

CABINET	<i>Gloucestershire County Council</i>
22 November 2023	
Minutes	

**PRESENT
MEMBERSHIP:**

- | | |
|----------------------------|--|
| Cllr Stephen Davies | - Cabinet Member for Children’s Safeguarding & Early Years |
| Cllr David Gray | - Cabinet Member for Environment and Planning |
| Cllr Philip Robinson | - Cabinet Member for Education, Skills and Bus Transport |
| Cllr Mark Hawthorne MBE | - Leader of Council |
| Cllr Stephan Fifield | - Cabinet Member for Adult Social Care (Delivery) |
| Cllr Carole Allaway Martin | - Cabinet Member for Adult Social Care (Commissioning) |
| Cllr Dave Norman | - Cabinet Member for Fire, Community Safety and Libraries |
| Cllr Lynden Stowe | - Deputy Leader and Cabinet Member for Finance and Change |

Apologies: Cllr Dom Morris - Cabinet Member for Highways and Flood

1. Apologies

See above.

2. Minutes

The minutes of the meeting on 20 September 2023 were agreed as a correct record.

3. Declarations of Interest

No declarations of interest were made at the meeting.

4. Questions at Cabinet Meetings

15 questions were received.

The following supplementary questions were asked:

Question 1 – Cllr Jeremy Hilton asked a question regarding the income from parking permits. Noting the discount that he stated had been offered to Zone 15 parking, would a discount be offered to residents in Kingsholm? Would a review be carried out after 12 months?

Cllr Lynden Stowe replied that it would be important for the member to provide feedback in 12 months. He would pass on the question regarding a discount to the relevant portfolio holder.

Question 3 – Cllr Chloe Turner asked when the climate assessment tool would be in place and whether it would be in consistent use. She also asked whether it would be compulsory and whether they would be made available for scrutiny.

Cllr Mark Hawthorne replied that it would be right for scrutiny to have oversight. There needed to be a judgement on the level of impact, a sharper the framework in place so it was clear to members what to expect from a report. A response would be provided.

Question 12 – Cllr Jeremy Hilton asked what oversight the cabinet member would provide to ensure improvements would be put in place for the adult care providers who were requiring improvement or inadequate to meet the rating of 'good'.

Cllr Lynden Stowe explained that a detailed answer would be provided by the portfolio holder.

Question 13 – Cllr Jeremy Hilton felt that it was the lead up to the assessment, both personal and financial, that was taking too long. He asked what data did the council have which showed how long that process was taking before the Council was agreeing that a care package should be put in place.

Cllr Lynden Stowe replied that the cabinet member would come back with the analysis of the situation.

Question 15 – Cllr Jeremy Hilton referenced the closure of Bohanan House, in Kingsholm Division, in order to meet market sustainability. He stated that the Council was not ready to award new contracts while extending others. He asked what was going wrong in adult services with regards to advanced planning?

Cllr Carole Allaway Martin replied it was a dynamic and changing environment. The last position statement had been published in 2018 and there had been a huge shift in the world since then and the market place had changed. Given all of the changes, the Council was looking at this situation in terms of demographic and complexity and that more information on the Gloucestershire situation was needed to identify short, medium and long term needs. This was a significant piece of work.

5. Rural Estate Task group

- 5.1 Cllr Mark Mackenzie-Charrington introduced the report of the scrutiny task group. He thanked the officers for their in-depth knowledge of the rural estate and Democratic Services for their support in drafting the report.
- 5.2 He provided detail around the societal changes that had been taking place that the task group had considered, and he provided Cabinet with an outline of the content of the report and the recommendations.
- 5.3 Cllr Lynden Stowe thanked the task group for their work and outlined that a response would be provided to the recommendations. He endorsed and thanked the hardworking farmers across the estate and the County. He explained that some of the recommendations would need some more thought given to them as to how they might be taken forward. Members would be kept informed of progress.

6. Finance, Performance and Risk Monitoring Report

- 6.1 Cllr Lynden Stowe provided an update to Cabinet on the year-end forecast for the 2023/24 County Council's Revenue and Capital Budget and reported on the Council's performance and risk during Quarter 2 of 2023/24.
- 6.2 The forecast revenue year-end position for quarter 2 of the 2023/24 financial year is an overspend of £1.357 million. This was an adverse movement of £1.357 million compared to the balanced position reported to Cabinet in September (Quarter 1).
- 6.3 The largest variances were the £7.822 million forecast overspend in Children and Families, offset by favourable variances of £5.104 million in Economy, Environment & Infrastructure, and £2.693 million in Technical & Countywide budgets.
- 6.4 There was a new format to the report which would ensure readers were briefed on the variances with more explanation provided.
- 6.5 The overspend in Children and Families continued to be primarily against the external placements budget, due to increasing numbers of children in care and the

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cost of placements due to limited market availability, both of which are national issues. Work was underway to manage the situation.

- 6.6 The Dedicated Schools Grant (DSG) cumulative deficit as at 31 March 2023 was £28.58 million. This was expected to grow to close to £45 million at the end of the current financial year.
- 6.7 With regards to Council performance, he outlined that there had been a peer review in adults. This had reflected back the areas for improvement which had already been picked up under the self-assessment.
- 6.8 It was stated that the Corporate Peer review had fed back the fact that the Council demonstrated that it had good financial controls in place.
- 6.9 The Leader noted that the Energy from waste facility at javelin park was providing income that was helping to support other areas of the Council.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

- 1. Note the forecast revenue year end position based on Quarter 2 forecasts for the 2023/24 financial year is an overspend of £1.357 million.
- 2. Approve the drawdown of £3.289m from Pay & Prices reserve to fund the additional pay award as set out in paragraph 3.
- 3. Note the forecast delivery of £16.076 million of savings against a target of £21.101 million in 2023/24 or 76.18% of target.
- 4. Note the forecast capital year end position as at Quarter 2, of £154.800 million against a current budget of £157.245 million.
- 5. Note the intention to re-profile the capital budget to reflect the current forecast.
- 6. Approve the £4.923 million increase to the capital programme as detailed in Section C.
- 7. Note Section D Treasury Management Prudential Indicators
- 8. Note the planned process set out in paragraph 52, for commencing the consultation for the 2024/25 Budget.
- 9. Consider this report of the Council's performance and risks and identifies any areas of concern requiring further analysis, assurance or action.

7. GCC Education Participation in the Southwest DfE SEND Change Partnership Programme

- 7.1 Cllr Philip Robinson sought approval for Gloucestershire County Council to act as a joint lead authority, with Swindon Borough Council, in the Department for Education (DfE) Southwest DfE Special Educational Needs and Disabilities (SEND) Change Partnership Programme.
- 7.2 The Department For Education announced that the Council would participate in the DfE South West SEND change partnership programme. The programme would pilot and test the proposed reforms so that they were informed by real children and families. It would also inform some of the underlying assumptions in the High Needs forecast.
- 7.3 The Council would be working in partnership with Swindon Borough Council, with GCC being the financial lead in that partnership. It was explained that there was £5.8m of funding with the programme lasting for two years.
- 7.4 Locally and nationally the current SEND system was unsustainable:
- Rapidly growing level and complexity of need
 - Extended age range to 25 was really starting to be felt
 - Parental views of mainstream education had shifted – lack of confidence in mainstream schools to meet need
 - Education, Health and Care services were all under significant pressure
 - National High Needs deficit considered to be around £3.5B
- 7.5 There was already a great deal of improvement activity in train around SEND and Inclusion Services and the Change Partnership Programme (CPP) activity had been mapped and aligned with this work in terms of both governance, activity and resourcing.
- 7.6 The Leader thanked the Cabinet Member and Officers for the work they had put into the programme.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

1. Approve the receipt of £5.8 million of funding from the DfE to support:
 - (a) GCC's participation in the SEND Change Partnership Programme from September 2023 to April 2025; and
 - (b) the appointment of GCC as the financial Lead Authority (LA) under that programme, with responsibility for apportioning the DfE Change Partnership

Programme funding to Swindon Borough Council to support its participation.

2. Approve the execution of a Memorandum of Understanding (MoU) between GCC and the DfE relating to piloting and testing proposed SEND reforms under the DfE Change Partnership Programme;

3. Approve the formation of a partnership arrangement between GCC and Swindon Borough Council relating to their joint leadership of the Programme in the Southwest

4. Approve the execution of a MoU between GCC and Gloucestershire Integrated Care Board (GICB) relating to the Early Language and Speech Development programme if GICB is awarded funding for the Early Language Support for Every Child (ELSEC) Pathfinder Programme described in the NHS England guidance documentation. If such funding is not received by GICB, ELSEC will not be funded and will not proceed.

5. Approve the joint development by GCC and Swindon Borough Council of a Strategic Delivery Plan for the delivery of the Programme in Gloucestershire and Swindon.

6. Delegate authority to the Director of Education in consultation with the Cabinet Member for Education, Skills, and Bus Transport to allocate the above funding, subject to any individual decisions that in the event that the value of any individual proposed procurement exercise or grant exceeds £500,000, a separate key decision shall be sought in order to authorise that procurement exercise or grant.

8. Market Sustainability and Improvement – Workforce Fund

8.1 Cllr Carole Allaway Martin sought Cabinet approval for recommendations to allocate the Market Sustainability and Improvement – Workforce Fund 2023-24.

8.2 The paper recommended that the Market Sustainability and Improvement – Workforce Fund was used to:

- contribute towards a 4% fee uplift for nursing and dementia bed-based care.
- fund fee uplifts to specific disability providers of bed-based care where a fee review indicated a need for such due to historical anomalies.
- fund additional capacity in residential and domiciliary care.
- invest in a six-month pilot for a domiciliary care agency leading a hospital discharge (Home First) service across the county.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

Approve the allocation of the £3.847m Market Sustainability and Improvement – Workforce Fund as follows:

1. To allocate £0.5m for the purpose of supplementing, with effect from April 2023, the Market Sustainability and Improvement Fund (already received by the council on 29th September 2023) and then funding therefrom the payment of a one-off 4% annual fee uplift to those providers of bed-based nursing and dementia care with whom Gloucestershire County Council contracts under the Pre-Placement Contract for the Provision of Care (2006). The payment of such uplift shall be made in accordance with the price review provisions of the said contract.

2. To allocate £0.28m retrospectively for the purpose of funding, with effect from April 2023, the payment of a one-off annual fee uplift to those specific providers of residential services for people with disabilities with whom Gloucestershire County Council contracts under the Pre-Placement Contract for the Provision of Care (2006) for the purpose of addressing historical anomalies in fee calculations where fee reviews have indicated a need to do so. The payment of such uplift shall be made in accordance with the price review provisions of the said contract.

3. To allocate £2.057 to enable to the council to commission and purchase additional packages of care from providers of community and bed-based statutory social care services with whom Gloucestershire County Council contracts under the Pre- Placement Contract for the Provision of Care (2006) and the Gloucestershire Health and Social Care Community Framework Contract (2020-2024) during the period 1st April 2023 to 31st March 2024 for the purpose of increasing the capacity of the local adult social care market to meet increases in demand in Gloucestershire.

4. To allocate £1.01m to enable the council to commission and purchase additional packages of care with providers of statutory domiciliary care services with whom Gloucestershire County Council contracts under the Gloucestershire Health and Social Care Community Framework Contract (2020-2024) during the period 1st December 2023 to 31st March 2024 for the purpose of increasing the existing capacity of the Home First project (described in 2019 and 2022 Cabinet reports under which people will be supported to go home from hospital with appropriate care, support and therapy to facilitate safe discharge) to meet increases in demand in Gloucestershire.

9. Plan for the Minor Adaptations Service and Servicing and Repair of Community Equipment

- 9.1 Cllr Carole Allaway Martin sought Cabinet approval to undertake a procurement exercise and award contracts that will enable the council to continue to provide, with effect from 1st August 2024, minor adaptation services and the servicing and repair services of community equipment. The services were available for all ages. The continued provision of such services would enable the council to discharge its statutory duty under the Care Act 2014 by providing support to individuals that enables them to stay independent and safe within their own homes.

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- 9.2 The current contracts for minor adaptations and the service and repair of community equipment would be coming to an end on 31st July 2024. A new procurement and contractual arrangement needed to be put in place to succeed them.
- 9.3 Evaluation and engagement had been completed and the recommended service model and procurement approach with a number of lots would mitigate potential risks such as limited market interest due to the size and value of the contract making the ability to achieve financial viability and continued service improvement challenging. Procuring and managing the services jointly would enable a more seamless service, an improved joined up strategically planned approach for health and social care systems within Gloucestershire. The services were available for all ages.
- 9.4 The continued provision of such services would enable the council to discharge its statutory duty under the Care Act 2014 by providing support to individuals that enables them to stay independent and safe within their own homes.

Having considered all the information, Cabinet noted the report and

RESOLVED to

Delegate authority to the Executive Director of Adult Social Care, Wellbeing and Communities in consultation with the Cabinet Member for Adult Social Care Commissioning to:

1. Conduct a competitive procurement process in respect of a contract or (as appropriate) contracts for the supply of various community equipment and adaptations related services, divided into the following four lots:

i. Lot 1: Community equipment servicing, maintenance, and repair services.

ii. Lot 2: Installation, support, maintenance, removal, and collection services in respect of ceiling track hoist equipment.

iii. Lot 3: Installation, support, maintenance, removal and collection services in respect of modular ramping equipment.

iv. Lot 4: General minor works: comprising installation and removal services in respect of minor aids and adaptations, together with minor plumbing, electrical and carpentry works.

Such lots may be awarded to the same tenderer under a single contract or to a number of separate tenderers under not more than 4 separate contracts whose term(s) shall each continue for an initial period of 3 years and include options to extend their term for a further period of 2 years on its third and fifth anniversaries (ie, 3+2+2 years).

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2. Award such contract or (as appropriate) contracts to the preferred tenderer(s); and

3. Determine whether to exercise the option to extend the term of such contract(s) for a further period of 2 years on its third and fifth anniversaries.

10. Transfer of Local Enterprise Partnership Functions

- 10.1 Cllr Mark Hawthorne sought Cabinet approval to transfer core functions of GFirst Local Enterprise Partnership (LEP) to the council with effect of 1st April 2024..
- 10.2 In August 2023, the Government confirmed that core funding for LEPs would end at the beginning of the 2024/25 financial year and that functions would transfer to the county council. The Leader thanked officers and the Chair of the LEP for the conversations that had been carried out in preparation for this.
- 10.3 Gloucestershire's Local Enterprise Partnership had built a strong reputation locally with the business community and nationally as a LEP that had delivered. The county council had acted as accountable body for the LEP since inception and had been represented on the board of the LEP.
- 10.4 Leadership Gloucestershire had started looking at the detail including the work to establish the City Region Board.
- 10.5 The cost of the transfer of LEP functions outlined in appendix 2 would be underwritten by a combination of current LEP reserves and central government funding. The LEP Board had agreed that any gap for the next two financial years would be met through use of the Gloucestershire Infrastructure Investment Fund.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

- a) approves the transfer of LEP functions set out in this report to the Council
- b) delegates authority to the Executive Director of Economy, Environment & Infrastructure to implement the integration plan, in consultation with the Leader of the Council

11. Gloucestershire Care Partnership Contract Extension

- 11.1 Cllr Carole Allaway Martin sought Cabinet approval for a short-term extension to the term of the council's contract with Gloucestershire Care Partnership (GCP) for the provision of Residential & Nursing care at 5 of the care homes it operates.

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- 11.2 The Gloucestershire Care Partnership (GCP) was a joint venture, which was formed in 2005 between The Orders of St John Care Trust (OSJCT) and housing association Bedfordshire Pilgrims Housing Association, (BPHA).
- 11.3 Through the GCP arrangement residential homes formerly run by Gloucestershire County Council were leased to the partnership for OSJCT to deliver Residential & Nursing care services across nine properties owned by Gloucestershire County Council
- 11.4 Four of those properties were newer homes developed as part of an Estate Strategy within the partnership. The other five properties were older homes which, contractually, were due to be returned to GCC in April 2025.
- 11.5 All homes were currently operating as 'Nursing' homes providing Residential, Residential Dementia, Nursing and Nursing Dementia placements. Gloucestershire County Council was not able to directly deliver nursing services.
- 11.6 Whilst work was undertaken to review and analyse the current capacity of the independent Health & Social Care market and publish the Gloucestershire Market Position Statement, (MPS), which was one of the Council's responsibilities under The Care Act 2014. The Council wanted to ensure that provisions remained in place, to support the residents living within these five homes, in April 2025.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

Delegate authority to the Executive Director: Adult Social Care, Wellbeing and Communities, in consultation with the Cabinet Member for Adult Social Care Commissioning to extend the term of the council's contract with Gloucestershire Care Partnership (GCP) relating to the provision of residential and nursing care for a period of nine months at the following five care homes:

- 1) Grevill House (Cheltenham)
- 2) Paternoster House (Cotswolds)
- 3) Rodley House (Forest of Dean)
- 4) The Coombs (Forest of Dean)
- 5) Henlow Court (Stroud)

12. Civil Parking, Social Care and Commercial Council Debt Enforcement Services Contract

- 12.1 Cllr Mark Hawthorne, on behalf of Dom Morris, sought Cabinet approval to procure and award a fouryear Civil Parking and social care and commercial Council Debt Enforcement Services Contract to replace the current contract for such services when it expires at the end of April 2024.

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- 12.2 The council's current enforcement agent services contract arrangements had been in operation since 2020 and expire in April 2024. A replacement contract was required to ensure that the council will have a civil parking debt recovery agent in place from this date.
- 12.3 The options were outlined within the report leading to the recommendation for proposed new contract arrangements. These would also allow for social care and commercial debt to be pursued where appropriate and where internal GCC processes had failed to achieve payment of outstanding amounts.
- 12.4 Any commercial or social care debt would only be passed to the enforcement agents after a case review which had been approved by the senior management team within the relevant department. A County Court Judgement had to be in place prior to enforcement, after being through the internal legal process.
- 12.5 The contract would be procured using the Yorkshire Purchasing Organisation Framework with a proposed contract length of 4-years, with no extensions. As the contract was a concession contract there was no charge to the council for the enforcement agent services. In the last year (2022/23) enforcement agents recovered £171k of outstanding parking debt, that was returned to the council.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

Delegate authority to the Executive Director of Economy, Environment & Infrastructure, in consultation with the Cabinet Member for Highways and Flooding to:

- 1. Conduct a competitive procurement process in respect of a contract for the supply of Enforcement Agent Services for parking related, social care and commercial council debt recovery services. The proposed contract shall continue for a period of four years; and
- 2. Award such contract to the preferred tenderer.

13. Disposal of Land at North West Cheltenham

- 13.1 Cllr Lynden Stowe sought Cabinet approval to enter into a contract for the disposal of County Council land at North West Cheltenham within the parameters set out in Exempt Appendix A.
- 13.2 Prior to the discussion, members were advised that, should Cabinet wish to discuss the contents of the exempt information reported at Appendix A of the report,

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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.

- 13.3 Cabinet agreed to consider this item without having to refer to the exempt information.
- 13.4 The land holding at North West Cheltenham was originally declared surplus and a disposal strategy agreed by Cabinet in 2013, most recently confirmed in March 2023 and had been identified for disposal as part of the Rural Strategic Estate Plan 2016 - 2030.
- 13.5 The Land formed part of a mixed urban extension allocated in the Joint Core Strategy, which was currently the subject of a planning application - Elms Park - for up to 4115 new homes, 24ha of employment uses, hotel and mixed-use centres, transport hub, schools and green infrastructure.
- 13.6 Specialist property consultants and lawyers were advising the Council on the disposal options to maximise the value of the asset and on the terms of a disposal contract.
- 13.7 He drew members attention to Page 353 of the pack, outlined the climate change implications. The creation and enhancement of new orchards and wetlands to increase the biodiversity in the site. The Council would avoid development in the floodplain.
The Council had reviewed the disposal options for this land holding in accordance with the agreed strategy and Officers are now recommending a disposal.
- 13.8 Approval of the recommendation would enable Officers to achieve best value for the Council in the disposal of the land, contributing towards capital receipts targets.

Having considered all of the information, Cabinet noted the report and

RESOLVED to:

- Approve entering into a contract for the disposal of County Council land at North West Cheltenham within the parameters set out in Exempt Appendix A.
- Delegate authority to the Assistant Director of Asset Management and Property Services to conclude negotiations and enter into a contract for the disposal of County Council land at North West Cheltenham within the parameters set out in Exempt Appendix A, in consultation with the Interim Executive Director of Corporate Resources and the Cabinet Member for Finance and Change.

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Leader of Council

Meeting concluded at 11:20am