

CABINET

MINUTES of a meeting of the Cabinet held on 26 January 2009 at County Hall, Lewes.

86. PRESENT - Councillor Jones (Chairman)
Councillors Bentley, Elkin, Glazier, Kirby, Lock, Reid,
Mrs Stroude and Tidy

The following members spoke on the items indicated:

Councillor Birch	-	items 90 and 92
Councillor Field	-	items 91 and 96
Councillor Lacey	-	item 90
Councillor Murphy	-	item 90
Councillor Rogers	-	item 92
Councillor Shing	-	item 90
Councillor St Pierre	-	items 96 and 97
Councillor Mrs Tidy	-	item 90
Councillor Tutt	-	item 90
Councillor Whetstone	-	items 90 and 97

87 **MINUTES**

87.1 RESOLVED – to approve the minutes of the meeting held on 16 December 2008 as a correct record.

88 **DECLARATIONS OF INTEREST**

88.1 Councillor Kirby declared a personal non prejudicial interest in item 7 as a Director of Hastings and Bexhill Renaissance Limited

88.2 Councillor Lock declared a personal non-prejudicial interest in item 7 as a Hastings Borough Council appointed Director of Sea Space.

88.3 Councillor St Pierre declared a personal non prejudicial interest in item 12 as a Board Member of the Ashdown Forest Conservators

88.4 Councillor Whetstone declared a personal non prejudicial interest in item 12 as a Board Member of the Ashdown Forest Conservators

89 **REPORTS**

89.1 Copies of the reports referred to below are included in the minute book.

90 **RECONCILING POLICY AND RESOURCES**

90.1 The Cabinet considered a report by the Chief Executive and all Chief Officers including the Capital Programme 2009/10 to 2013/14 (Appendix 1 of the report), the Revenue Budget 2009/10 (Appendix 2 of the report), the draft three year portfolio plans (Appendix 3 of the report), the views of the Scrutiny Committees (Appendix 4 of the report) and a report on the outcome of consultation with Trade Unions and business ratepayers (Appendix 5 to the report).

90.2 Councillor Jones reported that the Conservative Group had agreed to forgo any proposed increase in members' allowance for 2009/10 and that any increase would be directed to the Credit Unions in East Sussex. Councillor Jones acknowledged that the final decision would rest with each individual member of the Group. Councillor Tutt indicated that the Liberal Democrat Group would support this decision and would adopt a similar approach.

90.3 On the motion of Councillor Reid (duly seconded) it was RESOLVED – to

(1) recommend the County Council to approve the draft capital programme in relation to schemes in progress or about to start and those to start in 2009/10 and 2010/11 and to note the schemes provisionally included in the Capital Programme in future years as set out in Annex D of Appendix 1;

(2) note the draft Prudential Indicators set out in Annex E of Appendix 1 for 2008/09 to 2011/12;

(3) note the financial update and supporting Annexes at Appendix 2, agree proposals for the use of flexibility as set out in Appendix A to these minutes, and to recommend the County Council to approve the revenue budget estimates for 2009/10 set out in Annex C of Appendix 2 after incorporating the changes set out in Appendix A;

(4) recommend the County Council to issue precepts accordingly to be paid by Borough and District Councils in accordance with the agreed schedule of instalments;

(5) approve the fees and charges set out in Annex I of Appendix 2;

(6) approve the draft portfolio plans at Appendix 3 as the basis for developing the Council Plan and authorise Chief Officers to finalise the portfolio plans, in consultation with the relevant Lead Member;

(7) note the views of the Scrutiny Committees as set out in Appendix 4 and the views of the Trade Unions and business ratepayers as set out in Appendix 5; and

(8) note the medium term challenge and task as outlined in Appendix B to these minutes

Reason

90.4 To achieve the development of a sound medium term financial strategy.

91 ANNUAL PERFORMANCE ASSESSMENT OF CHILDREN'S SERVICES

91.1 The Cabinet considered a report by the Director of Children's Services

91.2 On the motion of Councillor Glazier (duly seconded) it was RESOLVED – to note the 2008 Annual Performance Assessment Letter for Children's Services.

Reason

91.3 To receive the 2008 Annual Performance Assessment Letter for services for children and young people in East Sussex

92 RECESSION: IMPACTS AND ACTION

92.1 The Cabinet considered a report by the Chief Executive.

92.2 On the motion of Councillor Jones (duly seconded) it was RESOLVED – to

(1) note the analysis of the context and possible impact of the recession in East Sussex, the assessment of current relevant provision and potential gaps; and

(2) agree the proposed areas for action as set out in Appendix 4 of the report.

Reason

92.3 To consider the initial analysis of the possible impact of the recession and agree areas for action.

93 DIRECTLY PROVIDED SERVICE REVIEW OF LEARNING DISABILITY COMMUNITY SUPPORT SERVICES

93.1 The Cabinet considered a report by the Director of Adult Social Care together with comments from the Scrutiny Committee for Adult Social Care on the proposals set out in the report.

93.2 On the motion of Councillor Bentley (duly seconded) it was RESOLVED – to maintain the current range of provision delivered by the Community Support Service and further develop the service as detailed in paragraphs 5.2 to 5.9 of the report.

Reason

93.3 The service provided by the Community Support Services is highly valued, well used and provides good outcomes for service users. It was therefore agreed to maintain and develop the service. The Community Support Service will refocus its work to improve the transition experience from Children's Services to Adult Social Care. The Community Support Service will build on existing services to increase the level of support offered to service users living with elderly carers where mutual dependency requires a higher level of support and monitoring. The service will focus on developing and building skills to enable individuals to remain in their own home, and for future independent living options and self-directed support. Working in partnership with care managers and other services the Community Support Service will aim to provide supported living assessment opportunities and skills training, to enable people to explore and move to settled accommodation, including supported living options. The Service will develop employment support which enables individuals to acquire employment-focused independence skills, particularly supporting job club attendance and job coaching. The Community Support Service is increasingly providing support to parents who have a learning disability in their parenting role, it was agreed that the service continue to develop this important area of work. As service users will, in the future, be able to use personal budgets to purchase a wider range of community support options, it was agreed that the Community Support Service have a role in the assessment of service users prior to identifying needs to be met by personal budgets. Each of the offices is currently registered separately with the Commission for Social Care Inspectorate, with three services rated as two star (good) and one service rated as one star (adequate). It was therefore agreed that the service should review its structure and seek a single registration to ensure consistency across the County and improve standards. The guidance set out in "Putting People First" states that service users should be given as

much choice and control over their care as possible. To facilitate this it was agreed that service users are offered a Personal Budget to enable them to consider alternatives to directly provided services. If a significant number of service users decide to purchase an alternative service then further consideration of the services commissioned may be required.

94 COMPULSORY PURCHASE OF LAND AND BUILDINGS FOR THE PROPOSED BEXHILL TO HASTINGS LINK ROAD

94.1 The Cabinet considered a report by the Director of Transport and Environment

94.2 On the motion of Councillor Lock (duly seconded) it was RESOLVED – to

1) authorise the making of two Compulsory Purchase Orders (CPOs), one under powers conferred by sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976, and one under powers conferred by section 226(1)(b) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976, together with all other enabling statutory powers, for the acquisition of all interests in land and buildings, and the creation of new rights, required for the Bexhill to Hastings Link Road and associated landscaping, environmental mitigation measures, flood storage and wildlife habitat replacement ('the scheme') as previously authorised by the Cabinet on 16 December 2008 (subject to any changes to the extent of the land and rights to be acquired to be made since such date), instead of making one CPO as previously authorised;

2) authorise the Director of Law and Personnel to take all necessary steps to secure the making, confirmation and implementation of the two CPOs including the publication of all notices and the presentation of the County Council's case at any public inquiry; and

3) authorise the Director of Transport and Environment:-

a) in consultation with the Lead Cabinet Member for Transport and Environment, to approve any amendments (including but not limited to the powers used) to the proposed CPOs, and the extent of the land and rights to be acquired, as considered necessary;

b) to acquire interests in land and new rights within the CPOs either by agreement or compulsorily;

c) to approve agreements with landowners setting out the terms for the withdrawal of objections to the CPOs including, where appropriate, seeking exclusion of the land or new rights from the CPOs and/or making arrangements for the relocation of occupiers; and

d) approve any other compensation payable pursuant to the CPOs and any other incidental matters relating to the CPOs.

Reason

94.3 In order to stand the best chance of processing the scheme effectively and to minimise the risk of administrative delay and challenge, it is considered that the making of two CPOs would be preferable to one.

95 BUDGET MONITORING 2008/09

95.1 The Cabinet considered a report by the Deputy Chief Executive and Director of Corporate Resources

95.2 On the motion of Councillor Reid (duly seconded) it was RESOLVED – to note the latest monitoring position on the revenue and capital budgets.

Reason

95.3 Management action is being taken to address areas of concern.

96 REVIEW OF SERVICES TO SCHOOL GOVERNORS

96.1 The Cabinet considered a report by the Children's Services Scrutiny Committee and a report by the Director of Children's Services with observations on the Scrutiny Committee's report.

96.2 On the motion of Councillor Glazier (duly seconded) it was RESOLVED – to

(1) note and welcome the report of the scrutiny committee; and

(2) to recommend the County Council to welcome the main recommendations set out in the report and to approve the response of the Director of Children's Services to the recommendations and their implementation.

Reason

96.3 The implementation of the recommendations will result in service improvements.

97 CONSERVATORS OF ASHDOWN FOREST – BUDGET 2009/10

97.1 The Cabinet considered a report by the Deputy Chief Executive and Director of Corporate Resources.

97.2 On the motion of Councillor Reid it was RESOLVED – to

(1) approve the annual grant from the Trust Fund for 2009/10;

(2) recommend the County Council to approve the annual grant for 2009/10 from the Transport and Environment budget; and

(3) delegate final approval of the Conservators' budget for 2009/10 to the Deputy Chief Executive and Director of Corporate Resources in consultation with the Lead Member for Corporate Resources.

Reason

97.3 To consider the contribution from the Trust Fund and the County Council to the Conservators' budget for 2009/10.

98 TREASURY MANAGEMENT STRATEGY FOR 2009/10

98.1 The Cabinet considered a report by the Deputy Chief Executive and Director of Corporate Resources

98.2 On the motion of Councillor Reid (duly seconded) it was RESOLVED – to recommend the County Council to:

1) determine that for 2009/10 the Authorised Limit for borrowing should be £338m;

2) adopt the prudential indicators and limits as set out in the attached appendix;

3) approve the Minimum Revenue Provision Statement for 2009/10 as set out in the appendix to the report; and

4) approve the treasury management strategy and policy statement for 2009/10 as set out in the appendix of the report.

Reason

98.3 As required under the Local Government Act 2003 and Prudential Code for Capital Finance 2004, the County Council is required to determine its authorised borrowing limit, to adopt the treasury management prudential indicators and limits and agree its treasury management strategy and policy statement.

99 ITEMS TO REPORT TO THE COUNTY COUNCIL

99.1 The Cabinet agreed that items 5, 11, 12 and 13 should be reported to the County Council.

[Note: The items being reported to the County Council refer to minute numbers 90, 96, 97 and 98]

Our Promise

“We will be an efficient, customer focused, accountable local authority, working with partners and local communities: to make a positive difference to local people’s lives; to create a prosperous and safe county; and to provide affordable, high quality services at the lowest possible council tax”

What (note: all but one aspect are one off)

	<u>Proposals</u> <u>£000</u>	<u>Link with</u> <u>Partners</u>
<u>“Prosperous County”</u>		
A funding for protecting the community from recession effects	820	√
One off grants to ES Credit Union (£30k) and Hastings CU (£5k)	35	√
Local Life Show	20	
Investigating Broadband bandwidth in the community	40	√
<u>“Positive Difference”</u>		
Contribution to Climate Change Fund	50	√
Age Concern benefit take up scheme	100	√
Bright and talented Children-Flying High Project	25	
Activities for young people	120	√
<u>“Safe County”</u>		
“Baby P” effects – risk provision (of which £200k is ongoing)	1000	
Rights of way – Address current survey high priorities	150	√
Dropped kerbs and pavements	100	
Highways – Further pedestrian crossings (extra 3 or 100%)	150	
<u>“Customer Focused”</u>		
Transport – pilot community transport initiatives	100	√
Highways – A further two village gangs/”cleaner streets”	200	√
Self issuing machines in libraries	150	
<u>“Efficient”</u>		
Management Capacity Reserve	450	
Additional Invest to Save capacity	450	
	<hr/> 3960	
Available	<hr/>3960	
 <u>Financed by:</u>		
Treasury Management Underspend for 2008/09	3000	
Better than planned council tax base and collection	605	
Unallocated base flexibility	355	
	<hr/> 3960 <hr/>	

	2008/09	2009/10	2010/11	2011/12	2012/13	Cum: 4 Years (% / £000)
Medium Term Challenge						
Desired Council Tax Increase	3.9%	3.5%	3.0%	2.5%	2.5%	11.5%
(see core assumptions for key point)						
Net cash Increase For Services	12,049	7,751	7,751	5,925	6,100	31825 10.5%
Adjusted Spending Pressures	19,424	14,433	14,433	13,997	15,269	63123 20.8%
Savings Required	-7,375	-6,682	-6,682	-8,072	-9,169	-31298 -10.3%

Core assumptions

Council Tax:

Subject to the election of a Conservative Government and the implementation of key policy promises it is assumed a further cash grant would be received to enable the council tax increase to be reduced to zero in 2011/12 and 11/13 providing the initial local plan was limited to 2.5% in the first instance

Formula Grant Increase	3.3% / £3.3m	3.5% / £3.4m	0%
Average interest on balances	1%	1%	1.5%
Council Tax collection and base - '+' or (-)	+ £0.6m	0	0

Normal Spending Pressures adjusted for:

Average of Pay and Prices growth	Avg 1%	Avg 2%
New Recession Pressures	£2.0m	£0.5m
Further Pension increase	£0.5m	£0.5m
Concessionary Fare Transfer	£1.0m	£0.7
National Insurance Increase	£10m	£10m (?)

Note: National efficiency target at 3% pa

Medium Term Task**Development of Departmental Allocations for next 4 years - Key Drivers**

- (1) Need to be realistic about future resources: 'zero' floor and/or neutral tax base may be optimistic and even 2010/11 grant increases may be under threat. The resources could easily be a lot worse.
- (2) In the light of the resources realities all existing policy steers will need to be reviewed for the medium term but
 - protection of adult care core services remains important but the level of previous year on year cash increases is not sustainable at that level going forward.
 - Providing for adequate Safeguarding of children is a must
 - demonstrable increase in annual investment in roads and transport also vital over the next 4 years
- (3) Critically looking to redeploy Area Based Grants (ABG) to cover core risks looks inevitable
- (4) A further step change in efficiency gains across all services now required; including at a minimum to achieve (or at least show) 3% efficiency target delivery in all key service areas
- (5) Reviewing the 'service offer' also inevitable; requiring a radical look at what we do and how we do it