



MINUTES of meeting of the Cabinet

Held on WEDNESDAY 11 MARCH 2020

**PETER BUNGARD
CHIEF EXECUTIVE**

Cabinet	Gloucestershire County Council
11 March 2020	

Present:

- Cllr Mark Hawthorne MBE - Leader of Council
- Cllr Richard Boyles - Deputy Leader and Cabinet Member for Children's Safeguarding and Early Years
- Cllr Carole Allaway Martin - Cabinet Member for Adult Social Care Commissioning
- Cllr Tim Harman - Cabinet Member for Public Health and Communities
- Cllr Patrick Molyneux - Cabinet Member for Economy, Education and Skills
- Cllr Nigel Moor - Cabinet Member for Environment and Planning
- Cllr Vernon Smith - Cabinet Member for Highways and Flood
- Cllr Lynden Stowe - Cabinet Member for Finance and Change
- Cllr Kathy Williams - Cabinet Member for Adult Social Care (Delivery)

1. Apologies

Apologies were received from Cllr Dave Norman, (Cabinet Member for Public Protection, Parking and Libraries).

2. Minutes

The minutes of the meeting held on 29 January 2020 were agreed and signed as a correct record of that meeting.

3. Declarations of Interest

No declarations of interest were made at the meeting.

4. Questions at Cabinet Meetings

No questions were submitted for consideration at the meeting.

5. Financial Monitoring Report 2019/20

Cllr Lynden Stowe, Cabinet Member for Finance and Change, gave an update on the council's year end forecast for the 2019/20 Revenue and Capital Budgets.

Cllr Stowe reported a revenue outturn forecast position for 2019/20, (based on expenditure at the end of December 2019), as forecasting a balanced position.

Any year end overspends would be funded from general reserves, (reported at £18.520 million or 4.3% of the net revenue budget).

Cllr Vernon Smith, Cabinet Member: Highways and Flood, commended officers for staying on target with budget targets in spite of the challenges created by the recent storms that had affected the county. It was noted that the council's £150 million highway investment programme was still on target.

Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,

RESOLVED to: -

- 1. Note the forecast revenue year end position as at the end of December 2019 (Period 9) for the 2019/20 financial year as a balanced position.*
- 2. Note the forecast capital year end position as at the end of December 2019 (Period 9) of £106.373 million against the revised budget of £110.36 million.*
- 3. Approve the £0.387 million increase to the capital programme as outlined in Section D of the report.*

6. Capita ONE Education Casework Management Software System

Cllr Patrick Molyneux, Cabinet Member for Economy, Education and Skills, made a recommendation to cabinet to procure a new software support and maintenance contract in respect of the Capita ONE Education casework system, following expiry of the current contract at the end of March 2020.

Outlining the three options included in the report, (to procure a contract from the current providers; to allow the current contract to expire and provide in-house maintenance; and to procure a new management system from an alternative supplier), Cllr Molyneux advised members that to procure the new contract from the current supplier would be the most economically advantageous and least disruptive solution. The second option, (to provide in-house maintenance), could leave the council with no access to the core system, whilst the third option 3, to procure a new system, had encountered issues at other councils.

Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,

RESOLVED to:

Delegate authority to the Director of Digital and People Services in consultation with the Cabinet Member for Economy, Education and Skills and the Director of Education to:

(1) Award to the successful supplier, without further competition (i.e. direct award), a three year software support and maintenance call-off contract in respect of the product known as "Capita ONE Education" under Kent County Council Framework

Agreement (KCS) (Y16018) in accordance with the rules of that framework. The proposed contract will include an option to extend its term by up to two (2) further years.

Such contract will enable the Council to continue to support the Education Service within GCC with their Information Management System requirements.

(2) Authorise the Head of ICT, in consultation with the Director of Education, to review on an annual basis the Capita ONE modules supported under the proposed contract (described in section 2 of this Report) in order to confirm which of them are no longer required and should therefore, be removed from the proposed contract in accordance with its “change control” provisions.

7. Section 75 Agreement with the Gloucestershire Clinical Commissioning Group for the commissioning of health and social care services

Cllr Carole Allaway Martin, Cabinet Member for Adult Social Care Commissioning, sought cabinet approval to enter into a new framework partnership agreement with the Gloucestershire Clinical Commissioning Group (GCCG) for the commissioning of health and social care services.

Clarifying the risk to the council should the decision not be taken, and the requirement of the Better Care Fund for the council to enter into an agreement, Cllr Allaway Martin advised members that the council’s working relationship with the CCG was well-founded. The proposal was to enter into an agreement for an initial period of three years, with the option to extend for a further two years.

Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,

RESOLVED to:

Delegate authority to the Executive Director Adults Social Care in consultation with the Executive Director Children’s Services and the Executive Director Corporate Resources to enter into a new Section 75 Agreement with Gloucestershire Clinical Commissioning Group. This Agreement shall commence on the 1st April 2020, continue for an initial period of three years and include an option to extend its term by two further years.

8. Youth Justice Plan 2019/20

Cllr Richard Boyles, Cabinet Member for Children’s Safeguarding and Early Years, sought to endorse the Youth Justice Plan for Gloucestershire 2019/20.

Cllr Boyles informed members that, in October 2019, Her Majesty’s Inspection of Probation, (HMIP), had undertaken an inspection of the Gloucestershire Youth Offending Service as part of a four year programme. The inspection considered three broad areas, comprising; the arrangements for the organisational delivery of the service; the quality of work undertaken with children and young people receiving court sentences, and the quality of the out of court disposal work.

A final inspection report, (published in January 2020), had classified the Gloucestershire Youth Offending Service as 'requiring improvement'. Feedback from the inspection, (in November 2019), indicated that Gloucestershire's multi agency out of court work, (delivered by the Children First Programme), was inadequate. Cllr Boyles explained that work undertaken as part of the Children First initiative aimed to divert children and young people away from the criminal justice system before receiving a formal caution and a criminal record. Adopting this approach involved consulting with communities and victims, as well as partner agencies, prior to taking decisions on individual cases.

Cllr Boyles reported that, under the old system, Gloucestershire had recorded a re-offending rate of 44% post caution. In Year 1 of the Children First Programme, this had reduced to 13% and in Year 2 to 9%. It was felt the reduction represented the success of the Gloucestershire Youth Offending Service in taking a diversion and community and multi agency approach, an achievement that had been recognised by the award of a Howard League Criminal Reform Prize for the council's out of court disposal work in 2019.

The council had been required to produce an Improvement Plan. The plan had been submitted to HMIP and had been considered to be "timely and thorough".

Cllr Boyles stated that the council would not be altering the current direction of the Children First Programme. He also stated that questions had been raised following concerns about the national inspection framework and the suggestion that the framework had not kept up with national standards with regard to proportionality.

Cllr Mark Hawthorne, Leader of the Council, expressed his satisfaction at the outcome of the appeal and in the national recognition accredited to the council regarding delivery of its Youth Offending Service.

Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,

RESOLVED to:

Endorse the Improvement Plan developed by local partners in response to the HM Inspectorate of Probation's inspection of Gloucestershire's Youth Justice arrangements in October 2019.

9. Extension of Health and Social Care Advocacy Services Contract

Cllr Carole Allaway Martin, Cabinet Member for Adult Social Care Commissioning, sought approval to extend the term of the council's existing Health and Social Care Advocacy Services Contract.

Incorporated within the proposal was a recommendation to amend such contract for the purpose of including new Liberty Protection Safeguards, (LPS). To comply with legislation introduced in 2019, references to the Deprivation of Liberties (DoLs) would now be referred to as Liberty Protection Safeguards. Where DoL's applied to

those aged over 18, the new safeguards applied to young people aged 16 years and above. It was not clear what the impact of this change might be but it was anticipated there could be significant repercussions.

Cllr Allaway Martin proposed that the new contract be extended for a period of 2 years and 2 months. Responding to questions, she explained that the purpose of the proposed period of extension was to allow the new guidelines to become embedded and to align the dates of the contract with the council's quarterly performance reporting arrangements.

Cllr Allaway Martin advised members that in continuing with the current model would enable the council to commission arrangements to efficiently meet a range of statutory duties, including; the Care Act 2014; the Health and Social Care Act 2012; the Mental Health Act 2007; and the Mental Capacity Act 2005. To extend the contract with the current provider would allow the service to continue and develop.

Having considered all of the information, including known proposals, alternative options and reasons for recommendations, Cabinet noted the report and,

RESOLVED to:

Delegate authority to the Executive Director Adults Social Care:

- 1) To exercise an option, under the council's Independent Health and Social Care Advocacy Service for Adults contract with POhWER, to extend its term by 2 years from 1st August 2020 until 31st July 2022;*
- 2) To extend the term of such contract by 2 further months expiring 30th September 2022 for the purpose of aligning it to the council's financial monitoring quarter year, and to provide further time in which to embed the implementation of the Liberty Protection Safeguards (LPS) before the re-commissioning of a new service in 2022;*
- 3) In consultation with the Cabinet Member for Adult Social Care Commissioning, to amend the service specification of such contract upon implementation of LPS (described in the main body of this report) in order to ensure that the council is able to comply with its new statutory duties under the LPS.*

10. Schedule of Proposed Disposals

Cllr Lynden Stowe, Cabinet Member for Finance and Change, sought approval of the disposal of sites declared surplus to the council's land and property requirements in support of the need to achieve the Meeting the Challenge Year 3 Capital Receipt Target of £33m for the period up to 2020/21.

Cllr Stowe informed members that the report included details of the completed sale of land and properties sold since October 2019. In response to a request from an opposition member in attendance at the cabinet meeting on 29 January 2020, Appendix A to the report, (exempt information), included the names of corporate

purchasers for the sale of land and properties, (agreed and ongoing). Appendix B, (exempt information), included details of new, (proposed), sales of land and properties.

Adhering to government, (data protection), legislation, and further to discussions with other authorities, the names of private purchasers were not included in the report.

The report was referred to as encouraging, including notification of a recent sale of land where the landowner had commenced the planting of trees.

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,

RESOLVED to:

- 1) Confirm that those sites described at Appendix A (Exempt) which had previously been declared surplus by Cabinet in October 2019 and not yet disposed of, continue to be declared surplus to requirements and*
- 2) Declare the sites listed on the proposed Schedule of Disposals Appendix B (Exempt) surplus to the Council's land and property requirements,*

and in relation to both of these schedules,
- 3) Delegate authority to the Assistant Director – Asset Management and Property Services (AMPS) to dispose of the sites in consultation with the Cabinet Member for Finance and Change and the Council's Chief Financial Officer.*

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.

Cabinet agreed to consider this item without having to refer to the exempt information.

Minutes subject to their acceptance as a correct record at the next meeting

Leader of Council

Meeting concluded at 10.35 am