOPLE (AGED 11-16) WITH SOCIAL, EMOTIONAL AND MENTAL HEALTH (SEMH) NEEDS</p> <p>Cllr Patrick Molyneux, Cabinet Member for Economy, Education and Skills, sought approval to establish a 75 place special school for children and young people aged 11-16 year with SEMH needs.</p> <p>Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,</p> <p>RESOLVED to:</p> <p><i>Approve the establishment of a new 75 place special school for children and young people aged 11-16 year with SEMH needs and delegate authority to the Director of Education, in consultation with the Cabinet Member for Economy, Education and Skills, to:</i></p> <ol style="list-style-type: none"> <i>1. Hold a free school presumption competition in accordance with the Department for Education’s advice contained in, “The free school presumption” (May 2018) in order to identify a suitable Academy Trust to sponsor the school;</i> <i>2. Upon conclusion of the competition, recommend to the Secretary of State the findings of the Local Authority’s assessment to enable him to decide upon the most suitable proposer to take forward the new free school;</i> <p><i>Delegate authority to the Head of Property Services, in consultation with the Cabinet Member for Economy, Education and Skills, to:</i></p> <ol style="list-style-type: none"> <i>3. Acquire the land on which to establish and construct the new special school.</i> <i>4. Conduct a procurement process in accordance with rules of a public sector designed and managed framework agreement known as the “GCC procurement framework” for the purpose of awarding (a) a preconstruction design agreement and (b) subject to satisfactory planning permission, a contract for construction works relating to the establishment of a 75 place special school for</i> 	<p>Economy, Education and Skills</p>

	<p><i>children and young people aged 11-16 years with SEMH needs.</i></p> <p><i>5. Use a mini competition process through the GCC procurement framework to determine the Council's preferred contractor(s).</i></p> <p><i>6. Upon conclusion of the mini competition to enter into the abovementioned pre construction design and, subject to satisfactory planning permission, a contract for the construction works with the preferred contractor(s) evaluated as offering the Council best value for money and quality for delivery of the new school. In the event that the preferred contractor(s) is either unable or unwilling to enter into that contract(s) with the Council, the Head of Property is authorised to enter into such contract with the next willing highest places and suitably qualified contractor.</i></p> <p><i>Authorise the Director of Education and the Head of Property Services to:</i></p> <p><i>7. Undertake all ancillary matters to enable the establishment of the 75 place special school for children and young people aged 11-16 years with SEMH needs</i></p>	
<p>12</p>	<p>CHILDREN & FAMILIES CAPITAL PROGRAMME UPDATE</p> <p>Cllr Patrick Molyneux, Cabinet Member for Economy, Education and Skills, sought approval of changes to the Children & 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 further to the earlier decision to establish a new SEMH school,</p> <p>RESOLVED to:</p> <p><i>Approve changes to the Children & Families Capital Programme (as set out in the report), including approval of;</i></p> <ol style="list-style-type: none"> <i>1. A new scheme for the provision of a 75 place SEMH Special School, funded by the transfer of £5.0 million from the approved basic need provision for Specialist Provision and £2.5 million from the Department for Education Specialist Provision Grant.</i> <i>2. A new scheme for the provision of additional places at Belmont Special School, funded by the transfer of £0.215 million from the approved High Needs Specialist Provision budget.</i> <i>3. A new scheme for improvements at the Cheltenham and Tewkesbury Alternative Provision School (CTAPS), funded by the transfer of £0.075 million funded from the approved SEND support in mainstream school budget.</i> 	<p>Economy, Education and Skills</p>

13	<p>SCHEDULE OF PROPOSED DISPOSALS</p> <p>Cllr Lynden Stowe, Cabinet Member for Finance and Change, sought approval for the disposal of sites declared surplus to the council's land and property requirements. The proposal relates to achieving the 3 year Meeting the Challenge 3 Capital Receipt Target of £33m for the period up to 2020/21.</p> <p>Having considered all of the information, including known proposals and the reasons for the recommendations, Cabinet noted the report and, in line with the council's Policy for the Disposal of Property,</p> <p>RESOLVED to:</p> <ol style="list-style-type: none"> 1) <i>Confirm that those sites described at Appendix A (Exempt) which had previously been declared surplus by Cabinet in March 2019 and not yet disposed of, continue to be declared surplus to requirements and</i> 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> <p><i>and in relation to both of 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 reported at Appendix A and Appendix B of the report, 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.</p> <p>Cabinet agreed to consider the item without having to refer to the exempt information.</p>	Finance and Change

The decisions published above will come into force and may be implemented on 17 October 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 16 October 2019**.

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