



CABINET

Minutes of the meeting held on 11 December 2018 at 2pm

Venue: The Covey Room, One Angel Square, Northampton (Meeting held in public)

PRESENT (FOR ALL OR PART OF THE MEETING):

Cabinet Member

Councillor Matthew Golby
Councillor Cecile Irving-Swift
Councillor Malcolm Longley
Councillor Dr Andrew Mercer

Portfolio

Leader of the Council
Deputy Leader & Public Health
Finance
Performance, Transformation & Local Government
Reform
Transport, Highways, Environment & Public Protection
Adult Social Care
Children, Families and Education

Councillor Ian Morris
Councillor Sandra Naden-Horley
Councillor Victoria Perry

OTHER COUNCILLORS PRESENT (FOR ALL OR PART OF THE MEETING):

Councillor Fiona Baker
Councillor Elizabeth Bowen
Councillor Julie Davenport
Councillor James Hakewill
Councillor Gill Mercer
Councillor Mick Scrimshaw
Councillor Chris Stanbra

Councillor Jane Birch
Councillor Julie Brookfield
Councillor Jonathan Ekins
Councillor Eileen Hales
Councillor Anjona Roy
Councillor Jason Smithers
Councillor Danielle Stone

ALSO PRESENT (FOR ALL OR PART OF THE MEETING):

Officer

Ian Boll
Ian Duncan
Anna Earnshaw
Chrissie Farrugia
Barbel Gale
Theresa Grant
Paul Hanson
Paul Helsby
Janet Kealey
Brian Roberts
Lucy Wightman

Role

Interim Executive Director of Commercial and Place
Executive Director Finance
Executive Director Adults, Communities and Wellbeing
Chief of Staff - Commissioners
Democracy Officer (Minutes)
Chief Executive
Democratic Services Manager
Director of Transformation
Deputy Monitoring Officer
Finance Commissioner
Director of Public Health

There were 7 members of the press and public in attendance.

161/18 Apologies for non-attendance

There were none.

162/18 Notification of requests from members of the public to address the meeting

Notifications were received on the following items:

Item 12, Funding Decision and Consultation Outcomes for Sensory Impairment Services:

- Raelene Hill

Item 14, Libraries Review:

- Ms Alison Richards
- Dr Graham St.John-Willey

163/18 Minutes of the meeting held in public on 13 November 2018

RESOLVED: The minutes of meeting held in public on 13 November 2018 were agreed and signed as a true record following the amendment of a number of typographical errors.

164/18 Declarations of Interest by Councillors

There were none.

165/18 Announcements

The Chairman explained that Cabinet meetings would be recorded and uploaded to the internet.

A number of Councillors had submitted questions to the Cabinet, some of which were not relevant to the items on the agenda. Responses to those questions could be collated and circulated to all Councillors. The new speaking arrangements for Cabinet needed to be refined. He asked that all questions be submitted to Democratic Services 48 hours in advance of the meeting.

The Deputy Leader of the Labour Group felt that the speaking arrangements for Cabinet needed to be clarified for example, could questions only be asked of agenda items. Recording the meetings was welcomed. She queried if the questions asked could be read out at the meetings to ensure the public knew what was being asked and would members have the opportunity to ask supplementary questions during the meeting. The Chairman said the points raised would be considered.

He welcomed Malcolm Newsam CBE, who had joined the authority as the Commissioner for Children's Services.

166/18 Report by the Overview & Scrutiny Committee – Scrutiny of Children First Northamptonshire

At the Chairman's invitation the Chairman of the Overview and Scrutiny Committee introduced the report (copies of which had previously been circulated) and made the following points:

- The Committee had recognised that the budget within Children First Northamptonshire would balance;
- The Committee had concerns regarding the recruitment and retention of social workers and following a review a separate report on this would be submitted; and
- Regarding Unaccompanied Asylum Seeking Children (UASC), the Ofsted findings were discussed and the Committee asked to see the response to Ofsted before it was issued to allow further scrutiny to be carried out.

The Cabinet Member with responsibility for Children, Families and Education made the following points:

- A separate scrutiny working group had been considering the concerns regarding social workers and the Cabinet/Council were already acting on suggestions from that working group;
- The cost of UASC had been benchmarked against other authorities and the Council did spend more in this area than other authorities;
- She wanted to see more urgency from staff to implement changes within the authority; and
- Consideration was being given as to how more looked after children could be brought back into the county in order to save money.

The Chairman felt that having urgency to implement changes was very important and should be reflected within the whole of the service.

RESOLVED That Cabinet:

- 1) Noted that the Overview & Scrutiny Committee is reassured that Children First Northamptonshire is taking action to understand and address children's services budget pressures, although the Committee remains concerned about how this may affect the outcomes delivered.**
- 2) Agreed to consider the potential to take further action to enhance access to information about fostering and adoption in Northamptonshire, on an invest-to-save basis.**
- 3) Agreed that written responses to the Overview & Scrutiny Committee's recommendations above be provided in accordance with the process set out in paragraph 5.2 of this report.**

167/18 The Draft Revenue Budget Report for 2019-20

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) noting that questions had been received from the Chairman of the Overview and Scrutiny Committee and responses would be provided separately. He endorsed the experience and knowledge of the Finance team. He stated that the budget was based on productivity this year and not around cost cutting. It contained a number of assumptions. It would be subject to the normal consultations and scrutiny however he didn't feel it would change much between now and February. It recognised the recent government allowance of using £70m of capital receipts as revenue, which showed the government had confidence in the Council to manage the situation. £35m would be used to remove the previous year's deficit and £20m would be added to the Council's reserves. He was pleased that the Council was using its own money to balance the budget.

The Cabinet Member with responsibility for Performance, Transformation & Local Government Reform also endorsed the experience of the Finance team who had pulled together a budget that did things better and more efficiently. He welcomed the £35m to remove the deficit and hoped that the remaining £15m would be used to address smaller issues such as the insurance reserves which also needed to be replenished.

Councillors made the following points:

- The Overview and Scrutiny Committee would consider the proposals in detail;
- The risks to the budget come from the 2018/19 budget not balancing and predicting future service demands;
- The 2% pay increase for staff was welcomed but why had it not been included in year ones figures; and
- More detail was sought regarding Section 106 and Section 38 funding and what it was to be used for.

The Chairman explained that the budget had been put together differently, with a more combined focus and he felt it was robust. It would take a lot of work to deliver it and he welcomed comments during the consultations. He felt that the Government allowing the Council to use the £70m of capital receipts was a reflection of the confidence the Government had in how the authority was changing. The budget looked to transform services going forward and to work more with partners. The Council was not in a position to be able to give a pay rise to staff because it was still operating under the S114 controls however an extra day's leave had been given. He believed that Northamptonshire had enough money to resolve its financial troubles however they would continue to seek additional funding where possible.

The Deputy Leader and Cabinet Member for Public Health noted that the budget had been published earlier and the plan was to work effectively with partners going forward.

The Cabinet Member for Adult Social Care indicated that spending controls were in place that had strengthened day to day operations.

The Cabinet Member for Transport, Highways, Environment & Public Protection said it was a transformational budget which would make it possible for the Council to be sustainable as it progressed towards becoming a unitary authority. Money was being invested in his directorate.

The Cabinet Member for Children, Families and Education welcomed the changes however the pace of change needed to be quicker.

The Cabinet Member for Performance, Transformation & Local Government Reform noted that it took a huge effort to change the momentum however he felt the direction had now changed.

In response, Councillor Longley welcomed the involvement of the Overview and Scrutiny Committee in the budget proposals. Regarding the pay increase for staff, he explained that the Council needed to have a balanced budget before it could be considered.

RESOLVED That Cabinet:

- a) **Approved the 2019-20 Draft Budget, for the purposes of consultation, which includes:**
 - i. **an estimated net revenue budget of £411.08m**
 - ii. **a Band D Council Tax of £1,212.55, and an increase of 2.99% from 2018-19.**
 - iii. **savings proposals as set out in Appendix E.**
 - iv. **fees and charges at Appendix C and detailed schedule at Appendix D**
 - v. **the planned utilisation of the Dedicated Schools Grant (DSG) for 2019-20 pending the final DSG settlement**
- b) **Noted the forecast medium term financial position 2019-20 to 2022-23 at Appendix A**
- c) **Noted the Fees and Charges Policy Appendix B**

168/18 Monthly revenue monitoring report for the financial year ending 31st March 2019, as at period 7

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) noting that the report showed a slight improvement in the deficit. Balancing the budget would be more challenging due to the timescales involved. Items would only be reported in the forecast once the funding had been secured.

Councillors made the following points:

- Concerns were raised that Adult Services aged debt remained high;
- Further information regarding the external agencies to be use to collect the aged debt was sought;
- It was asked what arrangements were being put in place to mitigate the impact if the debt was not recovered;
- Further information was sought regarding how the pressure in the communications commercialisation would be delivered given that different figures were quoted in the report presented at the meeting and the one presented in April 2018; and
- It was queried if the Council was confident that it had all of the Section 106 funding available and where it would be spent.

The Chairman said it would be challenging to balance the budget for this year and there was still a way to go but he was confident it would be done. Lots of work had been carried out to reduce the delay in transfer of care figures.

In response Councillor Longley agreed that aged debt was an area that needed to be addressed. Provision had been made for this in the budget however outstanding debt needed to be collected. He clarified that Section 106 funding was available for its designated use.

The Cabinet Member for Adult Social Care indicated that regular meetings were taking place to monitor aged debt.

RESOLVED That Cabinet:

- 1) **Noted the forecast outturn position for 2018-19, and associated risks.**
- 2) **Noted the risk assessment of 2018-19 saving proposals in Appendix A.**

3) Noted the inclusion of the 2018-19 Stabilisation Plan savings proposals.

169/18 Monthly Capital Report (MCR) – Forecast Outturn for the financial year ending 31 March 2019 as at 31st October 2018 (Period 7)

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) explaining that the forecast was similar to the previous month.

The Cabinet Member for Transport, Highways, Environment & Public Protection said that funding had been received from the Highways Maintenance grant. The grant had conditions attached but as much of it as possible would be utilised. A letter of thanks had been sent to Tom Pursglove MP. In response he explained that they were taking a methodical approach to how the funding would be spent to ensure it was not lost due to projects not coming forward quick enough.

Councillors made the following points:

- A previous report had mentioned 'Invest to Save' in Adult and Children's services with talk of bringing services back in house and it was queried why this was not included within the capital programme;
- An update was sought on the progress made to recover funding for Northampton International Academy (NIA);
- Clarify was sought regarding whether or not S106 funding been used for its intended purpose; and
- £15m of the £70m capital receipts had been put aside for the managed of risks associated with the stabilisation plan and it was queried what would happen to any remaining funding if some was left.

In response Councillor Longley indicated that any funding unspent at the end of the financial year from the £70m capital receipts would revert to back to capital funding and could not be used for revenue expenditure.

In response Councillor Morris said he was hopeful that a resolution to the NIA appeal would be forthcoming and any Section 106 funding associated with that project had been spent on traffic calming.

RESOLVED That Cabinet:

- 1. Noted the forecast capital expenditure of £104m for 2018-19.**
- 2. Approved and recommend the inclusion of four new schemes in the capital programme with investment totalling £7,279k:**
 - i. Saxon Court Lift - £75k**
 - ii. Healthy Pupil Capital Fund - £282k**
 - iii. Eleanor Lodge - £150k**
 - iv. Local Highways Maintenance - £6,772k**
- 3. Approved capital investment totalling £120k to promote one scheme from the Development Pool included in the Capital Strategy 2018-19:**
 - i. Magdalen College School**

Further detail on the above schemes can be found in Section 9.

170/18 Quarterly corporate report on performance – Period Two

At the Chairman's invitation the Cabinet Member with responsibility for Performance, Transformation & Local Government Reform, Councillor Dr Mercer, introduced the

report (copies of which had previously been circulated) and indicated he was pleased with the performance of the delayed transfer of care team. He felt that report contained too many priorities, not all of which could be achieved at once and indicated that a system of importance should be introduced.

Councillors made the following points:

- The report contained a lot of information which was hard to understand and not easily readable;
- The narrative within the report should express the Council's view/opinion;
- The dashboards within the report were difficult to read; and
- The definitions as to whether or not an indicator was performing on or above its target needed to be clarified.

In response Councillor Dr Mercer indicated that the performance data should be included on the website to give greater clarification. The indicators of a higher priority should be included within the report with any concerns highlighted. He agreed that the information should be easy to understand at a glance.

Following the discussion the Chairman proposed that delegated authority be given to the Cabinet Member for Performance, Transformation & Local Government Reform to review the format of the report and improve its clarity, taking into account the comments made.

RESOLVED That Cabinet:

- 1. noted the contents of the 2018-19 Quarter 2 performance report at Appendix A; and**
- 2. Agreed that delegated authority be given to the Cabinet Member with responsibility for Performance, Transformation & Local Government Reform to review the format of the report and improve its clarity, taking into account comments made at the current meeting.**

171/18 Corporate Travel and Accommodation contract

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) saying it was hard to estimate how much money could be saved however it was zero cost to implement the system. Milton Keynes Council used the system and had reported savings.

Councillors made the following points:

- The contract would be awarded to 2020 and there may be different local authority government arrangements in place at that time, therefore it was asked if consultation should be carried out with the district and borough councils around this proposal; and
- Other options such as non-essential journeys should be considered along with other transport options for social workers.

In response Councillor Longley explained it was a national scheme therefore many district and borough councils could already be using the scheme. The proposal needed to be implemented to ensure the savings listed in the stabilisation plan could be realised.

The Cabinet Member with responsibility for Performance, Transformation & Local Government Reform explained that the council had tried to reduce journeys and the cost of those journeys already. There was a need to act quickly to ensure the savings were made in this year's budget.

RESOLVED That Cabinet:

- 1. Awarded the travel and accommodation contract for 4 years, expiring on 30/11/2022.**
- 2. Agreed that delegated authority be given to the Executive Director of Finance, in consultation with the Cabinet Member for Finance, for LGSS Procurement, on behalf of the Authority, to direct award through an existing public sector framework, securing travel and accommodation arrangements, which will then be used on a corporate basis.**

172/18 Funding Decision and Consultation Outcomes for Sensory Impairment Services

At the Chairman's invitation Ms Raelene Hill made the following points:

- She was representing a lot of people;
- The information, skills and support that she received from the Northamptonshire Association for the Blind (NAB) was unlike any she had received from other organisations;
- She was concerned that the threat of a funding cut for NAB could lead to the organisation closing;
- The organisation offered a lot a help to those who had lost their sight;
- The impact of losing your sight impacted many areas of your life, even getting out is a major task and NAB offer skills and information on how to do this; and
- She was a specialist nurse and she was amazed but all the services provided by NAB.

At the Chairman's invitation the Cabinet Member with responsibility for Adult Social Care, Councillor Naden-Horley, introduced the report (copies of which had previously been circulated) and made the following points:

- There was a need to consider if services provided by NAB and DeafConnect were the best ones to deliver the required outcomes going forward;
- The report was proposing to continue funding the services for the next twelve months; and
- The consultation highlighted a number of improvements that would be delivered through revising the specification when it was considered in 2019/20.

Councillors made the following points:

- It was important for the Council to hear from peoples direct experience of using the organisations;
- Extending the funding for a further twelve months was welcomed and essential for those organisations;
- The report indicated that the funding would be provided through the public health grant and assurance was sought that the grant could be used for that particular purpose;
- The voluntary sector needed more stability; and
- There would have been more confidence in the proposals if the consultation had been carried out for a longer period and had been more detailed.

The Deputy Leader and Cabinet Member for Public Health believed it was important that services provided for the visually impaired or hearing impaired were the best services available going forward regardless of who provided them.

In response Councillor Naden-Horley clarified that the funding was being provided from adult social care funding rather than the public health grant.

RESOLVED Cabinet:

- 1. Noted the outcomes of the consultation process on the proposals set out in this report.**
- 2. Agreed the decision to continue the services and funding for a further 12 months in 2019-20 subject to the improvements listed.**
- 3. Noted the need for a further and wider review of prevention and wellbeing contracts and intention to move to outcome based contracts in future as part of wider Local Government Reform.**

173/18 School and Dedicated Schools Grant (DSG) Funding Arrangements for 2019/20

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) explaining that following consultation and agreement at the School Forum on 4th December 2018 in 2019/20 the schools block would be top sliced by up to £2.3m to move to the high needs block to contribute to those pressures.

Councillors made the following points:

- There was a need to ensure that figures mentioned in two separate reports reflected each other rather than being different;
- There was not enough funding in the high needs funding block to meet the needs therefore it should be protected; and
- A request was made that early years funding was disseminated to preschools in a timelier manner going forward.

The Cabinet Member with responsibility for Children, Families and Education said there was a known issues with disseminating early years funding and work was being undertaken to resolve it.

The Chairman said that the pressures on the high needs funding block was recognised nationally.

RESOLVED That Cabinet:

- 1. Noted the latest position with the Government's National Funding Formula for the Dedicated Schools Grant funding blocks (Schools, Central Services Schools Block, Early Years and High Needs) and the potential implications on Northamptonshire.**
- 2. Delegated authority to the Director for Children's services in consultation with the Cabinet Member for Children's services, and the Director of Finance (S151 Officer) following consultation with the Schools Forum to determine:**
 - a) The 2019/20 school funding formula for Northamptonshire to enable the required submission to the Education and Skills Funding Agency in January 2019;**

- b) Northamptonshire's funding arrangements for 2019/20 for pupils with high needs in line with Department for Education guidance; and
 - c) Northamptonshire's funding arrangements for 2019/20 for the Early Years Single Funding Formulae in line with Department for Education guidance.
3. Noted the work being undertaken in conjunction with Schools Forum, schools and other relevant providers to consult with:
- Primary and secondary schools on:
- a) Options for the Northamptonshire local schools formula in 2019/20;
 - b) Top slicing the DSG schools block by 0.5% to move funding to the high needs block to cover increasing pressures
 - c) An alternative approach regarding permanent exclusions given the increasing numbers of such exclusions and the increasing costs leading to a projected overspend on this area of £1.4 million in 2018/19.
- Early Years providers on:
- d) Revisions to the Early Years Single Funding formula in 2019/20; and
 - e) Early Years DSG funded central expenditure in 2019/20.

174/18 Libraries Review

At the Chairman's invitation Mrs Alison Richards made the following points:

- Library users, supporter and campaigners have expended enormous amounts of time and energy seeking to keep their libraries open;
- The predicted cost of doing this was over £1m as costs had been incurred for travel, car parking and for registration of new charitable or community benefit organisations;
- There should be recognition for what had been done;
- It was felt that residents were being asked to pay twice for the library service in twenty two different communities;
- The public was expected to buy or rent the library premises which poorer communities or those with no town or parish councils to help, could not do;
- Other counties had gifted the buildings to other councils or community groups however this was not offered in Northamptonshire;
- The report mentioned S106 funding, assurance was sought that this would be used for library purposes;
- The 21 Group Libraries Network did not support the idea that library communities buy or rent their premises if they took on management and running of the libraries on a voluntary basis; and
- She asked which other public library services, by name, had given advice and support on the review process and had any of them made recent use of S106 funding.

At the Chairman's invitation Dr Graham St.John-Willey made the following points:

- What and when had specific acts, searches and other activities been carried out by NCC to locate the vesting certificate relating to the legal title to Irchester library?;
- The certificate itself could have been mislaid, misplaced or misfiled but the text and terms should have been recorded elsewhere;

- The registered title of Irchester library referred to the 1908 indenture between Baroness Wantage and the Parish Council;
- He quoted from the indenture that the Parish Council 'has adopted the 1892 Libraries Act and whereas Lady Wantage being interested in the welfare of the inhabitants of Irchester, has offered in grant the said piece of land to the Council in consideration of their agreeing to erect and at all times thereafter maintain thereon a public library...both...for themselves and their assigns';
- Under that deed of grant those restrictive covenants and rights were included, Lady Wantage's terms accepted and the people of Irchester guaranteed a library;
- The County Council acquired the library through the 1964 Public Libraries Act and the vesting certificate issued with the terms remaining intact;
- In 2013 the County Council registered the property with the Land Registry along with the restrictive covenants so that it could still only be used as a public library;
- The existence of a vesting certificate meant the Council did not own the property but held it like a trustee;
- The County Council was proposing to remove the library from statutory provision so it was pointless in retaining it and any associated vested duties because it could only be used as a public library, therefore should be given back to the people of Irchester;
- He requested an answer to his question and to have the details and information in a letter duly signed by a legally qualified person; and
- He trusted that he would be sent a copy of the vesting certificate in due course.

At the Chairman's invitation the Deputy Leader and Cabinet Member for Public Health, Councillor Irving-Swift, introduced the report (copies of which had previously been circulated) making the following points:

- She recognised the work done by everyone on this since the review began;
- All of the proposals were subject to a consultation that would run until 8 February 2019;
- No changes would be made until the consultation had concluded;
- It was important to make sure the public were engaged and a series of consultations would be held and each divisional Councillor would meet with an officers to discuss the proposals for their division;
- The Council would work to deliver a tailor made solution for each of the localities;
- Each library had its own equalities impact assessment and the Cabinet had given these consideration;
- The following libraries had been removed from the consultation to allow further work to be carried out: Abington; Duston; Far Cotton; Finedon; Higham Ferrers; Irchester; Long Buckby; and St James.
- Those eight libraries would then be subject to a further consultation once the additional work had been conducted.

Councillors made the following points:

- Clarity on how the S106 funding would be used for libraries was needed;
- Information was sought regarding the consultation carried out with district and borough councils;
- The report needed to be written in easy to understand, clear language;

- The report contained no information about the universal children's centres but there was a need to ensure standards were regulated and monitored;
- Information about how much the County Council would provide community libraries with to continue the children's centre provision was sought;
- The classification between statutory and non-statutory libraries was sought; and
- It was queried if the rent for libraries could be tapered to allow individual libraries time to reach those particular amounts.

The Chief Executive made the following points:

- The Council was operating under a S114 notice therefore it could only spend on statutory items and was only obliged to retain the statutory libraries;
- She wanted to try to retain as many of the libraries in the county as possible;
- The Council needed to ensure the public money was used to provide best value within the county;
- S106 funding was available for any appropriate use, such as improving provision but could not be used for running the libraries and would be invested in the libraries regardless of who was running them;
- She commended the community groups for coming forward to run their local libraries;
- The processes had involved the community groups and officers, no members had been involved;
- Each library needed its own approach to suit its need;
- The district and borough council's had been consulted with;
- There was a need to find a way to support libraries to keep them open however the Council was operating under a S114 notice;
- The Council would support the libraries until it was confident that the community groups could manage; and
- The Council would work with everyone to find a solution.

Councillor Irving-Swift invited everyone to get involved in the consultation and thanked the officers who had drafted the proposals.

The Director of Public Health confirmed that the Universal Children's Centres funding would remain however if the service was unable to be supported in a community library then an alternative venue may need to be sourced.

The Chief Executive explained that the Council was also looking to provide a new library within the county that could become a community hub. Feasibility studies were being conducted and the Council would be working with the Borough Council on any proposals.

RESOLVED That Cabinet noted the new library proposals and approved the commencement of the consultation process.

There being no further business the meeting concluded at 4.15PM

Barbel Gale
Democratic Services

Signed: _____ Dated: _____