

THE CABINET

Record of a meeting of the Cabinet held in the Luttrell Room, County Hall, Taunton, on Wednesday 12 September 2012 at 10.00am.

PRESENT

Mr J Osman (in the Chair)

Mr D Hall

Mr D Huxtable

Mrs C Lawrence

Mr B Little

Mrs F Nicholson

Mr H Siggs

Other Members present: Mrs C Bakewell, Mrs G Cawood, Mr A Govier and Mr P Maxwell.

Apologies for absence: None

259 **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:

Mr J Osman

Mendip District Council

Wells City Council

Mr H Siggs

Mendip District Council

Wells City Council

260 **RECORD OF THE MEETING OF THE CABINET HELD ON 4 JULY 2012** – agenda item 3

The record of the meeting of the Cabinet held on 4 July 2012 was taken as read and signed as correct.

261 **PUBLIC QUESTION TIME** – agenda item 4

There were no questions submitted by members of the public.

262 **CABINET POLICY ADVISORY COMMITTEE MEETINGS ON 13 JULY AND 31 AUGUST 2012** – agenda item 5

The Cabinet noted the summary report of the meetings of the Cabinet Policy Advisory Committee held on 13 July and 31 August 2012 circulated at the meeting.

263 **THE APPOINTMENT OF THE PREFERRED SUPERFAST BROADBAND SUPPLIER** – agenda item 6

The Cabinet received a presentation from Mr David Hall, Cabinet

Member for Economic Development, Infrastructure and Innovation, giving an update on the progress of the Connecting Devon and Somerset Broadband Programme. The presentation covered issues such as the procurement process and making the most of the technology. The Cabinet considered the related report which provides an update on the position regarding the selection of the supplier of wholesale broadband services to the Programme, and the position on the Department of Culture, Media and Sport Grant Agreement.

Mr Little noted the partnership working as highlighted in paragraphs 1.13 to 1.15 of the report were good examples of co-operation and success. Cabinet commended the work of members and staff with the project.

Mr Paul Maxwell queried if the project would still be completed by 2015. It was confirmed that a condition of the grant is that 85% of the County should have better broadband access by 2015. The remaining 15% will be covered by 2020.

264 The Cabinet **agreed** to pass a resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the press and public from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972. The exempt information to be discussed is information relating to the financial or business affairs of any particular person (including the authority holding the information). The meeting then moved into Private Session at 10.10am.

265 Exempt information minute.

266 After discussion, the meeting moved back in to Public Session at 10.25am. Mr Hall endorsed the recommendations contained within the report to the Cabinet.

The Chairman then summarised the key points from the report. He also endorsed the recommendations within the report and the Cabinet

RESOLVED to:

1. Endorse progress on the Connecting Devon and Somerset Broadband Programme.
2. Agree that Appendix A be treated as exempt information and be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.
3. Delegate the decision to appoint the supplier of wholesale broadband services to the Lead Commissioner, Economic and Community Infrastructure in consultation with the Cabinet Member,

Economic Development, Infrastructure & Innovation.

4. Delegate the decision to sign the Grant Agreement with the Department of Culture Media and Sport to the Lead Commissioner, Economic and Community Infrastructure in consultation with the Cabinet Member, Economic Development, Infrastructure & Innovation and the Cabinet Member, Resources.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the debate.

267 **UPDATE ON PROGRESS OF ACTION ON OFSTED INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN** – agenda item 7

The Cabinet considered this report, presented by Mrs Frances Nicholson, Cabinet Member for Children and Families, which summarises the key actions undertaken and required to address the recommendations made by Ofsted from their inspection of safeguarding and looked after children and identifies the financial implications for the Council.

Mrs Nicholson proposed and endorsed the recommendations to Cabinet, and noted that work with partners on this issue is ongoing and that additional members of staff are required to cope with the necessary work. John Kirby, Lead Commissioner for Children and Learning, confirmed that all of Ofsted's recommendations requiring immediate action have been addressed and good progress has been made against all other priority areas. He highlighted the proposed investment in staff resources for these services.

Mr David Huxtable, Cabinet Member for Resources, highlighted that safeguarding and looked after children has always been a key priority for the Council. There has been an increase in numbers recently requiring these services but contingencies are in place to cope with this.

Mrs Christine Lawrence, Cabinet Member for Health and Adult Social Care, noted that extra funding will be required to improve these services and highlighted the role of corporate parents.

The Cabinet acknowledged the work of staff and members and commended their dedication and commitment. Reference was made to the extensive work that has been undertaken to improve the services, and that a peer review has been arranged for January 2013 to measure the progress achieved.

Mr Harvey Siggs, the Cabinet Member for Transformation and Highways, noted that a robust system had been inherited from the previous administration and that this had not been changed. The demand on the service had changed however, and so had the Ofsted inspection regime.

Mr Bob Little, the Cabinet Member for Customers and Communities, noted that the actions proposed in paragraphs 3.1 and 3.2 of the report were an excellent way of monitoring the Council's progress.

At the invitation of the Chairman, Mrs Cathy Bakewell, Mrs Gloria Cawood and Mr Paul Maxwell addressed the Cabinet and during debate the following points were made :

- Whether the Council had any success in lobbying Government for additional funding.
- This service area has always been needs led and it is difficult to predict accurate budget needs. The stress on the system is emergency admissions into care. Welcome the action undertaken to reduce the use of Bed and Breakfast accommodation and that this should only be used as an emergency as long as they are in good locations.
- Views expressed that the proposed management structure of this service area (as illustrated in the papers for Item 13 Consultation on Management Restructure) is small compared to other service areas.
- The impacts of any proposed reduction in youth services should be carefully considered.

Mr Huxtable clarified the budget position and that if more funding is needed then it may affect other services as funds are re-prioritised.

Mrs Nicholson confirmed that it is intended not to use Bed and Breakfasts, and more focus will be given to the prevention of family breakdown and reconciliation.

The Chairman advised that no presentations on these issues were received from Ministers at the recent Local Government Association meeting. He confirmed that members of the LGA's Children & Young People's Board will be pressing government for more investment.

Sheila Wheeler, the Chief Executive of Somerset County Council, highlighted the demands for the Council's services and that there will be additional pressures from the changes to benefits from April 2013 when it is predicted that around £153m will be lost from Somerset's economy. The bulk of cuts will hit young families and young people, and the Council will have to manage further demand on its services.

The Chairman highlighted that previous annual assessments have always been good, and that this inspection had resulted in a

‘satisfactory’ result, not special measures. Cabinet and the Senior Leadership Team recognise the need for improvements.

The Chairman then summarised the key points from the report and the debate. He endorsed the recommendations within the report and the Cabinet **RESOLVED** to:

1. Endorse the progress being made and activity within the action plan as set out in Appendix A to the report.
2. Support the funding of the Ofsted action plan as set out in Appendix C to the report.
3. Approve the re-shaping of resources provision for children in care so that permanency plans can be achieved more quickly and that more children in care can be placed in more family based and local placements so that the ongoing costs set out in 4 below are reduced.
4. Approve, subject to 2. above, the three-phase recruitment of staff as set out in Appendix C - in so doing members should be clear that they are also approving a draw down from contingencies in 2012/13 of £583,200 and committing the Council to ongoing costs of up to £1,428,100 from 2013/14 and a further £27,900 from 2014/15. These costs will need to be treated as ‘First Call Items’ within the MTFP for those years.
5. Appropriately prioritise children in care and care leavers within county council initiatives such as apprenticeships.
6. Continue to support and promote its role as corporate parent in relation to the needs of looked after children and care leavers through corporate and political leadership and authorises the Lead Commissioner for Children and Learning to review the Children in Care Council and its role.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the above debate.

268 **SERVICE REVIEW – EARLY YEARS AND SCHOOL IMPROVEMENT**
– agenda item 8

The Cabinet considered this report, presented by Mrs Frances Nicholson, Cabinet Member for Children and Families, which summarises the Outline Business Case developed following the Service Review of Early Years and School Improvement. The proposed recommendations within the report are designed to support an

improvement in educational standards so that all children and young people in Somerset receive a high quality education through the Local Authority commissioning setting to setting and school to school support rather than directly delivering support. This is in line with both national and local policy direction of travel.

Mrs Nicholson proposed and endorsed the recommendations to Cabinet. She highlighted the proposal to move to a full commissioning model, and that no schools are currently below standard.

Paul Nugent, Learning and Achievement Operations Director, highlighted the need to ensure that the significant improvements at Key Stage 2 that have been achieved this year are maintained. He outlined the rationale for the proposed phased approach.

The Chairman queried if comments had been invited from organisations such as the Somerset Association of Primary Headteachers and Officers and School Governors, and if schools would have the capacity to take on additional work. Paul Nugent confirmed that consultations have been held with all early years providers, their input has shaped improvements, and a further 12 months is required to fully develop proposals for the service. Work is also being done by 26 Headteachers who are fully accredited, and there are a further 12 in the process of being accredited. Those who are not accredited still work to a high standard.

Mrs Lawrence encouraged all councillors to support schools in their Division, and noted that a further 12 months to fully develop proposals seems sensible to manage the proposals and minimise risks.

At the invitation of the Chairman, Mr Andrew Govier and Mrs Gloria Cawood addressed the Cabinet and during debate the following points were made :

- Scrutiny Committee endorsed the way forward as set out in the report after a discussion regarding the capacity of Headteachers.
- Attainment between Key Stage 2 and Key Stage 4, and the need to work with the Schools Compact to ensure vulnerable children's attainment improves.
- Request that councillors should provide support to children in their Division as well as schools.

Paul Nugent confirmed that the decline in attainment in pupils at the age of transition has been recognised as an area where improvement is needed, and that it is hoped to minimise this by encouraging closer work between the secondary schools and their feeder schools.

The Chairman summarised the key points from the report and the debate. He then endorsed the recommendations within the report and the Cabinet **RESOLVED** to:

1. Endorse the Outline Business Case (attached as Appendix A to the report) as the appropriate way forward for Early Years and School Improvement Services; and
2. Authorise officers to develop a Full Business Case for the preferred option.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the above debate.

269 **SERVICE REVIEW – CHILDREN’S CENTRES** – agenda item 9

The Cabinet considered this report, presented by Mrs Frances Nicholson, Cabinet Member for Children and Families, which summarises the Outline Business Case developed following the Service Review of Somerset Children’s Centres, and the options considered for moving forward.

Mrs Nicholson proposed and endorsed the recommendations contained within the report and highlighted how the centres are an important resource for vulnerable children, and how the Council has to ensure it has a flexible response to needs. With regards to the options for future service delivery, she highlighted that the proposed approach is based on developing local solutions. Reference was made to the discussions at the Schools Compact.

Paul Nugent highlighted to members that the report shows the value of utilising external experts. The recommendations contained within the report are also in line with the Target Operating Model of the Council.

Robert Sampson, the Group Manager for Community Services (0-19), asked members to note the links between this and the previous two items on the agenda. The central parts of the Councils approach and strategy are around prevention, health, safeguarding, and obtaining the best providers for local circumstances.

Mr Siggs and Mrs Lawrence suggested more work should be undertaken on learning from the experiences of other areas. Recognition that local solutions appear preferable to a single approach across the county and that it is important to engage troubled families with the work of the centres.

At the invitation of the Chairman, Mrs Bakewell, Mrs Cawood and Mr Govier addressed the Cabinet and during debate the following points were made:

- Clarification as to whether there would be a sufficiency of places

in very rural areas as it is not always possible to provide services using private or voluntary providers in these places.

- Reference to the performance of the centres.
- Scrutiny Committee endorsed the way forward as set out in the report and supported the idea of looking at local solutions and getting local people involved.

John Kirby highlighted to members that the sufficiency of places is statutory, and that the Council would be receiving additional funding next year for disadvantaged two year olds. He also noted that the availability of childminders is also important.

The Chairman summarised the key points from the report and the debate and asked the Learning & Achievement Operations Director to ensure that local councillors were informed about the centres in their areas, and that centre managers were informed of who their councillor is. He then endorsed the recommendations within the report and the Cabinet **RESOLVED** to:

1. Endorse the Outline Business Case (attached as Appendix A to the report) as the appropriate way forward for Children's Centre services; and
2. Authorise officers to develop a Full Business Case for the preferred option.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the above debate.

270 **REVENUE BUDGET MONITORING 2012/13 – QUARTER 1 AND SUPPLEMENTARY APPROVALS** – agenda item 10

The Cabinet received this report, presented by Mr David Huxtable, Cabinet Member for Resources, which summarises the outturn position of the Council's Revenue Budget for the 2012/13 financial year, based on Quarter 1 projections. It also sets out a number of consequent issues requiring decisions.

Mr Huxtable highlighted the new structure for reporting the budgetary position and endorsed the recommendations. He noted that there has been a £7.127m underspend so far and that there is a projected overspend of £1.731m on key services. He confirmed that there is still an issue with the District Councils in relation to outstanding debts, that waste volumes had increased at a higher cost to the Council, and the reasons for the increase in the cost of the 2013 election.

Mr Kevin Nacey, the Director of Finance and Performance, indicated that the full details of internal budget virements had not been published with the report but had been available for members. He confirmed that in future this information would be published with the reports to Cabinet.

Mr Siggs queried if the Council would be asked to help contribute financially to the Police Commissioner election being held in November. Kevin Nacey confirmed that he had not received this request and Cabinet advised that no contribution should be made.

Mrs Lawrence noted that it can be a lengthy process until savings come to fruition, requiring hard work and investment.

Mr Little referred to the references in the report to the Southwest One contract, but on the advice of the Deputy Monitoring Officer the Cabinet agreed to not discuss in detail these matters due to legal proceedings.

Mr Hall referred to the increase in waste volumes and that this is due to be considered at the next Waste Board meeting. Early indications show that the levels of waste to landfill are going down.

At the invitation of the Chairman, Mr Paul Maxwell addressed the Cabinet to query if more pressure on the Transporting Somerset budget was expected. Mr Siggs confirmed that it was and that officers had worked hard with providers so that the providers could maintain as many bus services as possible. He noted that the situation across the County is challenging as providers will look at services in terms of their economic viability.

The Chairman summarised the key points from the report and the debate. He then endorsed the recommendations within the report and the Cabinet **RESOLVED** to:

1. Note the contents of the report, specifically the Projected Outturn Position for 2012/13 (Section 4), the current Aged Debt Analysis (Section 5) and the Projected Delivery of the MTFP Proposals (Section 6).
2. Approve a draw-down of £2.700m from contingency in relation to Southwest One services to offset the loss of the Unitary Charge Reduction, requested in section 4.11.
3. Approve a return to contingency of the saving resulting from the formal decision in relation to the Senior Management Restructure (£0.356m), as highlighted in section 4.11.
4. Approve a return to contingency of £0.376m excess inflation in relation to Waste and Transport, as requested in section 4.13.

5. Approve the change in budgetary treatment of Election expenses to move it from Support Services responsibility to the Non-Service area, requested in section 4.14. It will then be treated as 'off-target'.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the above debate.

(The meeting was adjourned at 11.40am and re-convened at 11.50am)

271 **CAPITAL INVESTMENT PROGRAMME 2012/13** – agenda item 11

The Cabinet received this report, presented by Mr David Huxtable, Cabinet Member for Resources, which outlines the Council's Capital Investment Programme position for the first quarter of the 2012/13 financial year.

Mr Huxtable endorsed the recommendations in the report and referred to the performance issues outlined and how the risks have remained unchanged.

The Chairman summarised the key points from the report and endorsed the recommendations to Cabinet.

The Cabinet **RESOLVED** to note the contents of the report.

REASONS: in accordance with the recommendation as set out in the report.

272 **PERFORMANCE MONITORING REPORT 2012/13 – QUARTER 1** – agenda item 12

The Cabinet received this report, presented by Tony Johnson, Corporate Performance Manager, which provides an overview of the Council's current performance in the critical areas of business as set out in the County Plan. Reference was made to the recommendations within the report and the traffic light system, performance against the 37 promises in the County Plan, the 16 Top Targets, the direction of travel and the three areas of concern as outlined in the report.

At the invitation of the Chairman, members present addressed the Cabinet and reference made to the average time from date of contact to the date safeguarding plans are completed. Mrs Nicholson noted that the traffic light system on this had moved from red to green and that improvements have been made.

The Chairman summarised the key points from the report and endorsed the recommendations to Cabinet.

The Cabinet:

- Considered the information contained within the report specifically those areas identified as a potential concern under the “Key Issues” section of the County Plan Dashboard.
- Where performance issues were identified, Cabinet considered whether the proposed actions are adequate to improve performance to the desired level.
- Agreed the report and Appendix A as the latest position for Somerset County Council against its County Plan.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

273 **CONSULTATION ON MANAGEMENT RESTRUCTURE** – agenda item 13

The Cabinet received this report, presented by Mr Harvey Siggs, Cabinet Member for Transformation and Highways, which set out how the next phase of implementing the new operating model is to restructure the management grades below Senior Leadership Team level to ensure that the Council has the right people in the right place and that officers work in a more agile and flexible way.

Mr Siggs proposed and endorsed the recommendations within the report and that the key driver is to position the Council so that it is ready to move from the current holding state to one more in line with the deeper requirements of the new operating model, working with rather than in isolation to the service savings required of each director. He highlighted the proposed structures attached to the report and the aim to change the management layers and individual spans of control from the previous directorate organisational model.

Sheila Wheeler asked members to note that the structures will continue to evolve as the government’s spending review will impact on the Council’s services. Clarification was also provided on the role of the potential Delivery Agent.

Mrs Nicholson noted that there is a joint role for the Council for commissioning in both children and young people services and health.

Mrs Lawrence noted that the election of the new Police Commissioner may affect the community safety services that the Council provides which will have to be addressed.

Richard Crouch, HR and OD Director, clarified the proposed matrix management working as shown within the structure charts.

The Chairman summarised the key points from the report and the debate. He then endorsed the recommendations within the report and the Cabinet **RESOLVED** to:

1. Support the draft structural proposals developed by Directors (noting that consultation is ongoing so there may be some changes to these structures) attached as Appendix A to the report.
2. Endorse the approach taken to the restructure and authorise the Chief Executive to take forward implementation.
3. Note the progress update on the separate process to align managers' terms and conditions with those agreed for Directors.

REASONS: in accordance with the recommendations as set out in the report.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report and discussed during the above debate.

(The meeting ended at 12.05pm)

CHAIRMAN