

THE CABINET

Minutes of a Meeting of the Cabinet held in the Luttrell Room, County Hall, Taunton, on Monday 9 July 2018 at 10am.

PRESENT

Cllr D Fothergill (in the Chair)

Cllr M Chilcott
Cllr D Hall
Cllr D Huxtable
Cllr C Lawrence
Cllr F Nicholson
Cllr F Purbrick
Cllr J Woodman

Junior Cabinet members:
Cllr G Frascini
Cllr M Pullin

Other Members present: Cllr P Clayton, Cllr S Coles, Cllr M Keating, Cllr T Lock, Cllr L Leyshon, Cllr D Loveridge, Cllr T Munt, Cllr L Redman, Cllr M Rigby, Cllr N Taylor, Cllr A Wedderkopp

Apologies for absence: None

106 **DECLARATIONS OF INTEREST** – agenda item 2

Members of the Cabinet declared the following personal interests in their capacity as a Member of a District, City/Town or Parish Council:

Cllr M Chilcott	West Somerset District Council
Cllr J Woodman	Sedgemoor District Council

Junior Cabinet Members declared the following personal interests in their capacity as a Member of a District, City/Town or Parish Council:

Cllr M Pullin	Mendip District Council
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107 **Minutes of the meeting of the Cabinet held on 11 June 2018** - agenda item 3

The Cabinet agreed the minutes and the Chair signed these as a correct record of the proceedings, subject to the amendment below.

The Cabinet Members for Resources, Cllr Mandy Chilcott requested further details of the LGA Assistance be added to minute 101.

The Chief Executive, Patrick Flaherty clarified that the LGA were providing on-going support regarding the Council's Children's and Adoption's Services with a value of up to £100k.

The Leader of the Council, Cllr David Fothergill offered congratulations to Pam Pursley, Risk Manager who had recently been awarded the ALARM Risk Professional of the Year Award.

108 **Public Question Time (PQT) – agenda item 4**

No members of the public had registered to speak.

109 **Somerset Road Safety Strategy Adoption - agenda item 5**

The Cabinet Member for Highways and Transport, Cllr John Woodman, introduced the report, highlighting: the importance of data; and how data ensures resources are best utilised.

The Service Manager, Transport Programmes, Nick Cowling, noted: key stakeholders had been consulted; and support of the Safe Systems Approach.

Further points raised in debate included: the importance of outcomes; the importance treating patients; the Safe Systems approach; accident statistics for motorcycle riders; road congestion and the impact on road safety; the role of District Planning Boards; the importance of costing the adoption of the strategy; flexible estate road design; accidents on the M5; the importance of balancing accident investigations and traffic flow; data analytics and accident hotspots; data analytics and using data as effectively as possible; and 'shared spaces' and the resulting reduction in accidents;

The Director of Commissioning and Lead Commissioner ECI, Paula Hewitt, confirmed: the adoption of the strategy would not require any additional funding, but would ensure that existing funding is used as effectively as possible; and that she would raise M5 closures with Highways England and the Police, but that motorway closures were often to allow surface or barrier repairs.

The Service Manager, Transport Programmes, Nick Cowling, confirmed: the Council was actively involved in the Avon and Somerset Constabulary data analytics work; that action plans including detailed outcomes would follow; and that 'shared spaces' can be a valuable resource. The Service Manager further noted that he would provide Cllr David Hall with details of motorcycle accident statistics.

Cllr David Fothergill, Leader of the Council summarised the points raised by Members.

Following consideration of the officer report, appendix and discussion the Cabinet resolved to:

- 1. Endorse the revised Road Safety Strategy and authorise its adoption**
- 2. Delegate to ECI Operations Director to progress development of the implementation and transition plans.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

110 **Sub National Transport Body for the South West Peninsula** – agenda item 6

The Cabinet Member for Highways and Transport, Cllr John Woodman, introduced the report, noting that Somerset part of the only area on South West England without a transport body.

The Director of Commissioning and Lead Commissioner ECI, Paula Hewitt, added to Cllr Woodman's introduction, noting the importance of sub national transport bodies with regard to funding.

The Strategic Commissioning Manager Highways and Transport, Mike O'Dowd-Jones further highlighted that: the South West Region was split into two transport body areas; a draft Terms of Reference had been completed; the importance of engaging with other bodies; and the need to prepare a transport strategy for the region.

Further points raised in debate included: links to the Heart of the South West LEP; the importance of the South West region representing itself; Somerset County Council's financial contribution; and why has the Council chosen to join the South West Transport Body as opposed to the West of England; Scrutiny arrangements.

The Director of Commissioning and Lead Commissioner ECI, Paula Hewitt and the Strategic Commissioning Manager Highways and Transport, Mike O'Dowd-Jones confirmed: Local Enterprise Partnerships would be part of the new transport bodies; Somerset County Council would only contribute its fair share of any costs incurred; that to date the only investment had been officer time; the strong links with Dorset and other Local Authorities to the South; rural transport challenges; that each Authority would be responsible for their own Scrutiny arrangements; that there was currently no agreement regarding a lead authority; and the expectation of leveraging central government funding.

The Monitoring Officer, Scott Wooldridge highlighted an amendment to recommendation 5 regarding the appointment of an administering body. This amendment was endorsed by Cabinet.

Cllr David Fothergill, Leader of the Council summarised the points raised by Members.

Following consideration of the officer report, appendix and discussion the Cabinet resolved to:

- 1. Agree to join an informal partnership with Cornwall Council, Plymouth City Council, Torbay Council, Devon County Council and Dorset County Council; which will be known as a shadow sub-national transport body for the South West Peninsula,**

subject to Government agreeing with that proposal, and subject to formal agreement of a final terms of reference once the partnership has formally convened.

2. Agree that the draft terms of reference attached as Appendix 1 provide an appropriate basis in principle upon which to create a partnership.
3. Agree to become an associate member of the shadow 'Western Gateway' sub-national transport body which will also operate initially as an informal partnership, subject to agreeing appropriate terms of reference in due course.
4. Delegate authority to the Lead Director for Economic and Community Infrastructure in consultation with the Cabinet Member for Highways and Transport to agree the final terms of reference for both shadow sub-national transport bodies subject to the terms being generally in accordance with the draft terms attached as Appendix 1.
5. Delegate authority to the Lead Director for Economic and Community Infrastructure in consultation with the Cabinet Member for Highways and Transport to develop and agree a constitution for the South West Peninsula sub-national transport body with the partner authorities, an inter-authority agreement to enable the informal partnership to operate and to include the appointment of an administering authority.
6. Appoint the Cabinet Member for Highways and Transport to represent the Council on the sub-national transport bodies.
7. Delegate authority to the Lead Director for Economic and Community Infrastructure in consultation with the Cabinet Member for Highways and Transport to agree a prospectus for the proposed body for communication purposes.
8. Approve an initial partnership funding contribution of up to £80,000 to facilitate the development and operation of the partnership, and lever in match-funding from the Government; with the actual value of the contribution to be agreed between the parties following further development of technical workstreams.
9. Agree to enter discussion with the West of England Combined Authority (WECA) with a view to forming a more formal association with that body.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

111 **Corporate Peer Challenge Review update** – agenda item 7

The Chief Executive provided the Cabinet with a verbal update regarding the Corporate Peer Challenge Review update.

Members were informed: this update would close reporting regarding the Peer Review; the identification of key lines of enquiry; the importance of the Council leading the County; the importance of challenge; financial sustainability, and the considerable savings the Council has already made;

're-basing' budgets including in Children's Services; the importance of open scrutiny, and how the three Scrutiny Committees are effective; the capacity to deliver; the importance of engaging with local communities; the Council's People Strategy; and recognition of the improvements the Council has made.

The Chief Executive proceeded to summarise the Peer Review recommendations, including: reducing overspend; the Financial Imperative Programme; the importance of financial sustainability; establishing the real cost of Children's Services in Somerset; and the importance of ensuring Cabinet and SLT work as effectively as possible.

The Leader of the Council, Cllr David Fothergill, highlighted that the Peer Review had provided the impetus to resolve the Council's financial challenges.

Further points raised in debate included: ensuring the Financial Imperative work is about new thinking as opposed to cost cutting; and Member involvement in Financial Imperative work, including replicating the staff savings idea submission scheme.

The Chief Executive, Patrick Flaherty noted: that a Members Briefing would be circulated; and the importance of good governance.

112 2018/19 Month 2 Revenue Budget Month 2 Highlight Report – agenda item 8

The Cabinet Member for Resources, Cllr Mandy Chilcott introduced the report, noting: this was the first report of the financial year; a £12.1m or 3.8% budget overspend had been predicted; the main pressure is in the Children's Services area; the cost of caring for children and the elderly; and the report requested approval to transfer £5m from contingency to Children's Services.

Further points raised in debate included: the cost of home to school transport and comparison with other rural areas; the Council's statutory role regarding school transport; transport costs in rural and urban areas; the lean Adult Social Care Management Team; holding vacancies across the council to mitigate the projected overspend; who and what triggers a Section 114 notice and what its effect is; providing additional funding for Children's Services; the thematic approach to budget setting, and related conversations at a recent meeting of the Audit Committee; circulation of the CCN report; member involvement in LGA assistance work; the number of children in care; and the use of contingency in place of a budget adjustment.

The Strategic Finance Manager, Martin Young confirmed: Somerset's home to school transport costs were in line with other Shire authorities; that a Section 114 notice states that an authority has more expenditure than available resources and the actions that flow from its issue; the Council's track record of reducing overspends; the work being undertaken to project the requirements for Children's Services Budgets; that additional children's services funding was set aside and would enable better financial planning

moving forward.

The Chief Executive, Patrick Flaherty confirmed that: all expenditure continues to be scrutinised; the use of contingency to help Children's Services move from Ofsted Special Measures was in line with the Children and Young Peoples Plan; and the Council's new S151 Officer would be re-evaluating the Council's financial strategy.

The Deputy Director, Children and Families noted: that the number of children in care was relatively stable, with a gradual increase; and that were good early support services available.

The Chief Account, Elizabeth Watkin, noted the significant pressure on Children's Services budgets and the proposed early release of the £5m of contingency funding.

In conclusion, the Leader of the Council, Cllr David Fothergill noted: the importance of ensuring that any Children in Care are given the best possible opportunities; the Council was in a difficult financial position, a management plan was under development to address the projected overspend; the council was not poised to issue a Section 114 notice; and the overspend was not acceptable, and an appropriate mitigations were being developed.

Following consideration of the officer report, appendix and discussion the Cabinet resolved to:

- 1. Approve the transfer of £5m from contingency to Children and Families - Operations budget (section 2.4).**
- 2. Note the contents of this report and the potential outturn position for the year.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

113 Children and Young Peoples Plan 2016-19 – Report on progress of Year 2 – agenda item 9

The Cabinet Member for Children and Families, Cllr Frances Nicholson introduced the report noting: the Council's 3 year plan following the inadequate Ofsted rating; the authority is now rated as 'requires improvement to be good'; and the importance of early intervention and planning.

The Deputy Director, Children and Families highlighted the report included the progress to date.

Further points raised in debate included: risks for the final year of the Plan; recruitment to Children's Services posts; schools moving to Academy Status; children's mental health and moving to adulthood; and the importance of early support and ensuring the right help is available.

The Deputy Director, Children and Families noted: risks include a reduced quality of service, placement absence and placement sufficiency; and the Social Worker degree programme available via Yeovil College.

Cabinet welcomed the update and significant work that had been completed.

Following consideration of the officer report, appendices and discussion the Cabinet resolved to acknowledge the significant work that has been undertaken to date and endorse the improvements and achievements in delivering the 7 Improvement Programmes

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

114 **Contract Award for the provision of Somerset Specialist All Age Drug and Alcohol Treatment Service – agenda item 10**

The Cabinet Member for Public Health and Well Being, Cllr Christine Lawrence, introduced the report noting: the new contract will commence in March 2019; the importance of performance management; the ‘think family’ approach; and the increasing number of people with a dependency.

The Service Manager Drugs and Alcohol, Amanda Payne added to Cllr Lawrence’s introduction, noting: the need to release financial savings; the impact on children; and that a draft outcomes framework was included as an appendix to the report.

Further points raised in debate included: data sharing; welcoming the family focus; the contact flexibility; ensuring the chosen successful provider offers the right level of engagement; contract management; the importance of co-location; potential third sector involvement; TUPE implications; community safety; and the availability of residential rehabilitation.

Following consideration of the officer report, appendices A, B, C and D and discussion the Cabinet resolved to:

- 1. Agree the award of contract for Somerset Specialist All Age Drug and Alcohol Treatment Service to Bidder D from 1st April 2019 for a period of 5 years with an optional two year plus further two year extension as detailed in Appendix A – Confidential Tender Evaluation Report**
- 2. Agrees the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached Appendix A in confidence, as they contain commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**
- 3. Authorises the Director of Public Health to sign the contract with the preferred supplier on behalf of the authority and to determine**

in due course whether to utilise the optional two year plus two year extension(s).

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

115 **Treasury Management 2017/18 End of Year Report** – agenda item 11

The Cabinet Member for Resources, Cllr Mandy Chilcott introduced the report noting: that CIPFA recommend the Treasury Management End of Year Report is presented to Cabinet and full Council; and the average interest paid on the Councils debt is 4.66%.

Cllr Liz Leyshon thanked Anton Sweet and Alan Sandford for their guidance following the publication of the report.

The Leader of the Council, Cllr David Fothergill highlighted the good quality information presented in the report.

Following consideration of the officer report, appendices and discussion the Cabinet resolved to approve the report and submit it to Full Council on 18th July 2018.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

116 **Any other urgent items of business** – agenda item 12

The Leader of the Council, Cllr David Fothergill, thanked Richard Williams, Commercial and Business Services Director for his work for the Council and wished him well for the future.

(The meeting ended at 12.36pm)

CHAIR