

Minutes



To: All Members of the Cabinet,
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

CABINET 18 June 2018

ATTENDANCE

MEMBERS OF THE CABINET

D A Ashley, P Bibby, T L F Douris, T C Heritage, T W Hone, R M Roberts, R Sangster,
J D Williams (Leader of the Council)

Deputy Executive Members attending on behalf of an Executive Member

F R G Hill (attending on behalf of C B Wyatt-Lowe)

Other Members in Attendance

D Andrews, J Billing, S B A F H Giles-Medhurst

Upon consideration of the agenda for the Cabinet meeting on 18 June 2018 as
circulated, copy annexed, conclusions were reached and are recorded below:

*Note: No conflicts of interest were declared by any member of the Cabinet in relation to the
matters on which decisions were reached at this meeting.*

PART I ('OPEN') BUSINESS

1. MINUTES

- 1.1 The Minutes of the Cabinet meeting held on 25 May 2018 were confirmed as a
correct record and signed by the Chairman.

2. QUESTIONS FROM MEMBERS OF THE COUNCIL TO EXECUTIVE MEMBERS

- 2.1 There were no questions from Members of the Council to Executive Members.

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3. PUBLIC PETITIONS

3.1 There were no public petitions.

4. OUTCOME OF THE PUBLIC CONSULTATIONS ON THE PROPOSAL TO RECONFIGURE EXISTING SERVICES TO SCHOOLS TO SUPPORT THEM TO MEET THE NEEDS OF PRIMARY-AGED CHILDREN WITH SPECIFIC LEARNING DIFFICULTIES (SpLD) BY 31 MARCH 2019

[Forward Plan Ref: A069/17]

Decision

4.1 Cabinet accepted the amended proposals as detailed within the report and agreed to publish a statutory notice to close the 10 primary Specific Learning Difficulties (SpLD) bases, with effect from 31 March 2019.

Reasons for the decision

4.2 Hertfordshire's Special Educational Needs and Disability (SEND) Strategy 2015-18 has established a number of reviews to ensure services and provision are fit for purpose and can meet current and future needs. The work of the SEND Executive, along with the School Forum, is focused on the effective and equitable use of Hertfordshire's high needs funding. The work is not about making savings to SEND services but about reshaping out-dated provision and redirecting resources to new areas of need so as to improve the Council's overall provision.

4.3 The SEND Executive (a collective stakeholder Board) steers this work and prioritised SpLD services for review. The SEND Executive has recommended that specialist SpLD provision should be maintained but should be reconfigured and focused on children with high level needs corresponding to Tier 2 and Tier 3 work. Tier 1 work is considered to be universal provision and is covered within the quality first teaching offer within all schools. This would bring the SpLD service into line with the other SEND support services that are funded from the High Needs Block. The proposals are intended to improve the overall offer of services to children across all 3 tiers.

4.4 SEND legislation and statutory guidance has significantly changed over the years. It is the responsibility of schools for meeting the needs of pupils with SEND and they are now required to support the majority of pupils with all categories of special educational needs and/or disabilities from their own resources. There is now far greater knowledge and understanding about SpLD and over time schools have increased their capacity to identify and meet the needs of these pupils.

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- 4.5 Cabinet considered the above in reaching its decision, together with the results from the public consultation; the financial implications; the equalities implications; and the recommendations of the Education, Libraries & Localism Cabinet Panel.

Any alternative options considered and rejected

None.

5. RELOCATION OF THE PRIMARY SUPPORT BASE AT SPRINGMEAD PRIMARY SCHOOL, WELWYN GARDEN CITY

[Forward Plan Ref: A034/18]

Decision

- 5.1 Cabinet approved the relocation of the Primary Support Base from Springmead Primary School, Welwyn Garden City to Swallow Dell Primary and Nursery School, Welwyn Garden City, with effect from 1 September 2018.

Reasons for the decision

- 5.2 Springmead Primary School, Welwyn Garden City, when in the process of converting to an Academy, indicated that it would no longer be able to support the Primary Support Base, which serves the Welwyn and Hatfield area; it was therefore necessary to relocate it. The Head and Governing Body of Swallow Dell Primary and Nursery School, Welwyn Garden City, supported in principle the relocation of the PSB to their school and the Director of Children's Services therefore initiated consultation on the proposal.
- 5.3 Cabinet considered the above in reaching its decision, together with the results from the public consultation; the positive response from the governing body; the financial implications; the equalities implications; and the recommendations of the Education, Libraries & Localism Cabinet Panel.

Any alternative options considered and rejected

None.

6. ENLARGEMENT AND RELOCATION OF WESTFIELD PRIMARY SCHOOL, HODDES DON, OUTCOME OF PUBLIC CONSULTATION

[Forward Plan Ref: A018/18]

Decision

- 6.1 Cabinet authorised the Director of Children's Services to publish a statutory notice to enlarge Westfield Community Primary School, Hoddesdon by

relocating it to a school building located within the housing development at High Leigh, Hoddesdon from 1 September 2022.

Reasons for the decision

- 6.2 On 18 December 2017, Cabinet gave approval to pursue the proposal to relocate and enlarge Westfield Community Primary School and agreed that the Director of Children’s Services was authorised to proceed with a statutory consultation, commencing in January 2018. The Consultation ended on 27 February 2018, with relatively low responses being received.
- 6.3 In arriving at its decision to authorise the Director of Children’s Services to publish a statutory notice to enlarge Westfield Community Primary School, Hoddesdon by relocating it to a school building located within the housing development at High Leigh, Hoddesdon, Cabinet considered the outcome of the consultation, the positive response from the Governing Body, the financial implications; the equalities implications of the proposal; and the recommendation of the Education, Libraries and Localism Cabinet Panel.

Any alternative options considered and rejected

None.

7. DEVELOPER CONTRIBUTIONS TO NEW SCHOOLS

[Forward Plan Ref: A031/18]

Decision

- 7.1 Cabinet agreed a change in approach to developer sought contributions to the cost of school buildings as set out in paragraph 5.1 of the report as follows:

A new approach is taken to securing developers contributions adopting:

- the bottom end of the BB103 building space standards
- the upper quartile build costs (to be kept under review by officers subject to prevailing market conditions)
- the potential to reduce costs by 10% where risks are contained

Reasons for the decision

- 7.2 In April 2016, Cabinet approved a report which endorsed the Council’s adoption of the upper end of the Department for Education’s (DfE) Building Bulletin 103 (BB103) space standards.
- 7.3 Due to the Education and Skills Funding Agency’s policy and practice to build schools at the lower end of the BB103 range, officers consider that the high-level costs associated with the Council’s approach is no longer considered sustainable in the context of seeking developer contributions to school buildings. A change in the Council’s current approach to seeking developer’s

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contributions for new and expanded school buildings is therefore being recommended by officers to support 'Good Growth' in Hertfordshire, whilst maintaining good and collaborative relationships with Local Planning Authorities and developers.

- 7.4 It is proposed that whilst the Council continues to seek new school sites in line with its current policy (i.e. the top of BB103) the Council will use the lower end of BB103 when it comes to quantifying the value of developer contributions to the cost of the school buildings. A further reduction in price (by up to 10%) will be available on the basis of robust evidence of quality of site.
- 7.5 Cabinet's decision was reached following consideration of the Council's statutory responsibilities, the financial implications of the proposal, the outcome of the equalities impact assessment undertaken, and the recommendation of the Education, Libraries and Localism Cabinet Panel.

Any alternative options considered and rejected

None.

8. A CARERS STRATEGY FOR HERTFORDSHIRE 2018-2021
[Forward Plan Ref: A023/18]

Decision

- 8.1 Cabinet approved the proposed Carers Strategy for Hertfordshire 2018-21.

Reasons for the decision

- 8.2 The current Hertfordshire Carers Strategy 2015-2018 has been reviewed and refreshed and sets out the Council's commitment to carers which describes the actions that will be taken to support them in their caring role. Carers should be seen as a significant element of the care workforce in Hertfordshire, playing an important role in supporting people to stay at home, reducing hospital and care home admissions and supporting hospital discharges. The revised strategy reflects growing awareness of the impact of stress on carers through plans to evaluate which interventions are most effective in improving carer wellbeing, and then promote those interventions.
- 8.3 In approving the refreshed Strategy, Cabinet noted it had been co-produced with a wide range of stakeholders and that both Hertfordshire's CCGs had endorsed the Strategy. Cabinet also considered the financial implications; the equalities impact assessment carried out on the Strategy and the recommendation of the Adult Care and Health Cabinet Panel.

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Any alternative options considered and rejected

None.

- 9. HERTFORDSHIRE ADULT SOCIAL CARE WORKFORCE STRATEGY 2018-2021**
[Forward Plan Ref: A024/18]

Decision

- 9.1 Cabinet approved the Hertfordshire Adult Social Care Workforce Strategy 2018-21.

Reasons for the decision

- 9.2 Under the Care Act 2014, the County Council has a duty to manage the care markets and to ensure a sustainable and vibrant care market. An adequate supply of workforce is therefore critical to ensuring the County Council can fulfil its Care Act duties and has plans in place to address workforce challenges. This new strategy replaces the previous Adult Social Care Workforce Strategy that was published in 2015.
- 9.3 The Strategy sets out Hertfordshire's key workforce ambitions, explores the challenges and is underpinned by a three year Implementation Plan that details the activity that will be undertaken to achieve the goals set out within this Strategy. Adult Care Services will take this forward in partnership with care providers, and where it adds value, in collaboration with our partners within the NHS.
- 9.4 In approving the Strategy, Cabinet considered the financial implications; the equalities impact assessment carried out on the Strategy and the recommendation of the Adult Care and Health Cabinet Panel.

Any alternative options considered and rejected

None.

- 10. SUB NATIONAL TRANSPORT BOARDS – HERTFORDSHIRE COUNTY COUNCIL'S POSITION AND MEMBERSHIP**
[Forward Plan Ref: A006/18]

Decision

- 10.1 Cabinet agreed that the County Council joins England's Economic Heartland and its emerging Sub National Transport Board as a full member and joins Transport for the East as an Associate Member.

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Reasons for the decision

- 10.1 The Government is encouraging Local Transport Authorities (County and Unitary) to come together to create strategic groupings to lead on the development of regional transport strategies to support economic growth, advise on local priorities for future infrastructure planning and investment and coordinate the delivery of cross border transport functions. The exact role and function of each Strategic Transport Body (STB) will vary from region to region and could include a bid for devolved powers and funding from Government. A number of these groupings are beginning to emerge nationally with some planning to seek full powers to create a statutory STB within the next 2-3 years.
- 10.2 Hertfordshire's economic growth and strategic transport concerns are varied and governed by our unique location in the Oxford London Cambridge Golden Triangle, our proximity to and relationship with London and the main transport corridors that run through the county. There are two emerging STB's adjoining Hertfordshire and it is now timely to consider whether the County Council should formally join one of these to ensure we are able to get our strategic transport issues on the table and begin to influence Government on our future investment priorities and needs.
- 10.3 In reaching its decision, Cabinet considered the above, together with the financial implications and the recommendation of the Growth, Infrastructure, Planning and the Economy Cabinet Panel.

Any alternative options considered and rejected

None.

11. HERTFORDSHIRE COUNTY COUNCIL FINANCE REPORT – OUTTURN MONITOR, 2017/18

[Forward Plan Ref: A035/18]

Decision

- 11.1 Cabinet approved:
- a) That £11.031m of Carry Forwards outlined in Appendix A, be transferred to specific reserves as carry forward of 2017/18 revenue underspends to 2018/19.
 - b) That £5.425m grants relating to 2018/19 which were received in 2017/18 be carried forward to 2018/19.
 - c) That new reserves be created from carry forwards of underspends as outlined in appendix A, of £0.290m for a Property Revenue Reserve, to fund revenue costs of preparing sites for disposal and of £1.103m to be transferred to a new Business Rates equalisation reserve to smooth

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variation in business rates income in future years.

- d) That £3.000m of the revenue underspend be transferred to the Transition Reserve to support the management of the identified savings gap between 2019/20 and 2021/22, recognising the risk to the Council of the implementation of a new local government financing model.
- e) That the remaining £2.582m of revenue underspend be transferred to the Bad Debt Reserve, recognising that current provision is at the lower end of expectation and that enhanced provision would be prudent.
- f) That £36.676m capital budget set out in appendix B is reprogrammed from 2017/18 to future years.

Reasons for the decision

11.2 As set out above.

Any alternative options considered and rejected

None.

12. THE POTENTIAL TRANSFER OF HERTFORDSHIRE FIRE & RESCUE SERVICE FROM HERTFORDSHIRE COUNTY COUNCIL TO THE POLICE & CRIME COMMISSIONER – CONSIDERATION OF LOCAL BUSINESS CASE ADDENDUM

Decision

12.1 Cabinet:

- (i) Agreed that the County Council should not change the previously stated position of the Council in opposing the Police & Crime Commissioner’s Local Business Case; and
- (ii) Delegated to the Director of Resources, in consultation with the Leader of the Council and the Executive Member for Community Safety and Waste Management, authority to finalise a submission to the Home Office in response to the Local Business Case addendum.

Reasons for the decision

12.2 The Hertfordshire Police and Crime Commissioner (PCC) submitted a ‘Local Business Case’ (LBC) to the Home Office in August 2017 that proposed that the PCC should become the Fire and Rescue Authority for Hertfordshire. This submission followed a public consultation during which Cabinet, drawing on the unanimous position of all 78 County Councillors, made clear its strong objection to this proposal.

- 12.3 The Home Office subsequently commissioned CIPFA to perform an independent analysis of the LBC. Whilst the Council has not been given sight of CIPFA's analysis, the Minister of State for Policing and the Fire Service wrote to the Hertfordshire PCC in mid-April seeking further information, including greater clarity on the savings proposed in the LBC, in order to make a proper assessment of the proposal. The Minister also wrote to the Leader of the Council asking the Council to work with the PCC and provide appropriate information as requested by the PCC.
- 12.4 The PCC submitted an addendum to the LBC to the Policing and Fire Minister on 8 June 2018. It is not yet clear what process the Home Office may follow to consider the information provided in the addendum. The Minister's letter to the PCC indicated that the Minister would take a view on the potential need for further independent assessment on receipt of the revised proposal.
- 12.5 In reaching its decision Cabinet considered the above, together with the views of the Group Leader for the Liberal Democrats that his Group's view had not changed and they remained opposed to the proposal and the views of the Group Leader for Labour that her Group opposed to the proposal.

Any alternative options considered and rejected

None.

13. HERTS FULLSTOP – INVEST TO TRANSFORM BID
[Forward Plan Ref: A029/18]

Decision

- 13.1 That Cabinet:
- (i) approved an Invest to Transform Allocation to enable investment of £1.967m in the infrastructure of Herts FullStop (HFS);
 - (ii) delegated to the Director of Resources authority to determine and carry out the required procurement processes in relation to any contract for services, goods or works required in accordance with the agreed HFS infrastructure investment, referred to in (i);
 - (iii) delegated to the Director of Resources authority to award any contract for services, goods or works required in accordance with the agreed HFS infrastructure investment, referred to in (i);
 - (iv) noted the continued use of Surecare Supplies Limited as the trading vehicle for HFS.

Reasons for the decision

- 13.2 The investment of £1.967m in the infrastructure of Herts FullStop (HFS) will ensure the operational viability of HFS moving forward and support delivery of the business plan, leading to increased returns for the County Council.
- 13.3 The HFS business plan is focused on growing sustainable income in the near to medium term for the County Council with a managed risk exposure, while developing the foundations of the business to create an asset that can be favourably realised should the County Council wish to sell or merge the business in the future.
- 13.4 In reaching its decision, Cabinet considered the above, together with the information within the Part II Business Plan; the financial implications; and the recommendations of the Resources & Performance Cabinet Panel.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

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