



CABINET

DECISION NOTICE

Publication Date: 30th June, 2017

At a meeting of the Cabinet held on 28th June, 2017 the following matters were discussed. The decisions of Cabinet are set out below each item along with reasons for the decision and other options considered.

PRESENT: Councillor Oxby (in the Chair)
Councillors Bolton, Hyldon-King, Patrick, Watson and Wheatley

DN.1 APOLOGIES FOR ABSENCE

There was an apology for absence received for this meeting from Councillor James.

DN.2 DECLARATIONS OF INTEREST

Councillor Oxby declared a personal interest in all items with a Health aspect as his wife was employed by Navigo.

Councillor Wheatley declared a personal interest in all items with a Health aspect as a member of the Clinic Commissioning and Governance Board, and a member of Hull and East Yorkshire Mind.

Councillor Hyldon-King declared a personal interest in all items with a Health aspect as member of the Clinic Commissioning and Governance Board.

DN.3 **MINUTES**

The minutes of the Cabinet meeting on the 10th May 2017 were approved as a correct record.

DN.4 **DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2017**

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care presenting the annual report of the Director of Public Health for North East Lincolnshire.

RESOLVED – That the Council formally publish and widely distribute electronically and promote the annual report, and that only a very small number of hard copies be produced.

REASONS FOR DECISION – It is a statutory requirement that all top tier local authorities produce an independent report from their designated chief officer for public health on the health of the local population. The attached report fulfils this requirement for 2016-17.

OTHER OPTIONS CONSIDERED – Members could decide not to actively promote the annual public health report, however it is a statutory responsibility of the local authority to publish the annual report.

DN.5 **LOCAL AUTHORITY AND CLINICAL COMMISSIONING GROUP SECTION 75 ARRANGEMENTS**

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care presenting the Strategic Case and seeking approval of the establishment of the enhanced partnership model.

RESOLVED –

(1) That the Strategic Case, as appended to the report now submitted, be noted, and that the establishment of the enhanced partnership model be approved.

- (2) That a review of the current Section 75 Agreement with North East Lincolnshire Clinical Commissioning Group to support the operation and delivery of the enhanced partnership model, be approved.**
- (3) That authority be delegated to the Deputy Chief Executive to approve the revised Section 75 Agreement, in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care, the Leader of the Council, the Monitoring Officer and the Section 151 Officer, save and except any prospective delegation of additional functions or responsibilities that would require Cabinet approval.**
- (4) That the formation of the Enhanced Partnership Board be approved and that the Leader of the Council and 3 Portfolio Holders be appointed to the Board.**
- (5) That the proposal outlined in the Strategic Case that the Chief Executive of the Council serve as a Joint Chief Executive of both the Council and North East Lincolnshire Clinical Commissioning Group and that the appointment process be referred to the Appointments Committee with a recommendation that there be a joint interview panel involving representatives from the Clinical Commissioning Group, be approved in principle.**

REASONS FOR DECISION – The backdrop to delivery of Health & Care services to local populations is increasingly complex, and, growing financial pressures right across the public sector inevitably mean that new models and ways of working need to be found to maximise diminishing resource. In order to develop further enhancement of commissioning and delivery of Health and Social Care in North East Lincolnshire and respond to the integration agenda being driven nationally, a new model of governance is required across both organisations.

OTHER OPTIONS CONSIDERED –

High level options appraisal of 4 options (appendix 2) being:

1. Retain Status Quo;
2. Enter into an Enhanced Partnership with Single Leadership Team;
3. Dissolve Partnership with the Council taking back Adult Social Care; and
4. Dissolve Partnership with Clinical Commissioning Group pursuing a more regional commissioning model.

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care providing a revised carers strategy for approval.

RESOLVED –

- (1) That the strategy be accepted in principle.**
- (2) That authority be delegated to the Portfolio Holder for Health, Wellbeing and Adult Social Care to agree the final version of the strategy and action plan taking into account the consultation with and views of the Health, Wellbeing and Adult Social Care Scrutiny Panel and the Children and Lifelong Learning Scrutiny Panel.**

REASONS FOR DECISION – The refreshed strategy is in line with the current national carers' strategy and updates the previous version in the light of consultation and engagement with carers' and their families to provide clear actions during 2017 to 2020.

OTHER OPTIONS CONSIDERED – None.

DN.7

CAR PARKING STRATEGY

Cabinet considered a report from the Portfolio Holder for Energy and Environment seeking permission to roll out a public consultation exercise.

RESOLVED – To accept the report and that authority be delegated to the Director of Economy and Growth, in consultation with the Portfolio Holder for Energy and Environment to complete a public consultation exercise to include appropriate Scrutiny engagement, prior to reporting back to Cabinet with a recommended Parking Strategy for adoption.

REASONS FOR DECISION – It is essential that the Council seek and consider the views of all stakeholders on its approach to parking prior to completing and adopting a final Parking Strategy.

OTHER OPTIONS CONSIDERED – The Council could decide not to review its Car Parking Strategy although this would mean that its approach to parking becomes detached from current priorities and strategy.

DN.8

PROVISIONAL OUTTURN REPORT 2016/17

Cabinet considered a report from the Portfolio Holder for Finance, Community Assets, Governance and Tourism that provides information regarding the Council's provisional financial outturn position for 2016/17.

RESOLVED –

- (1) That the Provisional Financial Outturn Report be referred to Scrutiny for consideration.
- (2) That the transfer of any capacity to the management of change and transformation reserves which arises from technical adjustments linked to the completion of the year end accounts, be approved.
- (3) That the slippage requests in respect of the 2016/17 capital scheme as detailed in Annex 1 of the report now submitted, be approved.
- (4) That revised 2017/20 Capital Programme as detailed in Annex 2 of the report now submitted, be approved.

REASONS FOR DECISION – The report is important in identifying to cabinet both successes, to note progress, and areas of forecast revenue overspend and amendment to the capital programme where actions need to be taken. The area of focus commentary highlights the achievement of any milestones or potential risks affecting the delivery of outcomes.

OTHER OPTIONS CONSIDERED – N/A

DN.9

DISPOSAL OF LESS THAN BEST CONSIDERATION – LEASE OF DISPOSAL OF GREENLAND'S RECREATION GROUND, NEW WALTHAM AND POPULAR ROAD AND FORDS AVENUE RECREATION GROUNDS, HEALING

Cabinet considered a report from the Portfolio Holder for Finance, Community Assets, Governance and Tourism seeking authority to dispose to New Waltham and Healing Parish Councils who currently manage sites respectively at Greenland's, New Waltham and Poplar Road and Fords Avenue Healing.

RESOLVED –

- (1) That the New Waltham and Healing Parish Council be granted a lease of the subject sites for a term of 25 years at a peppercorn rent (£1 per annum if demanded); and
- (2) That the Director of Finance, Resources and Operations, in consultation with the Portfolio Holder for Finance, Community Assets, Governance and Tourism be delegated responsibility to ensure that all necessary actions are carried out in order to complete and approve the detailed terms of the disposal;

- (3) That the Monitoring Officer be authorised to complete all requisite legal documentation in relation to the matters outlined above.**

REASONS FOR DECISION – The subject sites are currently managed by the Parish Councils as part of an earlier decision by the Council to delegate functions to Town and Parish Councils, with the eventual aim, and subject to viability, to withdraw direct delivery of maintenance to these sites. The length of lease will allow the Parish to consider applying for significant investment into each site which is required to ensure the funding stream and longer term sustainability and continued use is protected which would benefit the use by the wider Community with Pavilions being extending and enhanced during this proposed lease term.

OTHER OPTIONS CONSIDERED –

To do nothing would see the current management activities at a reduced level, therefore, this will result in a negative impact on the level of investment which is required to enhance the sites and improve and/ or expand the current property. The current tenant may be forced into a position whereby this is unviable and have to surrender the lease. It is therefore not considered a viable option as the Council risk continuing this position, being wholly liable for the sites together with all future associated expenditure without the opportunity to invest or expand the current use and activities.

A freehold disposal is not considered appropriate as there is the requirement that the Council will continue to ensure community provision. There is a need to support the proposal by way of a lease to ensure the use of the facility continues. Should the site become vacant and unused in future, the Council retains an element of control in respect to future action to prevent any unauthorised uses.

DN.10

CLEETHORPES CARNIVAL 2018

Cabinet considered a report from the Portfolio Holder for Finance, Community Assets, Governance and Tourism on seeking to secure an event organiser to deliver a safe and successful event for 2018.

RESOLVED –

- (1) That the commencement of a procurement exercise as set out in the Officer Decision Record dated 2nd June 2017, at appendix 1 of the report now submitted, be acknowledged and accepted.**
- (2) That authority be delegated to the Director of Economy and Growth, in consultation with the Portfolio Holder for Finance, Community Assets, Governance and Tourism, to award a contract for the delivery of the 2018 Cleethorpes' Carnival.**

(3) That the Monitoring Officer be authorised to complete legal documentation in connection with the award.

REASONS FOR DECISION – The decision to seek an event organiser for the delivery of the 2018 Cleethorpes’ Carnival is likely, “to be significant in terms of its effects on communities living or working in an area comprising two or more wards”. Although the exact route of the Carnival is yet to be confirmed, previous events have affected more than one ward in Cleethorpes and it is anticipated that a large number of residents/service users and businesses will be impacted.

OTHER OPTIONS CONSIDERED –

‘Do Nothing Option’: The Council could decide not to seek to procure an event organiser to deliver the 2018 Carnival, but this would undermine the Council’s position and reputation with the local community and lead to negative publicity.

‘Alternative Option’: The Council could decide to develop and organise the Carnival ‘in-house’, however, over the last ten years, it has been run by community groups and the private sector. This option was previously explored in relation to the 2017 event, the conclusion being that, in terms of cost and available resource, it was not feasible for the Council to do so.

DN.11

CHILDREN’S SOCIAL CARE STATUTORY COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2016/17

Cabinet considered a report from the Portfolio Holder for Children and Young People providing an overview of the activity and analysis of complaints, compliments for the period 1st April 2016 to 31st March 2017.

RESOLVED – That the Children’s Social Care Statutory Complaints and Compliments Annual Report for 2016/17 be received and noted.

REASONS FOR DECISION – It is a requirement of The Children Act 1989 Representation Procedure (England) Regulations 2006 to produce an annual report regarding the representations made about social care statutory services. The purpose of the attached report is to inform the general public, elected members and Council officers about the effectiveness of the statutory complaints procedure.

OTHER OPTIONS CONSIDERED – It is a statutory requirement that an annual report is completed on these complaints and the activities undertaken in responding to the complaints follows current guidance. Our options are more about the flexibility that we have in reacting to and resolving the complaints. Our current approach is set out in the attached report.

DN.12

RE-PROCUREMENT OF INSURANCE FOR NORTH EAST LINCOLNSHIRE COUNCIL

Cabinet considered a report from the Portfolio Holder for Finance, Community Assets, Governance and Tourism seeking authority to award a new Insurance policy for the Council.

RESOLVED –

- (1) That the urgent Officer Decision Record at appendix 1 of the report now submitted be noted and that the commencement of a procurement exercise in connection with the provision of an Insurance Services Contract commensurate with the needs of the Council be acknowledged.**

- (2) That authority be delegated to the Director Finance, Operations and Resources in consultation with the Portfolio Holder for Finance, Community Assets, Governance and Tourism to award the new Insurance Services Contract(s) upon completion of the procurement exercise.**

- (3) That the Monitoring Officer be authorised to complete all requisite legal documentation in relation to the matters outlined above.**

REASONS FOR DECISION – The recommendations of this report will allow for an award decision to be made. This will allow time to complete the procurement and implement the replacement contract for the 1st October 2017.

OTHER OPTIONS CONSIDERED – None at this stage as any decision not to commence a procurement and ultimately make an award would be adverse and not in the interests of the Council.