

MINUTES OF CABINET MEETING HELD 25 FEBRUARY 2013

PRESENT

Cabinet Members: Councillor Cereste (chair), Councillor Dalton, Councillor Fitzgerald, Councillor Hiller, Councillor Holdich, Councillor Scott, Councillor Seaton and Councillor Walsh.

Cabinet Advisers: Councillor Goodwin and Councillor North

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Lee and Councillor Elsey.

2. DECLARATIONS OF INTEREST

None received.

3. MINUTES OF THE MEETINGS HELD 21 JANUARY 2013 AND 4 FEBRUARY 2013

The minutes of the meetings held on 21 January 2013 and 4 February 2013 were agreed as accurate records.

STRATEGIC DECISIONS

4. BUDGET 2013/14 AND MEDIUM TERM FINANCIAL STRATEGY (MTFS) TO 2022/23

Cabinet received a report presenting budget proposals for 2013/14 through to 2022/23, in line with the provisional local government finance settlement for 2013/14 and in advance of some Department for Education specific grants being announced. The report contained three key sections:

- Cabinet report and summary of council funding implications, including proposals on council tax;
- The draft MTFS, including capital strategy, asset management plan and Treasury Strategy; and
- The budget consultation document being used for scrutiny, stakeholder and public consultation updated for any changes.

In addition, the report also had regard to the revised budget timetable approved by Full Council at the meeting of 10 October under the council constitution Part 4, Section 6 – Budget and Policy Framework Rules.

Councillor Seaton introduced the report thanking officers for all the work towards producing the budget document and highlighted the number of consultation sessions held to assist its development. Key themes that were raised included:

- Play Services – Peterborough was the only Authority in the East of England offering free play services;
- Charges for meal delivery to be phased in over two years;
- Still committed to making the city a better place to live and work; and

- Committed to keeping council tax low and maintain the proposal to freeze it.

Further comments that were raised during debate included:

- Must ensure most vulnerable residents in the city are provided for and looked after with continued investment;
- Increase in Your Peterborough issues for one year and increase electronic communications methods; and
- Need to use Play Centre buildings more effectively to make sustainable.

Cabinet considered the report and **RESOLVED** to:

1. Have regard to the consultation feedback received to date and statutory advice detailed in the report when determining the budget recommendations, noting that consultation remains open and further updates will be provided.
2. Agree that the following be approved and recommended to Council on 6 March 2013, noting that updates may be necessary if additional information emerges:
 - a) That the MTFFS is set in the context of the council priorities.
 - b) The Budget monitoring report as the latest probable outturn position for 2012/13.
 - c) The revenue budget for 2013/14 and indicative figures for 2014/15 to 2022/23 (including the capacity bids and saving proposals).
 - d) The capital programme for 2013/14 to 2022/23 and associated capital strategy, treasury strategy and asset management plan.
 - e) The council tax freeze in 2013/14 and indicative increases for planning purposes of 2% for 2014/15 to 2022/23.
 - f) To spend at the level of the Dedicated Schools Grant for 2013/14 to 2022/23.
 - g) The proposals for reserves and balances.
 - h) The proposals for setting fees and charges for 2013/14 including the indicative fees and charge increases for 2014/15 and 2015/16.
 - i) The proposal for the deferral of mandatory implementation of auto enrolment of pensions for employees until 30 September 2017.
3. Note that these recommendations are put forward on the basis of the confirmed local government finance settlement for 2013/14 and best estimates of future local government funding.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget.

The Council was required to set a Council Tax for 2013/14 within statutory prescribed timescales and in accordance with the local referendum requirements contained within the Localism Act 2011.

Before setting the level of Council Tax, the Council must have agreed a balanced budget.

ALTERNATIVE OPTIONS CONSIDERED

Alternative levels of Council Tax increase and areas for growth/savings could be considered but this must be seen in the context of the Sustainable Community

Strategy and other constraints, along with the loss of council tax freeze grant that any increase would lead to.

5. TRANSFER OF PUBLIC HEALTH

Cabinet received a report describing the responsibilities and implications of the transfer of certain Public Health functions from Peterborough Primary Care Trust (PPCT) to the Council under the Health & Social Care Act 2012 (“the Act”), with effect from 1st April 2013.

Councillor Cereste introduced the report highlighting that the delegation for public health would rest with the Leader’s portfolio of delegations in the first instance. During debate on the item it was stated that with Public Health being located within the City Council it was expected that resources would be able to be used more effectively in improving the health outcomes for residents.

Cabinet considered the report and **RESOLVED** to:

1. Note that the Council will become responsible for the delivery of certain public health functions with effect from 1st April 2013, and will acquire statutory responsibilities under the Health & Social Care Act 2012;
2. Authorise the Chief Executive to make arrangements for the appointment by the Council of a Director of Public Health for Peterborough, in line with Department of Health proposals following the Health & Social Care Act 2012 (“the Act”);
3. Note the national approach taken to transferring staff from the Peterborough Primary Care Trust (PPCT) to the Council including the implications for the initial transitional structure for the public health function at the point of transfer from 1st April 2013 (paragraph 4.14 refers);
4. Note the ring fenced public health grants of £8,446,100 for 2013/14 and £9,290,700 for 2014/15;
5. Note that the Council will need to review its structures and priorities to ensure that its responsibility for public health is fully aligned with its existing core business;
6. Authorise the Solicitor to the Council to conclude arrangements for contracts for Public Health Services, including, as appropriate, entering into new contracts, novating contracts or extending and novating existing contracts to the Council, to enable the public health functions to continue to be delivered following transfer of responsibilities;
7. Authorise the Solicitor to the Council, in consultation with the Cabinet member for Adult Social Care, to sign a business Transfer Agreement with PPCT;
8. Note that a report will be presented to Council at its meeting on 6th March to agree to update the Constitution to note the leader’s scheme of delegations and also to make provision for the Health & Wellbeing Board.

REASONS FOR THE DECISION

The recommendations were to allow the Council to fulfil its obligations under Health & Social Care Act 2012, and related regulations and guidance.

ALTERNATIVE OPTIONS CONSIDERED

The Council had no choice but to accept the transfer of responsibilities for public health, as this is in accordance with statutory requirements. It also had a statutory responsibility to appoint a Director of Public Health. The Council had little flexibility about its approach, particularly on matters concerning staff transfer. It did have some flexibility over the potential to share functions with other authorities, for example, it could consider appointing a joint Director of Public Health with another local authority. This had been considered, particularly as the current Director of Public Health was leaving prior to the transfer of responsibilities to the Council. However, the option has been rejected as a definitive solution in favour of retaining a Director to focus specifically on the needs of Peterborough, as it was considered that, at least in the foreseeable future, this was likely to maximise the ability of the Council to improve public health outcomes for Peterborough and its residents. The Council would continue to review the optimum delivery model following transfer, when it would have a much more detailed knowledge of the requirements to meet Peterborough's public health needs.

6. REVIEW OF CHARGING POLICY AND ELIGIBILITY CRITERIA FOR ADULT SOCIAL CARE SERVICES

Cabinet received a report detailing and requesting it consider the results of the consultation on a number of measures designed to increase the emphasis on promoting independence and prevention amongst people with developing social care needs and to revise the eligibility criteria for Adult Social Care from April 2013. The report also requested consideration of the results of the consultation on a number of changes to the Adult Social Care charging policy, including a review of the Disability Related Expenditure Disregard in the financial assessment, the introduction of new charges for assistive technology and the appointeeship service and the removal of the subsidy for the home meals service.

Councillor Fitzgerald introduced the report highlighting the scope of the consultation that had been undertaken and although savings were necessary those residents most in need of support would continue to be provided for. An additional recommendation had been added to offer a longer term transition plan to younger adults with long term conditions including those who fall below critical/substantial needs

Further comments that were raised during debate included:

- Phased meal subsidy reduction a good idea;
- City Council was within a minority of Authorities that had not already reviewed its qualification criteria;
- Backlog of individual reviews expected to be cleared before 1 April 2013; and
- Annual review dates would remain the same meaning that no new review was required in April for residents who had recently been reviewed.

Cabinet considered the report and **RESOLVED** to:

- 1) Note the responses received to the consultation with social care users, carers, staff and partners (appendix 1) on proposals to revise the council's eligibility criteria for council supported social care services, to extend access to reablement and the range of preventative services available to people with care needs who fall below eligibility criteria, modifications to the Adult Social Care charging policy and the removal of the subsidy to the home meals service.

- 2) Agree the following recommendations for implementation, which have been amended to reflect feedback received, together with the findings from the Equality Impact Assessment:
- a) Raise eligibility criteria for Adult Social Care from high/moderate to critical/substantial in line with Department of Health categories with effect from April 2013 for new service users and for existing service users from the date of their annual review or sooner if there is a change in circumstance which merits earlier review;
 - b) Provide access to a period of reablement to all existing and new service users who would benefit;
 - c) Offer a longer term transition plan to younger adults with long term conditions including those who fall below critical/substantial needs;
 - d) Re-commission and further invest in 'a preventative offer' available to the wider community;
 - e) Introduce the banded disability disregard (as specified in section 4.8);
 - f) Introduce a charge for assistive technology ranging from £2.88 to £6.44 per week depending on the equipment provided;
 - g) Change the qualifying pension age of 60 to "Pension qualifying pension age" to reflect national changes which will come into force;
 - h) Introduce an administrative charge of £5 per week where the local authority acts as appointee for service users who lack capacity in line with good practice guidance issued by the association of Public Authority Deputies;
 - i) In the light of feedback, modify the proposal regarding the subsidy on home meals to allow for a phasing of its removal in respect of hot meals over two years, resulting in an increase from £3.20 to £4.20 per meal from 1 April 2013 rising to £5.20 from 1 April 2014; and
 - j) Increase the charge for frozen home meals from £2.00 to £2.60 per meal from 1 April 2013.

REASONS FOR THE DECISION

Approving the recommendations would result in a more efficient and effective service that included additional preventative services to ensure that those who did not meet the eligibility criteria were able to access other support.

The decision would also align the service with expected national guidance on eligibility, ensure prioritisation of available resources to those in greatest need, deliver required savings and increased income and to ensure that the availability of resources and service implications were understood and balanced.

ALTERNATIVE OPTIONS CONSIDERED

Consideration was given to waiting for the Department of Health guidance on eligibility expected in 2015. However, it was felt that reviewing the criteria now placed the authority in a sound position to be prepared for the national changes being signalled in line with available resources.

Leave the charging policy unchanged. This option was rejected because the charging policy would be inconsistent in its treatment of different care services.

Full implementation of the proposals that went out to consultation. This was rejected as the revisions have been made as a direct result of feedback from a wide range of stakeholders and take careful account of evidence and feedback on the impact of changes for service users and carers. Accepting the revisions will serve to enhance and build a sound relationship between the Council and its stakeholders.

7. HOUSING ALLOCATIONS POLICY

Cabinet received a report updating it on the proposed review of the Common Allocations Policy and for Cabinet to agree the final draft to be taken to full council for adoption.

Councillor Hiller introduced the report highlighting that the current arrangements for the housing list were unsustainable and that priorities would change to increase the ratings for ex-service personnel and those with a link to the area.

Further comments raised during debate included:

- Income threshold was based across the entire household, not individuals;
- Must have a local link of six months or more to be on the housing list;
- Those applicants resident for five years would be prioritised; and
- The obligation remained to provide for homeless households first following investigation into their status but they could be directed to private accommodation.

Cabinet considered the report and **RESOLVED** to:

Note and agree the proposed Common Housing Register Allocations Policy and to agree for the proposed policy to be presented to full council for agreement and adoption.

REASONS FOR THE DECISION

The proposed Allocation Policy has been written to meet the duties of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002 and with regard to the Communities and Local Government Allocation of Accommodation: guidance for Local Authorities in England June 2012.

The Localism Act 2011 made an amendment to the Housing Act 1996, which gave local authorities the power to set their own qualifying criteria for people who were allowed to join the housing register. This allowed councils to restrict entry to the housing register to those who were in the most housing need as well allowing exclusions for other reasons based on local criteria.

The proposed amended allocations policy makes full use of these powers by setting the entry criteria to the housing register to those who were in the most urgent housing need, therefore reducing the number of households on the Housing Register and providing realistic options and expectations for households in housing need in the city.

ALTERNATIVE OPTIONS CONSIDERED

To not review the Policy and continue implementing the existing Policy - this would mean the Housing Register would continue to grow in number and households would be housed into properties which they would under-occupy (due to the bedroom standard) their housing benefit would not cover and they would fall into rent arrears.

Review the bedroom standard only – this would mean the Housing Register would continue to grow in number and the households on it would continue to have unrealistic expectations of being re-housed.

Review the Policy but not include the awarding of additional preference – this would not promote full discussion and debate of the policy.

Review the Policy and adopt everything in the Communities and Local Government Allocation of Accommodation: guidance for local authorities in England – this would not take into account Peterborough's housing needs and issues.

MONITORING ITEMS

8. CHILDREN'S SERVICES UPDATE

Cabinet received a report giving details of improvement actions undertaken since the November 2012 Cabinet meeting in response to the findings of the Ofsted Inspection of Safeguarding carried out in August 2011.

Councillor Scott introduced the report highlighting the continued improvements, the appointment of Sue Westcott as the new Executive Director of Children's Services and the revision of the Improvement Plan that had been completed. A new vision, 'One Children's Service Helping Children to be their Best' would be used.

Cabinet considered the report and **RESOLVED** to:

Note the improvement activity and progress within Children's Services.

REASONS FOR THE DECISION

The Council needed to continue to deliver improvements to safeguard children and in the longer term put in place a sustainable high quality Children's Service in Peterborough.

ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

11.00 a.m.