



Gloucestershire
COUNTY COUNCIL

MINUTES of meeting of the Cabinet

Held on WEDNESDAY 18 JULY 2018

**PETER BUNGARD
CHIEF EXECUTIVE**

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

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| CABINET MINUTES | Gloucestershire County Council |
| 18 July 2018 | |

Present:

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| Cllr Mark Hawthorne MBE | Leader of the Council |
| Cllr Richard Boyles | Children and Young People |
| Cllr Tim Harman | Public Health and Communities |
| Cllr Nigel Moor | Fire, Planning and Infrastructure |
| Cllr Vernon Smith | Highways and Flood |
| Cllr Ray Theodoulou | Finance and Change |
| Cllr Roger Wilson | Adult Social Care Commissioning |

1. Apologies

Apologies were received from Cllrs Lynden Stowe and Kathy Williams.

2. Minutes

The minutes of the meeting held on 6 June 2018 were confirmed 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

Public Questions

No public questions were considered at the meeting.

Member Questions

A total of 27 member questions had been submitted for consideration prior to the meeting.

Please refer to the link below to view the responses to the questions: -

<http://192.168.220.171:9071/ieListDocuments.aspx?CId=117&MId=8900&Ver=4>

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If unable to access the document at the link above, please go to the link below and select the 'Cabinet Questions and Answers' PDF document at the top of the web page: -

<http://192.168.220.171:9071/documents/b14627/Member%20Questions%20and%20Answers%20-%202018%20July%202018%20Wednesday%2018-Jul-2018%2010.00%20Cabinet.pdf?T=9>

The following supplementary questions were asked at the meeting.

Question 2: Cllr Iain Dobie

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Dobie sought clarification on the statement given in the response to his question, stating 'all residents will be able to choose a new care home dependent upon the availability of vacancies'. Cllr Dobie believed it was critical for residents to live in the local vicinity when considering the closure of care homes and asked Cllr Wilson to confirm if vacancies were available in nearby residential homes

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson confirmed that vacancies were available in the local area and that the aim was to relocate residents to care homes best suited to the needs of both the individual and their families.

Question 3: Cllr Iain Dobie

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Dobie stated he had been interested to read Gloucestershire County Council (GCC) was "embracing technological advancement in telecare and artificial intelligence".

With this in mind, Cllr Dobie asked the Cabinet Member to give examples of how these advances might help in practice, in particular to loneliness, which, according to, Age UK, was estimated to affect over 1 million older people and could be as harmful to health as smoking 15 cigarettes a day.

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson stated that the Health and Wellbeing Board was pursuing the issue of loneliness and that he was optimistic the technological advances used to develop the Council's services would work. He referred to the Telecare system, which was

already being used, as an example. Although technology did not replace human contact, it was nevertheless important for technological advances to be made

Question 4: Cllr Paul Hodgkinson

Agenda item 10: Energy Procurement (GCC Estate and Schools)

Cllr Hodgkinson noted the valuable work Gloucestershire County Council had undertaken to offer low carbon vehicles, encourage cycling and provide other green incentives with the support of the opposition parties. Suggesting the council could do more to promote this area of work by switching to a fully renewable energy supplier, Cllr Hodgkinson asked the Cabinet Member to commit to the requirement to purchase energy through a public buying organisation as a “key objective” and not undermine the good work elsewhere?

Response by: Cllr Ray Theodoulou (Cabinet Member: Finance and Change)

Cllr Theodoulou informed Cllr Hodgkinson he would commit to investigating the matter further. He stated that if the council was to make alternative procurement arrangements, it would be necessary to consider at what cost this would be.

Question 5: Cllr Paul Hodgkinson

Agenda item 10: Energy Procurement (GCC Estate and Schools)

Cllr Hodgkinson asked if 70% of non Local Authority (LA) schools were taking up the offer to use the council’s contract for energy supplies, why was the remaining 30% not taking up the offer.

Response by: Cllr Ray Theodoulou (Cabinet Member: Finance and Change)

Cllr Theodoulou believed the council’s scheme was a good scheme. He pointed out that Academies could choose to do what they liked. Although Academies had been invited to join the scheme, there were no guarantees they would take up the offer.

Question 6: Cllr Paul Hodgkinson

Agenda item 12: Tender and award a contract to deliver Gloucestershire Welfare Support Scheme

Cllr Hodgkinson stated how surprising it had been to see that the number of applications had dropped over recent years, while at the same time there had been an exponential rise on the reliance on food banks, with 2018 seeing the highest usage figures ever. Cllr Hodgkinson asked the Cabinet Member to explain this discrepancy.

Cllr Hodgkinson also asked if the Cabinet Member agreed with him that, if food banks did not exist, whether welfare applications would be dropping and suggested

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further cuts in welfare awards were pushing private donors to fill the void left by the council.

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson confirmed that the number of applications had dropped but that this was probably due to the nature of the applications. Cash awards had increased but the proportion of awards to applications had increased. Cllr Wilson stated that it was not possible to compare the original Department of Works and Pensions Scheme to the local scheme. He welcomed the existence of food banks, which he believed did a marvellous job.

Question 7: Cllr Paul Hodgkinson

Agenda item 14: Highways Asset Management and Code of Practice

Cllr Hodgkinson noted the suggestion that the real impact of the introduction of the new Highways Asset Management and Code of Practice would be a long term reduction in potholes.

Cllr Hodgkinson referred to the 'We Are Cycling UK - Fill that Hole' website, and the opportunity for members of the public to report potholes and other road hazards before asking the Cabinet Member to explain why Gloucestershire was ranked 121 out of 214 Local Authorities with less than one in five reported potholes or road hazards fixed?

Response by: Cllr Vernon Smith (Cabinet Member: Highways and Flood)

Cllr Smith clarified that the report Cllr Hodgkinson had made reference to was an independent viewpoint on facts relating to cycling and that to give a realistic overview it was necessary to consider other data, including figures relating to improvements to the road network. He reported that statistics suggested improvements had been made to the road network since 2005 and that the £120million outstanding repairs inherited from previous administrations had reduced to £80million.

Cllr Smith also stated how important it was to distinguish what constituted a pothole when reporting road defects, which could be viewed differently by different groups of road users. Cllr Smith offered to meet with Cllr Hodgkinson after the meeting to consider the information in more depth.

Question 8: Cllr Paul Hodgkinson

Agenda item 15: School Standards and Performance

Cllr Hodgkinson stated that "the fact remained there was an inequality gap in achievement for children living in Gloucestershire" and questioned why

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Gloucestershire was so behind its statistical neighbours and the South West of England.

Response by: Cllr Richard Boyles (Cabinet Member: Children and Young People)

Cllr Boyles confirmed that achievement in Early Years Education was slightly below that found nationally, particularly for disadvantaged pupils. Nevertheless, there had been a strong trend of improvement generally.

Elaborating on elements of the report due for consideration later in the meeting, Cllr Boyles informed members that the outcomes for Key Stage 1 pupils had improved in all subjects during 2017, as compared to the previous year. The attainment gap between disadvantaged pupils in Gloucestershire and other pupils nationally had decreased only slightly for all subjects in Key Stage 1 in 2017.

Key Stage 2 attainment and progress was higher in Gloucestershire than that nationally, with the exception of writing. Amongst its statistical neighbours, Gloucestershire had ranked highly for progress in reading and maths. Cllr Boyles advised that a key priority for the Council would be to ensure teacher's assessment of writing was accurate and in line with assessment processes carried out in other counties.

Attainment outcomes for Key Stage 4 were higher in Gloucestershire than those found nationally, (with an average attainment 8 score of 48.4 compared with 44.6 nationally). However, the average progress 8 score was weaker.

Progress between Key Stage 2 and Key Stage 4 was -0.11 compared with -0.03 nationally. The Gloucestershire figure was slightly higher than the progress reported in the South West.

The Council had identified key areas for improvement, which would be shared with the relevant sectors and acted upon. It was hoped schools in Gloucestershire would be aligned with the performance of all other authorities by 2019.

Question 9: Cllr Jeremy Hilton

Agenda item 10: Energy Procurement (GCC Estate and Schools)

Cllr Hilton said he was amazed, in business planning terms, that the Cabinet Member wasn't able to give a reasonable estimate on the income anticipated from the generation of electricity from the Javelin Park incinerator and asked, once again, what the estimate of the annual financial benefit would be from the generation of electricity at Javelin Park?

Response by: Cllr Nigel Moor (Cabinet Member: Fire, Planning and Infrastructure)

Cllr Moor informed Cllr Hilton an estimate would be provided on completion of the negotiations and when market conditions were known. He said he was confident

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there was a market out there but until the terms of the contract were finalised, there was no further information.

Question 10: Cllr Jeremy Hilton

Agenda item 10: Energy Procurement (GCC Estate and Schools)

Welcoming the solar energy project at Shire Hall, Cllr Hilton asked how much carbon would the council save per year from using renewable energy rather than fossil fuel?

Response by: Cllr Ray Theodoulou (Cabinet Member: Finance and Change)

Cllr Theodoulou explained he was unable to answer Cllr Hilton's question at this time. When able to provide a response, he would circulate the answer to members.

Question 11: Cllr Jeremy Hilton

Agenda item 10: Energy Procurement (GCC Estate and Schools)

Cllr Hilton was surprised by the lack of ambition by the current administration to invest in more solar panels on the council estate and asked the Cabinet Member if he would consider redoubling efforts and setting clear targets for installing many more solar panels than was currently planned?

Response by: Cllr Ray Theodoulou (Cabinet Member: Finance and Change)

Cllr Theodoulou referred to proposals set out in 2017 for the Council to invest £12.5million in a solar panel scheme. Cllr Theodoulou recalled that the plans had been quite advanced but had been halted due to their becoming uneconomically viable following changes in tariff rates. He confirmed that the Council would continue to look at this and other forms of energy, including wind turbines, in the future.

Question 14: Cllr Jeremy Hilton

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Hilton asked what benefits could be anticipated in terms of elderly person care from closing Trevone House?

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Outlining some of the key findings from the report, Cllr Wilson, confirmed that the matter had been looked at in detail. He informed members that low occupancy levels and financial losses during the past 2 years had revealed how financially unviable it would be to continue to operate the two care homes in the future.

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Evidence emerging from the strategy for Commissioning for Residential and Nursing Care Home Provision in Gloucestershire illustrated the changing nature of health and care for older people, including how older people preferred to remain in their own homes for as long as possible. It was for these reasons, Cabinet was required to consider closure of the two care homes.

Question 15: Cllr Jeremy Hilton

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Hilton asked what the initial feedback had been from the families of residents at Trevone House and what concerns had been raised?

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson stated that, from the initial feedback, there had been a level of understanding on the need to close the two care homes. He referred to the significant number of replacement care homes located in Gloucester and said that, following the results of the full consultation, every effort would be made to ensure the closures created as little impact as possible.

Question 16: Cllr Jeremy Hilton

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Hilton said he been assured there would be plenty of beds available at other care homes in Gloucester. Cllr Hilton enquired if this was still the case and if the new homes would meet modern standards.

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson stated he was confident the replacement care homes would be as good, if not better, than the original care homes.

Question 17: Cllr Kate Haigh

Agenda item 9: Tender and award of transport contracts under the Dynamic Purchasing System

Cllr Haigh reiterated concerns about the impact of bus timetables on NHS shift workers and asked if the Cabinet Member was aware of the difficulties early morning shift workers were experiencing in arriving for work for shifts which began at 7am when travelling on the route 99 bus service?

Response by: Cllr Nigel Moor (Cabinet Member: Fire, Planning and Infrastructure)

Cllr Moor noted the concerns and said he would discuss the matter with officers, including the possibility of tweaking the service timetable for this route.

Questions 20/21/22 Cllr Graham Morgan

Agenda item 11: To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Morgan merged the supplementary questions for questions 20, 21 and 22 into a single question. Expressing concerns about the future of adult social care in Gloucestershire, Cllr Morgan reflected on his own experiences and the experiences and concerns of some of his constituents. Reiterating the merits of providing 'care in the community', Cllr Morgan asked if the Cabinet Member would consider delaying the closure of the two care homes pending the outcomes of decisions on the restructure of hospitals in the Forest of Dean.

Response by: Cllr Roger Wilson (Cabinet Member: Adult Social Care: Commissioning)

Cllr Wilson advised members that issues relating to the restructure of NHS hospitals in the Forest of Dean would need to be considered separately. Explaining the basis on which the decision to close the two care homes had been made, Cllr Wilson expanded on some of the evidence provided to support the closures, including low occupancy levels and financial pressures.

Question 26: Cllr Kate Haigh

Agenda item 15: School Standards and Performance

Expressing concern about the students within her division experiencing difficulties getting into schools and schools in special measures, Cllr Haigh asked if a letter could be sent to the Regional Schools Commissioner to raise these and other issues, including ways of managing failing schools.

Response by: Cllr Richard Boyles (Cabinet Member: Children and Young People)

Cllr Boyles confirmed that a letter had already been written.

Question 27: Cllr Lesley Williams

Agenda item 15: School Standards and Performance

Cllr Williams expressed concern about the number of failing schools within Gloucestershire and asked if the Council could lobby local MP's to write to the government seeking to reinstate failing schools under local authority control. Cllr Williams aligned her request to the role of Corporate Parent.

Response by: Cllr Richard Boyles (Cabinet Member: Children and Young People)

Cllr Boyles confirmed that a letter had been written to reflect the Council's concerns. Although the Council supported the work of the County Council Network (CCN) a suggestion had been made for a letter be sent to the Head of Education seeking to ensure a pathway existed for failing schools to return to local authority control.

5. Council Strategy and Medium Term Financial Strategy (2019-20 to 2021-22)

Cllr Ray Theodoulou, Cabinet Member for Finance and Change, outlined the financial context, process and timetable for the development of the Council's Strategy and Medium Term Financial Strategy for the period 2019/20 to 2021/22.

Cllr Theodoulou gave a detailed explanation on the funding resources available to the Council to secure funding up to 2019/20. The figures assumed an increase in council tax of 1.99% per annum for each of the 2019/20, 2020/21 and 2021/22 financial years and a social care levy of 2% in 2019/20. It was noted that the ability to increase council tax beyond 2019/20 was unlikely.

Members also noted that, despite some grant increases, it was anticipated that the Council would be in a negative revenue support grant position for the final two years of the Medium Term Financial Strategy (MTFS).

Detailing the proposed timeline for developing the 2019/20 to 2020/21 budget, members were informed that the final decision would be considered at the Full Council meeting in February 2019.

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

RESOLVED to:

Agree the proposed process for reviewing and developing the Council Strategy and the three-year Medium Term Financial Strategy covering the period 2019/20 to 2021/22

6. Financial Monitoring Report: 2018-19

Cllr Ray Theodoulou, Cabinet Member for Finance and Change, gave an update on the year-end forecast for the 2018/19 County Council's Revenue and Capital Budgets.

Cllr Theodoulou reported a forecast revenue year end position with a forecast £2.00 million overspend on a net budget of £418.081 million and confirmed that the revenue budget had been increased by £4.6 million to reflect the additional revenue forecast generated by the Business Rate Retention (BRR) pilot scheme approved by the Council in February 2018.

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Cllr Theodoulou proposed that £2.6 million of the additional £4.6 million BRR pilot income be allocated to the Children and Families Budget and £0.530 million to Highways Local budgets, (as outlined in the MTFs report approved by Council in February 2018). He confirmed that £1.470 million of the income remained unallocated, but that £1.0 million would be earmarked against the Adult Social Care Budget and a further £0.47 million to be invested in the Electric Vehicle Infrastructure.

Referring to the Adult Services Forecast, Cllr Theodoulou informed members that the budget had been forecast to break-even, (with no formal requests to use adult reserves).

Detailing the forecast for the Children's and Families Budget, Cllr Theodoulou reported a forecast overspend of £3.54 million, (taking into account the additional £2.6 million of BRR pilot money). As with previous reports, Cllr Theodoulou explained that the financial pressures on Children's Services was largely a result of the increased number of children coming into care and the subsequent pressure on external agency and safeguarding budgets. He advised that the number of children coming into care had increased from 549 at the end of March 2016 to 669 in May 2018.

Outlining some of the more specific proposals within the report, Cllr Theodoulou proposed that £1.11 million be drawn down from the IRIS and Vulnerable Peoples reserves to fund one off measures for the recruitment and retention of social workers.

It was noted that the council's demand-led budget areas continued to experience volatility due to the changes in client numbers and care needs. Members were advised it would be necessary to continue monitoring such budgets for the remainder of the financial year.

In terms of capital, the forecast year end position was reported as £102.088 million, in line with the approved budget. Actual spend at the end of May 2018 was reported as £5.146 million, with a proposed overall increase to the capital programme of £2.929 million.

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

RESOLVED to:

- 1. Note the forecast revenue year end position as at the end of May 2018 for the 2018/19 financial year of a net £2.00 million overspend.*
- 2. Note the increase to the revenue budget of £4.6 million to reflect the additional revenue forecast to be generated as a result of being a Business Rate Retention (BRR) Pilot and confirmed by the National Non Domestic Rates returns received from the District Councils since the GCC budget was approved by Full Council in February 2018.*

- 3. Approve the allocation of £2.6 million of the additional BBR pilot income to offset demand pressures within Children and Families and a further allocation of £0.530 million to Highways Local budgets as outlined in the MTFs approved by council in February.*
- 4. Approve £1.11 million to be drawn down in year from the reserve set aside for the Intensive Recovery and Intervention Service or IRIS (£0.825 million) and Vulnerable People's reserve (£0.285 million) to fund one-off allowances and temporary over recruitment of newly qualified social workers in Children and Families.*
- 5. Note the forecast capital year end position as at the end of May 2018 of £102.088 million which is in line with the approved budget.*
- 6. Approve the addition of £0.143 million developer section 106 contributions to the Beaufort School scheme.*
- 7. Approve the deletion of the £0.400 million Hunts Grove Primary School scheme and the transfer of £0.290 million from the Capital Fund to the Children & Families revenue budget to fund the rental costs of the temporary accommodation.*
- 8. Approve the addition of £0.183 million school contributions to the Suitability Programme and notes the transfer of £0.011 million from the unallocated Basic Need Grant.*
- 9. Approve the addition of £0.073 million school contributions to the Capital Maintenance Programme.*
- 10. Approve a new scheme to remodel and provide additional toilets at Harewood Junior School, funded by a £0.100 million transfer from the Basic Need Provision.*
- 11. Approve a new scheme to expand St. Mary's C of E Infant School, Cheltenham, funded by a £0.300 million transfer from the Basic Need Provision.*
- 12. Approve a new scheme to refurbish the kitchen at Glenfall Primary School, funded by the transfer of £0.032 million from the existing Health & Safety capital budget and a new school contribution of £0.013 million.*
- 13. Approve the addition of £0.356 million s106 developer contributions to the Chipping Campden School scheme.*
- 14. Approves the addition of £0.454 million Special Provision Fund Grant allocation.*
- 15. Approve the addition of £1.852 million to the Highway Capital budget funded from a variety of sources as outlined in the body of the report.*

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16. Approve an increase of £0.145 million to the Libraries capital programme, funded by developer section 106 contributions.

17. Notes the overall increase to the capital programme taking into account the above changes of £2.929 million.

7. The Procurement of Framework Agreements for the Provision of Management and Property Related Services

Cllr Ray Theodoulou, Cabinet Member for Finance and Change, presented the report, seeking agreement to conduct and award two four-year framework agreements for the delivery of: -

- a) Medium to large asset management and property related services and projects with an estimated total framework value of £95million over the term of the project; and
- b) Minor maintenance and property related services and projects with an estimated total value of £5million over the term of the project.

Cllr Theodoulou explained that, to extend the current contracts was not an option as the agreements were due to end in 2019. Due to the success of the contracts, it was proposed that they be replaced with similar agreements. Each contract to be tendered as a 2 year contract, with the option to extend for a further 2 years.

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

RESOLVED to

Authorise the Director of Finance, in consultation with the Cabinet Member for Finance and Change, to:

- 1) Conduct an EU compliant competitive tender process for the award of a four year Framework agreement for the delivery of medium and large asset management and property related services/projects with an estimated total framework value of £95m over its term. The Framework is likely to be divided into two Lots. The Framework will be used to procure services and projects valued at £150k and above.*
- 2) Conduct an EU compliant competitive tender process to create a four year Framework agreement for the delivery of minor maintenance and property related services/projects with an estimated total value of £5m over its term. The Framework will be used to procure services and projects valued up to £15k.*
- 3) Upon the conclusion of each competitive tender process, to appoint to each respective Framework and/or Lot as appropriate the providers evaluated as meeting the appropriate selection criteria in each case.*

8. Capital Funding for Gloucester Canal Towpath

Cllr Vernon Smith, Cabinet Member for Highways and Flood, sought approval for the Council to act as the accountable body to funding streams for proposed works on the Gloucester Canal Towpath.

Cllr Smith gave a detailed account of the key points relating to the decision to undertake a major upgrade of the existing Gloucester Canal towpath between Gloucester City Centre and the South of the City. Cllr Smith referred to the benefits of the scheme, including the ambition to extend and promote the local economy.

Outlining the political and officer support for the scheme, Cllr Smith confirmed that the proposed works were due to commence in August and September 2018, with an anticipated completion date of early 2019. The initial phase of works was to extend the Monks Meadow section of the towpath to Elmore Lane West. Subsequent phases of work would be dependent upon securing European Regional Directive Funding, for which an announcement was due in early 2019.

Works would be carried out by Kier, utilising the current term service contract with the council's project partners, The Canal and River Trust.

Continuing to lobby on the second phase of the scheme, Cllr Smith informed members that officer advice was to proceed with the delivery of the first stage of the scheme utilising Section 106 contributions and funding secured from the Gloucestershire Environmental Trust.

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

RESOLVED to: -

Authorise the Commissioning Director, Communities and Infrastructure to:

- (1) Ensure Gloucestershire County Council Act as accountable body for the two funding streams GET grant and Section 106 contributions;*
- (2) Allocate the £508k of S106 funds from the Kingsway Development to the Capital programme inline with the specific Section 106 conditions which includes encouraging and supporting sustainable modes of travel associated with journeys to and from the Development along the southwest corridor to Gloucester city centre;*
- (3) Provide necessary support to ensure the Canal and River Trust, as landowner, deliver the works through their term contractor Kier from August/September 2018 between Monk Meadow and Elmore Lane West.*
- (4) Cash flow the £200k GET grant for a period of up to 5 months as part of the payment in arrears grant conditions which can be done from existing Section 106 balances inline with Finance approval.*

9. Tender and Award of Transport Contracts under the Dynamic Purchasing System for Transport

Cllr Nigel Moor, Cabinet Member for Fire, Planning and Infrastructure, sought agreement for the procurement and award of passenger transport contracts for bus and coach provision over the next 2 years. Cllr Moor also provided feedback on the council's progress in implementing transport contract related decisions, agreed by Cabinet in September 2016.

Cllr Moor made particular reference to the award of the contract for bus route 511, (awarded in September 2016), for which he was able to advise, had been awarded at no cost to the council.

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

RESOLVED to: -

Delegate authority to the Commissioning Director: Communities and Infrastructure to:

- 1) Use the Transport Dynamic Purchasing System (TDPS) in accordance with its terms to undertake in each case a legally compliant procurement processes to procure contracts for the provision of each of the local bus services set out in Table 1 of the decision report, and*
- 2) Upon conclusion of each process, under recommendation 1 above, award a contract to the 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.*

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 Commissioning Director: Communities and Infrastructure to be authorised to enter into such contract with the next willing, highest placed, suitably qualified provider.

10. Energy Procurement (Gloucestershire County Council Estate and Schools)

Cllr Ray Theodoulou, Cabinet Member for Finance and Change, sought to conduct EU compliant tender processes for the purchase and sale of energy.

Cllr Theodoulou informed members that, for some years, the Council had participated in a programme operated by West Mercia Energy Electricity for the purchase of gas and electricity, (purchased on behalf of the Council and on behalf of local schools and academies). He confirmed that the programme had worked well with good feedback from participants.

Cllr Theodoulou proposed that the Council enter into a new 2 year contract for the supply of gas and electricity, (with the option of extending for a further 2 years), through the West Mercia Energy Electricity Company.

Drawing attention to the progress of the construction of the Javelin Park Energy from Waste Incinerator, (due for completion in 2019), Cllr Theodoulou informed members that officers would continue to seek ways in which the need for electricity could be efficiently matched with the production of energy.

Cabinet Member for Fire, Planning and Infrastructure, Cllr Nigel Moor, (cabinet portfolio holder with responsibilities for the sale of energy), supported the proposal and informed members that the decision would assist the council with the negotiations for the sale of energy produced by the Energy from Waste Incinerator.

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

RESOLVED to:

- 1) *Authorise the Director, Strategic Finance to:*
 - i. *Use the services of third party public buying organisation (“PBO”) or third party intermediaries to act on the council’s behalf in purchasing electricity and gas for a commission.*
 - ii. *Award to a single supplier, a contract for the supply of electricity utilising the services of a PBO (or equivalent) that has undertaken a legally compliant competitive tender process for the purpose. The contract will be for a maximum of 4 years (a 2 year initial term with an option to extend for up to 2 years) with an estimated full life value of £20.2m.*
 - iii. *Award to a single supplier, a contract for the supply of gas utilising the services of a PBO (or equivalent) that has undertaken a legally compliant competitive tender process for the purpose. The contract will be for a maximum of 4 years (a 2 year initial term with an option to extend for up to 2 years) with an estimated full life value of £6.6m.*
 - iv. *Upon conclusion of each tender process, in consultation with the Cabinet Member for Finance and Change, to enter into a contract with the preferred supplier evaluated as offering the Council best value for money for the supply of electricity and a separate contract with the preferred supplier evaluated as offering the Council best value for money for the supply of gas. In the event that the preferred supplier for the electricity contract or the gas contract is either unable or unwilling to enter into that contract with the Council then the officer is authorised to enter into such contract with the next willing highest placed suitably qualified supplier.*

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v. Regularly report to the Cabinet Member for Finance and Change regarding the progress of the procurements and keep him informed of any significant new risks that emerge in the course of the procurement exercises.

2) *Authorise the Commissioning Director: Communities and Infrastructure to:*

i. Conduct a compliant competitive tender process for the award to a single supplier of a contract for the sale of generated electricity. The contract will be for a maximum of 4 years (a 2 year initial term with an option to extend for up to 2 years).

ii. Upon conclusion of the competitive tender process in consultation with the Cabinet Member for Fire, Planning & Infrastructure to enter into a contract with the preferred provider evaluated as offering the Council best value for money for the sale of generated electricity. In the event that the preferred provider for the contract is either unable or unwilling to enter into that contract with the Council then the officer is authorised to enter into such contract with the next willing highest placed suitably qualified provider.

iii. Regularly report to the Cabinet Member for Fire, Planning & Infrastructure regarding the progress of the procurement and keep him informed of any significant new risks that emerge in the course of the procurement exercise.

11. To consider the future of selected care homes in Gloucestershire and the relevant consultation

Cllr Roger Wilson, Cabinet Member: Adult Social Care (Commissioning), referred to consideration of the council's draft strategy for the commissioning of residential and nursing care provision in Gloucestershire at the Cabinet meeting on 6 June 2018 before seeking approval for the closure of selected care homes in Gloucestershire and agreement to consult with residents and their families on the impact of the closures.

Cllr Wilson clarified that the purpose of the report was to seek approval to close Townsend House Care Home, Mitcheldean and Trevone House, Gloucester, and to consult with residents and their families on the impact of the closures.

He explained that, in April 2005, the Council had entered into a contract with the Gloucestershire Care Partnership for the running of the Council's former care homes for older people. (The contract had a term of 35 years).

Within the terms of the contract, the Council had agreed to purchase a guaranteed minimum number (60%) of registered care home beds across the contracted homes in each district. In addition, the Council must pay for the minimum level of care home beds, whether occupied by residents funded by the Council or not, unless the Gloucestershire Care Partnership was able to sell the care home beds to people who fund their own care.

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It was noted that that the contract included a break clause to allow either party, the Council or the Gloucestershire Care Partnership, to take back or hand back any or all of the older care homes. The break clause is due to become effective from 1 April 2020, (subject to notice by 1 April 2019). As part of the contract, an Estates Committee was established to manage the development of an Estates Strategy for older people in Gloucestershire.

Cllr Wilson stated that, at the outset of the contract, the Gloucestershire Care Partnership provided care to 21 care homes within Gloucestershire, 8 of which had since closed and 4 new homes built. A total of 17 care homes were included in the current contract.

It was explained that, where the Council's demand for care home beds fell below the minimum level of beds and where the Gloucestershire Care Partnership, (in its reasonable opinion), considered that the care home was becoming economically unviable, then the care home would become a priority consideration by the Estates Committee for closure, refurbishment or consideration as part of a future proposal within the Estates Strategy.

Cllr Wilson confirmed that the projected costs to the Council of keeping the two care homes under consideration open at current levels of occupancy was over £1million until April 2020. He informed members that, on this basis, the Gloucestershire Care Partnership had presented a report to the Estates Committee on 30 April 2018, setting out the options available to Townsend House and Trevone House.

The report had concluded that the viability of Townsend House and Trevone House was unsustainable, with a request that the Estates Committee recommend to the Council the closure of the two care homes, including the day care service at Townsend House.

Cllr Wilson confirmed that the Council and the Gloucestershire Care Partnership had looked at various options to keep the care homes open.

These included: -

- Providing revenue support for the care homes;
- Taking back the care homes from the Gloucestershire Care Partnership (for management by the Council);
- Taking back the care homes to re-procure a new provider;
- Partially close the care homes

All options had been declined due to them not being financially viable or achievable. Another impact on the viability of the two care homes had been that Gloucestershire was currently experiencing an over supply of care home beds. Cllr Wilson explained that, in reaching a decision on the closure of the two homes, it

had been necessary for the Council to balance its duty of care to the residents and their families with the financial viability of continuing to operate the homes.

In view of the sensitive nature of the decision and the irreversible situation facing the viability of the two homes, the Council had sought the advice of the 'Consultation Institute'. Cllr Wilson confirmed that a full consultation on the impact of the closures would commence on 25 July 2018 and continue until 25 October 2018. He assured members that the Council and the Orders of St John Care Trust would ensure residents, families, and employees were fully supported throughout.

It was noted that the Orders of St John Care Trust had given assurances it was not their intention to make any redundancies and that it would offer employees similar roles at other homes. In addition, the Council would work closely with the Gloucestershire Clinical Commissioning Group during the consultation process to address any issues emerging from the decision to close.

Cllr Wilson explained that the consultation would follow the principles of the 'Moving Residents between Long Term Care Homes Policy (March 2014)' involving:

- a) Face to Face meetings on an individual basis or with a group of residents and families for each care home. These will explain the reasons for the closure of the care home, the options available for people to move to an alternative care home, the likely timescales for the potential closures and to understand the needs of individual residents.
- b) Meetings with The Orders of St John Care Trust employees. These meetings will explain the reasons for the closure of the care home and the likely timescales for the closures. The relocation of employees and any other employment matters will be a matter for The Orders of St John Care Trust and their employees.
- c) Briefings for local Councillors. These meetings will explain the reasons for the closure of the care home, the options available for residents to move to an alternative care home, the timescales and the wider care home issues for their constituents.
- d) Care Providers. These meetings will discuss the wider care home strategy implications and opportunities for local care providers as a consequence of the care home closures.

Contact had been made with the residents at the home. Although there was some appreciation and understanding of the reasons for making the decision, there had also been concerns from residents about moving to homes with shared facilities and from employees about potential job losses. It was noted that assurances by the Orders of St John Care Trust to safeguard jobs had been received.

Leader of the Council, Cllr Mark Hawthorne, referred to the challenges created by an ageing population and the changes during the past decade in how the Council's services are provided. The Leader also stressed the importance of people being

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able to remain in their own homes for as long as possible. He said that, although he appreciated the difficult and emotive aspects of the decision, if the Council didn't act now, it would result in having to supplement multiple care homes with low occupancy levels.

The Leader expressed the council's commitment to seeking a speedy resolution. He assured members every attempt would be made to ensure a smooth transition whilst maintaining a positive outlook on relocating residents and employees to new homes.

In summarising the reasons for the recommendations, Cllr Wilson confirmed that dementia and respite care would be provided in the new homes. He concluded by stating how difficult the decision had been but that he and officers would continue to work closely during the next few months to ensure all employment aspects of the decision were covered.

In an exception to normal practice, any capital receipts from the potential sale of the two properties to be ring-fenced to finance Older People's Services.

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

RESOLVED to: -

- 1) *Approve the closure of Townsend House, (including day care service), Mitcheldean and Trevone House, Gloucester;*
- 2) *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;*
- 3) *Delegate authority to the Director of Integration, in consultation with the Cabinet Member for Adult Social Care Commissioning to:*
 - i. *Consult with residents and their families on the impact of and arrangements for the closure of these two care homes and the day care service at Townsend House;*
 - ii. *Facilitate moving the residents to an alternative home that meets their needs;*
 - iii. *Facilitate moving people to an alternative day care service.*

12. Tender and award a contract to deliver Gloucestershire Welfare Support Scheme

Cllr Roger Wilson, Cabinet Member: Adult Social Care (Commissioning), sought approval to conduct a tender process for the award of a contract for the provision of the Gloucestershire Welfare Support Scheme.

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Cllr Wilson explained that the Gloucestershire Welfare Support Scheme, (in existence from 2013), had been introduced to support people experiencing an immediate crisis in their lives, in addition to helping vulnerable people moving back into the local community to resettle and live independently. The Welfare Support Scheme provides practical support and assistance to vulnerable adults and families in the form of one off non-cash awards.

Members were advised that the number of awards had reduced significantly since 2015, particularly in comparison to the number of awards administered by the Department of Work and Pensions in schemes in previous years.

Cllr Wilson stated that, in contrast with the decline in the number of welfare support applications, the Gloucestershire Welfare Support Scheme would be used to process social care welfare requests, for which the number of requests for social care had risen and was continuing to rise.

With the support of key stakeholders, including the Council's social care and youth support teams, Cllr Wilson proposed that Cabinet approve continued investment in the scheme when the current contractual arrangements ended in March 2019.

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

RESOLVED to: -

Authorise the Director of Public Health to:

(a) Conduct an EU compliant competitive tender process for the award of a 5 year contract (for an initial term of 3 years with an option to extend for a further 2 years) with an estimated total value of £2.6M for the management of the Gloucestershire Welfare Support Scheme for eligible adults, families and young people;

(b) Upon conclusion of the competitive tender process, to enter into a contract with the preferred provider evaluated as offering the Council the best value for money and quality for delivery of the services.

In the event that the preferred provider is either unable or unwilling to enter into that contract with the Council, then the Director of Public Health to be authorised to enter into such contract with the next willing highest placed suitably qualified provider.

13. Procurement of the new carers contracts

In the absence of the Cabinet Member: Adult Social Care (Delivery), Cllr Roger Wilson, Cabinet Member: Adult Social Care (Commissioning), summarised the background to the decision before seeking approval to undertake a procurement process to locate a supplier for the provision and development of carers support services, as required under the Care Act 2014 and the Children and Families Act

2014. Current contracts providing support to carers are due to end on 31 March 2019.

Cllr Wilson emphasised the importance of carers providing support to the health and social care system for Gloucestershire and the need to offer timely support to the carers themselves to ensure the provision continued. He informed members extensive engagement had been undertaken to produce service specifications that would allow carers to fulfil their roles and help safeguard personal health and wellbeing.

Outlining each of the proposals, Cllr Wilson proposed that the council undertake competitive tender processes for two contracts; Adults Carers contact, (estimated at £1.77million per annum), and Young Carers contract, (estimated at £390k per annum, plus £30k per annum for the first 3 years towards Young Adults Carers emotional support for those in education, apprenticeships or training).

It was proposed that the length of the contracts be 5 years, with the opportunity to extend for a further 2 years. In doing so, it was hoped this would make the contracts more attractive, more cost effective and provide better support to carers.

Outlining the service enhancements anticipated from the contracts, Cllr Wilson emphasised the importance of the decision. Other Cabinet Members also offered their support.

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

RESOLVED to: -

Authorise the Commissioning Director, Adults (and DASS) to:

- a) Conduct an EU compliant competitive tender process for the award of a 7 year contract (with an initial term of 5 years and an option to extend up to a further 2 years) to one or more providers. This will have an estimated maximum total value of up to £15.1m, over 7 years, for the delivery of support to Carers,*

and

- b) Upon conclusion of the competitive tender process, and in consultation with Cabinet Member for Adult Social Care (Delivery), to enter into a contract(s) with one or more provider evaluated as achieving the highest score against the evaluation criteria set by the Council.*

In the event that the preferred bidder(s) for the contract(s) is either unable or unwilling to enter into such contract(s) with the Council, officers are authorised to enter into a contract with the next willing highest placed suitably qualified provider(s)

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and

- c) To take the Parent Carer Voice support back in house from 1st April 2019 to enable the County Council and CCG to support the local offer across health, education and social care.*

14. Highways Asset Management and Code of Practice

The Highways Act 1980 set out the duties and responsibilities of the County Council as the Highway Authority for Gloucestershire. Guidance on delivering local authority highway services are notified by government in the form of codes of practice.

Cllr Vernon Smith, Cabinet Member for Highways and Flood, sought approval to adopt the new Code of Practice for Well Managed Highway Infrastructure and to bring the Highways Maintenance Policies and Processes in line with the new code.

Cllr Smith explained that the 'Code of Practice for Well Managed Highway Infrastructure' introduced in October 2016 was due for adoption in October 2018. Each highway authority would be required to determine codes of practice standards based on experiences and historical data to reflect local needs, priorities and affordability. The changes in policies to be aligned to the new Council strategy. It was noted that, to not adopt the new code could leave the council open to challenge and potential financial claims. It could also put the council at risk of loss of capital grant funding for highways maintenance in the future.

Cllr Smith elaborated on the importance of distinguishing what constituted a pothole when reporting road defects, which, as explained in his response to a member question earlier in the meeting, could be viewed differently by different road users.

Cllr Smith agreed with Cllr Ray Theodoulou, Cabinet Member for Finance and Change, that the financial incentive from the government to adopt the new code could be viewed as a 'carrot and stick' approach, but nevertheless, upheld the position that the code would be beneficial to the council when dealing with highway maintenance repairs in the future.

Cllr Smith referred to the backlog of highway repairs inherited from previous administrations and suggested that the improvements made since 2005 could be further improved following adoption of the code.

Cllr Nigel Moor, Cabinet Member for Fire, Planning and Infrastructure, suggested that the council adopt a systematic approach to aligning the new code to the new Highways Contract and encouraged members to become familiar with the guidance element of the document to aid their understanding of the decisions the council will be required to make in the future.

Details of the new code to be published in the Members Matter publication.

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

RESOLVED to: -

- 1) *Approve that the new Code of Practice for Well Managed Highway Infrastructure be adopted; and*
- 2) *Authorise the Commissioning Director: Communities and Infrastructure to make minor changes to various highways maintenance policies and processes to bring them in line with the new Code and with the Council's Corporate Strategy*

15. School Standards and Performance

Cllr Richard Boyles, Cabinet Member for Children and Young People, updated Cabinet on the performance and standards of state-funded schools in Gloucestershire and the impact of changes to the way in which the schools are inspected. The report included information on the performance of local authority maintained schools, academies and free schools.

Cllr Boyles reiterated comments made to Cllr Hodgkinson earlier in the meeting and advised that the quality of educational provision in Gloucestershire was good and that standards on the majority of measures were high and continuing to improve. He confirmed that the children of Gloucestershire were performing in line with those found nationally, with stronger outcomes at Key Stage 2 and Key Stage 4.

Achievement in Early Years Education was slightly below that reported nationally, particularly for disadvantaged pupils. Nevertheless, there was a strong trend of improvement in Early Years.

Cllr Boyles informed members that the outcomes for Key Stage 1 pupils had improved in all subjects during 2017, as compared to the previous year. The attainment gap between disadvantaged pupils in Gloucestershire and other pupils nationally had decreased only slightly for all subjects in Key Stage 1 in 2017.

Key Stage 2 attainment and progress was found to be higher in Gloucestershire than that reported nationally, with the exception of writing. Amongst its statistical neighbours, Gloucestershire ranked highly for progress in reading and maths. A key priority for the local authority was to ensure teacher's assessment of writing was accurate and in line with the assessment process in other counties.

Attainment outcomes for Key Stage 4 were higher in Gloucestershire than those nationally, (with an average attainment 8 score of 48.4 compared with 44.6 nationally). However, the average progress 8 score was weaker. Gloucestershire performance was still higher than the progress for the South West

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Members were informed that there had been a high number of inspections for the current academic year, (2017/18), particularly since January 2018. The percentage of schools judged to be good or better at the time of the report was 85%.

Cllr Boyles advised that action plans had been put in place and that the council continued to work closely with schools to conduct a risk assessment which would allow the local authority to intervene and bring about a rapid improvement in schools if found to be declining. The work undertaken by the council to support and challenge schools was considered effective and well regarded by Ofsted.

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

RESOLVED to

Note the information provided

Leader of Council

Meeting concluded at 11.45 am