

THE CABINET

Minutes of a Meeting of the Cabinet held in the Library Meeting Room,
Taunton Library, on Wednesday 19 December 2018 at 10.00am.

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 M Pullin

Other Members present: Cllr S Coles, Cllr H Davies, Cllr L Leyshon, Cllr J Lock,
Cllr L Redman, Cllr B Revans, Cllr T Munt, Cllr A Wedderkopp

Apologies for absence: Cllr G Fraschini

151 **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 M Pullin – Mendip District Council
Cllr F Purbrick – Yeovil Town Council
Cllr John Woodman – Sedgemoor District Council

152 **Minutes of the meetings of the Cabinet held on 5 November 2018 and 19 November 2018** - agenda item 3

The Cabinet agreed the minutes and the Chair signed these as a correct record of the proceedings.

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

The Leader of the Council, Cllr David Fothergill noted that public questions would be considered as a part of the relevant agenda item.

154 **Revenue Budget Monitoring – Month 7** - agenda item 5

The Cabinet Member for Resources, Cllr Mandy Chilcott introduced the report and made a number of points including: the reduced overspend; the savings proposals agreed in September 2018; that 95% of the agreed savings proposals were on-track to be delivered; and likely further improvements in quarter 3.

The Cabinet heard from Nigel Behan who raised a number of questions

regarding the revenue budget monitoring update with particular reference to earmarked negative reserves and the Medium Term Financial Strategy 2019-2022.

The Cabinet proceeded to debate the report, points raised included: the potential financial implications of the upcoming winter period; confidence that savings could be achieved; and additional government funding.

The Cabinet Member for Resources, Cllr Mandy Chilcott and the Interim Director of Finance, Peter Lewis responded to the points raised in debate, noting: the budget included £3.3m of contingency funding; the increasing confidence levels attached to each savings proposal; the additional £2.5m of Adult Social Care Funding; and the recently announced highways capital funding.

The Director of Adult Social Care, Stephen Chandler expressed his thanks to Somerset Care for taking over the support contracts previously managed by Allied Healthcare. The Leader of the Council added his thanks, noting that he would be writing to Allied Healthcare.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: the early retirement of Discovery staff; public awareness of the Discovery operating surplus; compensating for undeliverable savings proposals; access to the 'change record' detailing savings which could not be delivered and the alternative proposals identified; and work to recruit a permanent replacement for the Interim Director of Finance.

The Interim Director of Finance, Peter Lewis, responded to the points raised highlighting that: savings owners are responsible for identifying alternative proposals in the event of non-delivery; and that amendments to any proposals requires the Chief Executives approval.

The Leader of the Council, Cllr David Fothergill, summarised the points raised noting the Council's improved financial situation and the difficult decisions which have had to be taken. The Leader of the Council further thanked officers for their work.

Following consideration of the officer report and discussion the Cabinet:

- 1. commented upon the contents of this report and requested that the Senior Leadership Team continues to undertake further action to ensure that the projected overspend is reduced;**
- 2. noted the contents of this report.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

The Cabinet Member for Resources, Cllr Mandy Chilcott introduced the report noting: the projected balanced outturn for the 2018/19 financial year; the plan to address the Council's budget issues; work to re-base budgets across the whole Council; and the development of savings proposals for the 2019/20 financial year.

The Cabinet proceeded to debate the report, points raised included: reductions in the Adult Social Care budget, and how this was helping other parts of the Council; work to re-base Children's Services budgets; recognising that the Council's annual budget is currently £338m; the importance of training and further education; and the Business Rate retention pilot.

The Cabinet Member for Resources, Cllr Mandy Chilcott and the Interim Director of Finance, Peter Lewis, responded to the points raised, noting: the importance of the Council appropriately apportioning its available budget; the encouraging announcements from the DfE regarding funding; the application to the Secretary of State to move monies between 'funding blocks'; and the importance of the Comprehensive Spending Review.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: reductions to the Adult Social Care budget; ensuring preventative services are protected; the increased demand for dementia services; plans for the Young Carers Service; and County Ticket pricing, and the associated impact on the number of tickets sold.

The Chief Executive, Patrick Flaherty, the Cabinet Member for Children and Families, Cllr Frances Nicholson; and the Cabinet Member for Adult Social Care, Cllr David Huxtable responded to the points raised, noting: changes to well regarded models of care; the importance of preventative activity; the withdrawal of the young carers savings proposal for 6 months to allow the best support model to be developed within the limits of the available budget; and the importance of promoting independence.

Following consideration of the officer report the Cabinet :

- 1. commented upon the contents of this report and requested that the Senior Leadership Team continues to undertake further action to ensure that the projected overspend is reduced;**
- 2. noted the contents of this report.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

The Cabinet Member for Education and Transformation, Cllr Faye Purbrick introduced the report, noting: the rapid population growth in the local area; the proposed expansion would meet secondary place need in Taunton until September 2022; the additional primary school places were already available; and that the Council had been recognised by the Department for Education as a cost-effective school builder.

The Director of Children's Services, Julian Wooster, thanked the school for engaging with the expansion project.

The Cabinet heard from Kerry Tonkin, the Headteacher at Bishop Fox's School who noted: the support from the School Governing Body; and that the school was fully behind the application.

The Cabinet proceeded to debate the report, points raised included: the importance of keeping within the agreed costs; and requesting financial support from central government to build new schools.

The Director of Children's Services, Julian Wooster, and the Cabinet Member for Education and Transformation, Cllr Faye Purbrick responded to the points raised, noting the number of school projects the Council had delivered on budget; and that conversations with the government were on-going.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: the impact of 'bulge years'; housing expansion in the east of Taunton and the potential for a new secondary school; and drop-off and pick up provision at new schools.

The Leader of the Council, Cllr David Fothergill sought reassurance that the impact on existing pupils had been considered.

Following consideration of the officer report and confidential appendix, the Cabinet:

- 1. Approved the award of a contract for the Provision of Support Services for People with Complex, Multiple Needs, to Provider A (as identified in Section 5 of the attached Confidential Appendix A – Tender Evaluation Report), from 1 April 2019 for a period of 5 years with an option for the authority to extend the contract for a further two periods of up to 12 months (subject to the parties agreeing the price for the extension period).**
- 2. Agreed 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. Delegated authority to the Director of Adult Social Services, in consultation with the County Solicitor, to finalise and enter into**

the contract referred to in recommendation 1 above on behalf of the authority and to determine, in due course, whether to exercise the option to extend the contract.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

157 County Hall A Block Final Business Case Approval – agenda item 7

The Cabinet Member for Resources, Cllr Mandy Chilcott introduced the report noting the following points: thanks to the Scrutiny for Policies and Place Committee for their work; that the risk assessments Scrutiny had requested be shared with Cabinet had been circulated; that no major work had been completed on County Hall A Block for 30 – 40 years; that £7.75m of funding had already been agreed; that a further £2.5m of funding was required; and it was hoped the project would allow £723k of savings to be realised.

The Cabinet proceeded to debate the report, points raised included: the importance of ensuring funding messages are clearly communicated to the public; County Hall A blocks current poor condition; and the 2 phases of building works.

The Interim Director of Finance, Peter Lewis, and the Director of Commissioning and Lead Commissioner for Economic and Community Infrastructure, Paula Hewitt responded to the points raised, noting: the County Hall A block work was planned to be completed in two phases; and potential revenue returns.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: ensuring the refurbished space is fully utilised; and outside agencies using the office space.

The Leader of the Council, Cllr David Fothergill, and the Cabinet Member for Resources, Cllr Mandy Chilcott, responded to the points raised, noting: Somerset Direct would be moving into the refurbished space; the 5.3 year pay back period; on-going unitary conversations; that the accommodation was flexible; and that conversations with other partners were on-going.

Following consideration of the officer report and appendices the Cabinet:

- 1. Approved the Final Business Case for A Block refurbishment (Confidential Appendix)**
- 2. Recommended to Council that the cost of £2.5million to complete the A Block refurbishment project is committed and approved as part of the 2019/20 capital programme at their meeting in February 2019**
- 3. Delegated authority to the Lead Director for Economic and Community Infrastructure and Director for Commissioning, in consultation with the Head of Corporate Property, to enter the contract to deliver**

refurbishment of A Block, County Hall subject to:

a) allocation of the cost of the project by the Council within the 19/20 Capital programme by the County Council (see recommendation 2 above); and

b) receipt of Listed Building Consent (Planning Portal reference 4/38/18/0385/OB), expected January 2019;

c) receipt of a final tendered contract cost which falls within the available budget;

d) the requirement that all items of recommended contingency spend under the contract are reviewed and agreed by the Head of Corporate Property or an officer of higher seniority before approval.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

158 **South West Peninsula Framework Contract for Residential Children's Homes – agenda item 8**

The Cabinet Member for Children and Families, Cllr Frances Nicholson introduced the report noting the importance of individual placements for some children.

The Director of Children's Services, Julian Wooster added to the points raised by Cllr Nicholson, noting: that nationally demand outstrips good quality supply; and the challenge is recognised by the DfE.

The Cabinet proceeded to debate the report, points raised included: ensuring placements are competitively priced; the availability of foster placements; the importance of local placements; and the process for checking the quality of placements outside of Somerset.

The Strategic Commissioner – Vulnerable Children, Louise Palmer and the Director of Children's Services, Julian Wooster responded to the points raised, noting: the framework ensured placements were with good quality providers; a breakdown of costs would be provided for all placements; the Council often achieves a saving on the framework price; foster carer recruitment; and the Council's responsibility to check quality before a placement is made.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: ensuring appropriate placements are available when required.

Following Consideration of the officer report the Cabinet authorised the Director of Children's Services to enter into the Peninsula Framework for Independent Residential Children's Homes for a period

of 4 years (48 months) from 1st February 2019.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

159 **Award of a Contract for the Provision of a Framework of Support Services for People with Complex, Multiple Needs – agenda item 10**

The Cabinet Member for Adult Social Care, Cllr David Huxtable introduced the report noting the continuation of work to modernise the service.

The Strategic Manager – Commissioning, Tim Baverstock presented a number of slides to the Cabinet, topics included: current provision; engagement; and new beginnings.

The Director of Adult Social Care, Stephen Chandler added to the points raised, noting: the service had been jointly commissioned with Public Health; engagements with services users and providers; and delivering better outcomes.

The Cabinet proceeded to debate the report, points raised included: ensuring sufficient provision before moving away from a buildings-based approach; the Health and Wellbeing Boards endorsement of the proposed approach; linking with the Improving Lives Strategy.

The Leader of the Council, Cllr David Fothergill opened the debate to other members present, points raised included: ensuring support is available when needed; the length of tenancies; support for landlords; the pressures placed on the rental market by the Hinkley Point development; the importance of considering residents living in temporary caravans; and the importance of monitoring outcomes.

The Strategic Manager – Commissioning, Tim Baverstock responded to the points raised, noting: and work with Housing Providers regarding tenancies; ensuring a safe environment for recovery including a hospital stay when appropriate.

Following Consideration of the officer report and appendices the Cabinet:

- 1. Approved the award of a contract for the Provision of Support Services for People with Complex, Multiple Needs, to Provider A (as identified in Section 5 of the attached Confidential Appendix A – Tender Evaluation Report), from 1 April 2019 for a period of 5 years with an option for the authority to extend the contract for a further two periods of up to 12 months (subject to the parties agreeing the price for the extension period).**
- 2. Agreed 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. Delegated authority to the Director of Adult Social Services, in consultation with the County Solicitor, to finalise and enter into the contract referred to in recommendation 1 above on behalf of the authority and to determine, in due course, whether to exercise the option to extend the contract.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

160 **Decision to Conclude the Award of a Contract for the Provision of Highway Improvements at M5 Junction 25 – agenda item 11**

The Cabinet Member for Highways and Transport, John Woodman introduced the report, noting: the improvements were designed to increase junction capacity, reduce congestion, and support housing and employment; and that work was scheduled to commence in March 2019.

The Strategic Commissioning Manager – Highways and Transport, Mike O’Dowd-Jones added to the points raised by Cllr Woodman, noting: the robust tender exercise; the number of funding sources; and utilising the £563k underspend from the Yeovil Western Corridor development.

The Cabinet proceeded to debate the report, points raised included: off-line working and preventing disruption; details of the new layout; details of LEP funding and any associated risks; and the importance of engaging the local community.

The Strategic Commissioning Manager – Highways and Transport, Mike O’Dowd-Jones responded to the points raised, noting: most works would be taking place off the existing highway or would take place at night; that access to the A358 would move and the existing access would become a bus lane; utilising the underspend from the Yeovil Western Corridor; and the significant financial contingencies built into the budget.

Following consideration of the officer report and appendices the Cabinet:

- 1. Agreed to award a contract for highway improvements and associated works at M5 Junction 25 to the supplier identified in Appendix A, following a competitive process. The award will be subject to confirmation of the funding contribution from the Heart of the South West Local Enterprise Partnership.**
- 2. Agreed to underwrite up to £0.536m from the capital programme that may be the result of the reduction in LEP contribution to the scheme.**
- 3. Agrees the case for exempt information for Appendix A to be**

treated in confidence, as public disclosure of the commercially sensitive data contained within would prejudice the Council's position in ensuring competitiveness of future tender processes.

The County Council reserves the right to not proceed with the award of a contract should new information come to light during the standstill period and/or before entering into a contract. In this instance, it is recommended that the ECI Commissioning Director and the Director of Corporate Affairs be given joint delegated authority to take any necessary action in relation to the conclusion of the contract to protect the Council interests - this could include a decision not to enter into a contract and go back out to market.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

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

There was no other business.

(The meeting ended at 12.40pm)

CHAIR