



Democratic Services
One Angel Square
Angel Street,
Northampton, NN1 1ED

CABINET

Minutes of the meeting held on 9 July 2019 at 2pm

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

PRESENT (FOR ALL OR PART OF THE MEETING):

Cabinet Member

Councillor Matthew Golby
Councillor Elizabeth Bowen
Councillor Fiona Baker
Councillor Malcolm Longley
Councillor Ian Morris
Councillor Sandra Naden-Horley
Councillor Jason Smithers

Portfolio

Leader of the Council
Deputy Leader
Children, Families and Education
Finance
Adult Social Care and Public Health
Corporate Services
Highways and Place

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

Councillor Wendy Brackenbury
Councillor Eileen Hales
Councillor John McGhee
Councillor Anjona Roy
Councillor Mick Scrimshaw
Councillor Winston Strachan

Councillor James Hakewill
Councillor Graham Lawman
Councillor Dennis Meredith
Councillor Bob Scott
Councillor Danielle Stone

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

Officer

Roy Boulton
Ian Duncan
Anna Earnshaw
Chrissie Farrugia
Barbel Gale
Theresa Grant
Paul Hanson
Paul Helsby
Sally Hodges
Kerry Purnell
Lucy Wightman
Susan Zeiss

Role

Assistant Director Environment and Planning
Executive Director Finance
Executive Director Adults, Communities and Wellbeing
Chief of Staff - Commissioners
Democratic Services Assistant Manager (Minutes)
Chief Executive
Democratic Services Manager
Director of Transformation
Director of Children's Services
Assistant Director, Corporate & Community Service
Director of Public Health
Monitoring Officer

There were 5 members of the press and public in attendance.

88/19 Apologies for non-attendance

There were none.

89/19 Notification of requests from members of the public to address the meeting

Mrs Lineker registered to speak on Item 13, Northamptonshire Adult Services: Commissioning Framework for the Provision of Care and Support Services for People with a Learning Disability and Item 14, Procurement of residential and fostering provision for children in care and young people leaving care and domiciliary care for children with SEND.

90/19 Minutes of the meeting held in public on 11 June 2019

RESOLVED: The minutes of meeting held in public on 11 June 2019 were agreed and signed as a true record.

91/19 Declarations of Interest by Councillors

There were none.

92/19 Announcements

The Chairman announced expressed his sadness to hear of former County Councillor Mary Butcher's passing. There would be a further opportunity to pay respects at the next Full Council meeting.

Councillor Scott said the Labour group was deeply saddened by the news. She was a member of the Council from May 2013 to May 2017 and had served as their shadow cabinet member for Social Services. She was also a member of the Health, Adult Care and Wellbeing Scrutiny Committee and fought tirelessly for victims of domestic violence. It was felt that she had made a difference to people's lives through her work as a Councillor. He thanked everyone for their comments and had given condolences to her son, Lee and her friends.

The Chairman welcomed Kerry Purnell, Assistant Director, Corporate & Community Service.

93/19 Outturn Report for the financial year ending 31st March 2019

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 listed a £4.5m underspend for the financial year ending 31 March 2019 and that a provision for bad debt had been made.

Councillors made the following points:

- It was noted the forecast position in the report included the use of £3.1m of Section 38 developers' contributions to finance highways maintenance, it was queried if this could lead to future liabilities and what the effect of transferring to unitary authority's would be on the Section 38 funding;
- Given the pressure on libraries it was asked if the option of a community group purchasing half and renting half of the library with the option to purchase the remaining share at a later date would be considered;
- It was asked if the principles of LEAN had been considered by the Council; and
- It was felt that the revenue budget was not being managed in a different way.

Councillor Morris highlighted the recommendation to note the Council's receipt of a settlement of £100k from Shaw Healthcare (Northamptonshire) Ltd recognised the work done to re-negotiate ensuring the contract was productive in the future.

The Chairman recognised the effort of the staff, commissioners, senior management and everyone involved in achieving the financial position.

Councillor Longley explained that the Council was not spending the Section 38 funding, they had a choice as to whether or not it was included in the accounts and had decided to include it. It was not yet known how the Section 38 funding would be divided when the unitary authorities began. The principles of LEAN had been considered.

Councillor Bowen indicated that any suggestions for libraries should be fed into the business plans for consideration.

RESOLVED: That Cabinet:

- 1. Noted the Council's Outturn position for 2018-19 and associated risks;**
- 2. Noted and endorse the transfer to General Fund and the transfers to/from Earmarked Reserves as set out in Section 10, including service requests for drawdowns from the Budget Delivery Reserve in 2019-20 as per paragraph 10.13;**
- 3. Noted the Council's receipt of a settlement of £100k from Shaw Healthcare (Northamptonshire) Limited following resolution of a contract dispute in relation to contract performance in 2018-19;**
- 4. Noted the ongoing work on the Council's Control and Suspense Accounts as set out in paragraphs 12.24 and 12.27 as well as the discussions with the external auditor as set out in paragraph 13.1 of this report.**

94/19 Monthly Capital Report (MCR) – Final Outturn for the financial year ending 31st March 2019

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 the opening budget for 2018/19 was £129.5m with the final outturn position being £89.3m.

RESOLVED: That Cabinet noted the final capital outturn expenditure of £89.4m for 2018-19.

95/19 Monthly revenue monitoring report for the financial year ending 31st March 2020, as at period 2

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated) indicating there was a lot of time left in the financial year. The area of pressure was Children First Northamptonshire and a lot of work was being carried out to address any overspends.

Councillors made the following points:

- Concern was expressed that the Council was already overspent by £6m with very little room to address this;
- Concerns regarding the forecasted pressure in adults and children's services had been expressed during the budget scrutiny review;
- It was queried why the undeliverable savings were included in the budget;

- Knowing the financial position would enable Overview and Scrutiny to consider what was causing the overspends; and
- It was felt history was repeating itself with the budget being overspent so soon after being set.

The Chief Executive acknowledged the challenges being faced however the current predicted overspent was greatly reduced from the previous year figure at the same point in time. The Council was still operating as if spending controls were in place however the demand in adults and children's services could not be predicted. The organisation had a lot to do but the focus was to keep it stable as it progressed towards the creation of the unitary authorities.

In response Councillor Longley indicated there were ten months left in the financial year and the quarter one financial report would provide a further indication of the financial position.

RESOLVED: That Cabinet:

- 1. Noted the Council's forecast outturn position for 2019-20, and associated risks.**
- 2. Noted the risk assessment of the 2019-20 saving proposals in Appendix A**
- 3. Agreed to await a further report to the next meeting of the Cabinet to provide a fuller explanation of the current position and actions being taken in response.**

96/19 Monthly Capital Report (MCR) – Forecast Outturn as at period 2 for the financial year ending 31st March 2020

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated).

RESOLVED: That Cabinet:

- 1. Noted the forecast capital expenditure of £77m for 2019-20.**
- 2. Approved the promotion of the Schools Condition Allocation scheme from the development pool into the committed capital programme to create a 2019-20 Schools Minor Works programme with investment totalling £2,893k.**

Further detail on the above scheme can be found in Section 7.

97/19 Corporate Performance Report: 2018-19 Quarter Four

The Chairman introduced the report (copies of which had previously been circulated) explaining the report covered the period from January 2019 to March 2019. There were twenty indicators not reported during this quarter because these were annual indicators.

The Deputy Leader made the following points:

- The Council was not in control of the NHS Health Check programme;
- The smoking quit rate at four weeks, the actual figure was 10% less than the target and this did not include vaping statistics;
- Air Pollution, the actual figure was 5.3% with a target to reduce this;
- Electively Home Educated children, there were currently 1018 children being home educated and it was highlighted that parents had the choice whether or not to educate their child at home;

Councillors made the following points:

- The increased number of school exclusions was noted and it was asked if a demographic breakdown could be provided for these;
- Safeguarding concerns were raised regarding the high rate of children being home educated;
- The number of children developing asthma due to air pollution was growing. The Council needed to consider what could be done to address this, through actions such as installing more electric car charging points. It was suggested the Overview and Scrutiny Committee could consider this topic; and
- It was felt that housing developments should not be created next to strategic roads.

The Cabinet Member for Adult Social Care and Public Health said the trend for the number of delayed transfers of care (DTC) was down and this would be monitored. The Overview and Scrutiny Committee could consider the concerns raised regarding children who were home educated. The government had announced a fund promoting the installation of electric charging points which the Council could bid for.

The Executive Director Adults, Communities and Wellbeing explained that DTC was a national pressure and the Council was in line with other authorities. A large number of hospital discharges were taking place but this was due to the large number of hospital admissions.

The Cabinet Member for Children, Families and Education requested that questions be put to the portfolio holder at any time rather than wait for specific meetings. She explained that the demographic data on school exclusions was not routinely collated because all children were treated then same.

The Chairman clarified that the Council was working with the district and borough councils on all aspects going forward.

RESOLVED: That Cabinet noted the contents of the 2018-19 quarter four performance report at Appendix A

98/19 2018-19 Schools' Outturn report

At the Chairman's invitation the Cabinet Member with responsibility for Finance, Councillor Longley, introduced the report (copies of which had previously been circulated).

Councillors queried the amount of pupil premium funding indicating it should be spent throughout the school year.

The Director of Children's Services explained that schools decided how the pupil premium was spent and there was a need for some flexibility to be available. The Council did monitor this.

The Chairman indicated the Council still supported the campaign for fairer funding for schools.

RESOLVED: The Cabinet noted the report was for information only and noted:

- 1. The 2018-19 outturn position for schools and the Dedicated Schools Grant (DSG);**
- 2. School reserves at the end of the 2018-19 financial year; and**
- 3. Issues facing schools funding in 2019-20 and beyond.**

99/19 Establishment of a 'Minor Works' budget to address condition issues in Northamptonshire maintained schools

At the Chairman's invitation the Cabinet Member with responsibility for Children, Families and Education, Councillor Baker, introduced the report (copies of which had previously been circulated) explaining the report proposed to streamline the current process making it more efficient. The proposal will enable work on schools to be completed in a timelier manner.

Councillors made the following points:

- The report was welcomed;
- It was queried why no equalities impact assessment had been completed for the report; and
- It was felt there was a lack of audit information regarding asbestos in schools.

In response Councillor Baker explained a team was now in place to check for asbestos in schools.

RESOLVED: That Cabinet:

- 1) Approved the establishment of a 'Minor Works' budget for the purpose of streamlining the capital approvals process utilised by NCC with regard to addressing conditions issues in Northamptonshire maintained schools;**
- 2) Noted the results of the first tranche of condition surveys completed for NCC maintained schools;**
- 3) Delegated authority to the Director of Children First Northamptonshire, in consultation with the Director of Place and the Cabinet Member for Children Families and Education, to authorise all necessary legal, property and financial agreements to ensure effective delivery of condition schemes;**
- 4) Noted that all schemes will be funded via the 'School Condition Allocation' grant funding received from central government and that this budget equals £2.89m for the 19/20 financial year;**
- 5) Noted that reports will be submitted for approval by Cabinet in each subsequent financial year with regards to how NCC will spend future year's grant allocations.**

At this point the Chairman invited Mrs Jean Lineker to address Cabinet on Item 13, Northamptonshire Adult Services: Commissioning Framework for the Provision of Care and Support Services for People with a Learning Disability and Item 14, Procurement of residential and fostering provision for children in care and young people leaving care and domiciliary care for children with SEND. Mrs Lineker made the following points:

- Eighteen to twenty-one year old care leavers were allowed to manage themselves however she felt they needed more support when they left care;
- She felt more monitoring visits should be carried out to ensure everything was ok and the care leavers were not feeling isolated;
- She was concerned about the availability of day centres for people with disabilities and felt that some staff had not had the correct training;
- She queried who inspected the homes of the care leavers to ensure they were looked after;

- Regarding the procurement of residential and fostering provision for children in care and young people leaving care and domiciliary care for children with SEND, she asked that the contract be extended until 2021;
- Young people aged eighteen to twenty one who had been abused needed to be able to speak to the appropriate people for support;
- She believed the Council should seek additional funding to support this service; and
- There was a need to ensure that all of the correct security checks had been carried out before placing a child in foster care.

100/19 Northamptonshire Adult Services: Commissioning Framework for the Provision of Care and Support Services for People with a Learning Disability

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

- The proposal included the following three documents:
 - The draft commissioning framework for learning disability services 2019-2024;
 - The joint commissioning strategy for learning disability 2019-2022; and
 - The joint annual commissioning plan for 2019-2020;
- The service needed to make savings in 2019-20 but also wanted to improve outcomes and choices;
- The commissioning plan would be refreshed annually;
- Most service provision for people with a learning disability came from the independent market. The Council needed to strengthen its expectations around service provision and the outcome expected for people along with exercising better control over spend and what was considered as good quality care.

Councillors made the following points:

- The charity Stand Out Northamptonshire was important to the Council however concern was raised that the charities fundraising manager had left the organisation;
- It was felt the charity could fill a service delivery gap;
- A more transformative strategy was expected;
- The report focused on what had gone wrong rather than the positives;
- It was queried why this service was not provided in-house;
- Flexibility had not been included; and
- It was queried if some cross funding between public health and adult social care could be achieved to help the libraries become places where people with disabilities could go to learn new skills.

The Chairman wanted the charity to be as successful as possible going forward.

In response Councillor Morris indicated that libraries would continue to be used as community hubs. He believed that there was already some cross funding between public health and adult social care and he would encourage that to continue. The framework was considered due to the costs of the private sector and this allows the Council to have more control.

The Executive Director Adults, Communities and Wellbeing explained the strategy was based on consultation from service users. She clarified the Council already had a large in house learning disability service with the biggest adults shared lives scheme in the country. She felt a blended approach was being taken that worked well.

RESOLVED: That Cabinet:

- 1. Noted the content and intentions of the draft Adults Learning Disability Commissioning Framework 2019-22.**
- 2. Noted the content and intentions of the Joint Health and Social Care Strategy for People with a Learning Disability 2019-22.**
- 3. Noted the content and objectives of the Joint Health and Social Care Annual Commissioning Plan for People with a Learning Disability 2019 -2020.**
- 4. Agreed that delegated authority be given to the Executive Director of Adults, Communities and Wellbeing in consultation with the Cabinet Member for Adult Social Care for the development, procurement and implementation of a new Learning Disability Provider Framework for the provision of services to support clients and their outcomes going forward.**

101/19 Procurement of residential and fostering provision for children in care and young people leaving care and domiciliary care for children with SEND.

At the Chairman's invitation the Cabinet Member with responsibility for Children, Families and Education, Councillor Baker, introduced the report (copies of which had previously been circulated). She provided Mrs Lineker with assurance that a system was in place for all care leavers to have a dedicated person to support them. This proposal provided a good opportunity to make changes to the service and to ensure children were brought back into the county where possible.

Councillors made the following points:

- It was important that the children were provided with the best support possible;
- It was hoped that voluntary redundancies within children's services were kept to a minimum to reduce any possible side effects on the service;
- Consideration of supported lodgings was welcomed;
- There was a need to ensure the quality of care was the most suitable for the child's needs; and
- All cultural requirements should be considered when placing children in residential or fostering provision.

The Director of Children's Services clarified that any request for voluntary redundancy required a manager's agreement which would not be approved if it was a required position. She was working with partners to develop an adolescence service that would enhance life opportunities.

RESOLVED: That Cabinet agreed:

- 1. That delegated authority is given to the Director of Children's Services, in consultation with the Cabinet Member for Children, Families and Education to launch procurement processes leading to the award of contracts to providers of:**
 - **Foster Care and Residential care for children in care;**
 - **Independent Supported Accommodation and Supported Lodgings for young people leaving care; and**
 - **Domiciliary Care and Community Activities for young people with SEND**
- 2. That the new contractual arrangements (county wide) with Foster care, residential and ISA providers will commence with effect from January 2020.**

3. That the new contractual arrangements for domiciliary care and community activities will commence with effect from April 2020.
4. That the frameworks will be for a maximum of 4 years.

102/19 Highways Contract

At this point in respect of further discussion on item 15, Highways Contract the Cabinet agreed that it was:

RESOLVED: that under section 100A of the Local Government Act 1972 the public be excluded from the meeting for this item of business on the grounds that if the public were to be present it would be likely that exempt information under part 3 of schedule 12A to the act would be disclosed to them.

The meeting then reconvened in public where it was:

RESOLVED That Cabinet agreed the recommendations as set out in the report, which was exempt from publication by virtue of paragraph 3 of part 1 of 12a of the Local Government Act 1972.

There being no further business the meeting concluded at 4PM

Barbel Gale
Democratic Services

Signed: _____ Dated: _____

