

**Summary of the decisions taken at the meeting of the
Cabinet held on Tuesday 8 November 2022**

1. Date of publication of this summary: 8th November 2022
2. Deadline for requests for call-in (detailing reasons for doing so): 14th November 2022
3. Earliest date for implementation of decisions: 15th November 2022
4. Urgent decisions taken and not subject to the call-in procedure:

Agenda Item and Recommendations	Decision
<p>Agenda Item 4 Reports from O&S: Place Overview and Scrutiny Committee - Tree Policy and Strategy for West Northamptonshire Council</p>	<p>RESOLVED: This item was deferred to the next meeting of Cabinet in December 2022</p>
<p>Agenda Item 5 Any other items from Overview and Scrutiny (including call-ins)</p>	<p>Item 5 a) Corporate Overview and Scrutiny Committee and Place Overview and Scrutiny Committee – recommendations in respect of the Highways and Transport Contract</p> <p>RESOLVED: That Cabinet noted the recommendations of the Corporate Overview and Scrutiny Committee and undertook to consider a report on the issue at a future meeting.</p> <p>REASONS RESOLVED:</p> <p>At its meeting on 28 June 2022, Corporate Overview and Scrutiny Committee and Place Overview and Scrutiny Committee undertook joint scrutiny of the Highways and Transport contract. The two Overview and Scrutiny Committees felt there was a need for all major contracts to undergo pre-scrutiny and that contracts should align with the strategic plans of the</p>

Council and should illustrate how much of the money stays within the local area. It was therefore resolved that they would recommend to Cabinet that:

- a) Major contracts undergo pre-scrutiny;
- b) Contracts should align with strategic plans; and
- c) Contracts illustrate how much of the money stays in the local area.

ALTERNATIVE OPTIONS:

Cabinet is asked to consider the recommendations of Corporate Overview and Scrutiny Committee and Place Overview and Scrutiny and provide a response to the Committee to the recommendations.

Item 5 b) Outcome of the Call-In of the Cabinet Decision of 11 October 2022 – Item 13 Office Optimisation Stage 1 building adaptations budget and disposal

RESOLVED:

- a) Cabinet decided to proceed with the decision on the basis that the matters highlighted by Scrutiny did not require further consideration and to proceed on the basis of the original decision.
- b) Accepted the recommendation requiring all councillors to be provided with the desk plans for the Abbey.
- c) Noted the comments relating to CCTV and confirmed the wish of Cabinet to secure the best possible outcome for residents of Daventry.

REASONS RESOLVED:

In accordance with the Overview and Scrutiny procedure rules (11.7), if a decision is referred to the original decision maker (in this case Cabinet), Cabinet shall then reconsider the matter, taking into account any concerns and recommendations of Corporate Overview and Scrutiny Committee and make a final decision, amending the decision or not and give reasons for the decision.

As this is a decision relating to an Executive function only, Cabinet can ultimately decide the matter, provided that it is in accordance with the Council's budget and Policy Framework.

ALTERNATIVE OPTIONS:

Cabinet is asked to reconsider the decision taking into account any concerns and recommendations of Corporate Overview and Scrutiny Committee and make a final decision amending the decision or not and give reason for the decision.

The options available to Cabinet were to:

a) Accept one or more recommendations from the Scrutiny Committee and delay the decision in order to consider additional information.

b) Decide to proceed with the decision on the basis that the matters highlighted by Scrutiny do not require further consideration and to proceed on the basis of the original decision.

c) Accept or reject the recommendation requiring specific action eg provide councillors with copies of desk plans.

**Agenda Item 6
Rural England Prosperity Fund**

To note the addendum to the UK Shared Prosperity Fund to draw down the Rural England Prosperity Fund

RESOLVED: that Cabinet

a) Noted UK Government had advised WNC as the Lead Authority for REPF (£1,367,953.00 for a two-year provisional maximum allocation and the requirement to develop a REPF addendum to the UKSPF Investment Plan

b) Endorsed the approach to develop the REPF Investment Plan by sourcing evidence and liaising with internal and external stakeholders, as well as Councillors

c) Noted WNC must submit the Rural Fund addendum by 30 November 2022

REASONS RESOLVED:

	<p>1) To ensure West Northamptonshire benefits from this grant funding to enhance the community, boost the economy and support local residents and businesses.</p> <p>2) To deliver local economic growth, particularly with the impending loss of EU funding and the need to utilise UKSPF & REPF to deliver positive economic development within the community.</p> <p>ALTERNATIVE OPTIONS: To not develop and submit an Investment Plan for the Rural England Prosperity Fund would result in a loss of major potential investment into the area, which would be used to support the community and place and provide business support.</p>
<p>Agenda Item 7 SEND Strategy Development</p> <p>To agree new governance and approach to develop a new strategic approach to SEND improvements.</p>	<p>RESOLVED: That Cabinet:</p> <ul style="list-style-type: none"> a) Supported the development of a three year SEND Delivery Plan as outlined in this report in paragraph 6.3. b) Supported the new governance structure highlighted in this report in paragraph 5.8. c) Agreed to receive timely updates about progress in relation to the development of a new SEND Delivery Plan and Co-production Charter as outlined in the report. <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> 1) To ensure that the Council is meeting its statutory duties in relation to SEND provision, and to provide a strategic framework to ensure all available resources are used appropriately. <p>ALTERNATIVE OPTIONS: Due to the changes from DfE and OFSTED outlined above, the likely changes to the local governance structure, and the need to make improvements for children with SEND, a change in the way SEND is led in WNC is needed – doing nothing is not an option.</p> <p>To meet the requirements of the new DfE and OFSTED/CQC approaches, the local area partnership: led by the Council but comprising health services, social care, education providers, community and</p>

voluntary organisations and children and families will be required to review the new national SEND delivery plan when it is announced, and the new inspection framework to

produce a self-assessment to determine an overview of the local area's delivery new local SEND delivery plan. It is recommended that a three-year improvement plan is developed that captures all work needed across Education, Health and Care services for children with SEND.

A detailed needs assessment is required to inform the local SEND delivery plan – this will need to include the demand for access to specialist education, health and care provision and should be created to reflect the local needs within the different localities within West Northants.

The Council has a statutory requirement to co-produce strategic, operational and individual plans with partners, parents and children/young people. It is recommended that a new Co[1]production Charter will be developed through co-production events that will be coordinated across all areas in WNC, and online. These events are planned for November and December 2022 and will involve children and young people, parents, school-based staff, health and care professionals and other interested organisations. This approach is currently being developed with the Northamptonshire Parent Forum Group (the group that represents parents' voices in WNC).

**Agenda Item 8
Abington Park Facilities**

RESOLVED: That Cabinet

- a) Approved a capital budget of £1.2m in 2023/24, funded from CIL, to remove the existing and provide replacement public welfare facilities at Abington Park East, and recommended to Council that the budget be amended accordingly.
- b) Authorised the procurement of services and works, award and completion of contracts to facilitate the works subject to consultation with and the approval of the Cabinet Member for Housing,

Culture & Leisure, and the Cabinet Member for Environment, Transport, Highways & Waste.

REASONS RESOLVED:

- 1) To provide an important public amenity.
- 2) To support and encourage the use and enjoyment of Abington Park.
- 3) To reduce the safety risk associated with people, especially children, crossing Park Avenue South to access the remaining open public toilets.
- 4) To reduce potential for anti-social behaviour by removing the existing building and enabling a new facility to be located and designed to minimise this risk.
- 5) to ensure that the final design is suitable and meets with members' approval.

ALTERNATIVE OPTIONS:

The choices available to the Council are as follows.

- a) Do nothing and leave the building closed in its current condition: This would not enable the Council to mitigate against future vandalism and damage or prevent those determined to access the flat roof from doing so, thus retaining a safety risk. It is highly likely that the building would become so damaged that it would be unsafe to remain in situ. The current condition of the building creates a negative visual image of the park, and consequently the Council, leading to reputational damage. The option does not support the Council's objects for safer communities and improving health and wellbeing.
- b) Demolish the existing facility and retain the provision on Abington Park West: This option would enable the Council to mitigate against continued vandalism and removes an unsightly building from the park. However, it would reduce public welfare facilities. The Council would not be providing the required

changing facilities for paying user of the park's facilities or meet the need of users of the play area and lakes. The option would not support the Council's objectives for improving health and wellbeing.

- c) Refurbish the current facility and bring this back into public use: Works to the building would still require circa £120k to ensure the building was initially safe for use. This would include altering sanitaryware, improvements to seating/benches, vanity units and cubicles, doors etc. although these works would make an aesthetic improvement to the building and improve its resilience to damage to a degree. However, it would still be prone to vandalism and critical failure. Nor is the existing building, even if it was not vandalised, an attractive addition to the park.
- d) Approve £1.2m capital funding in 2023/24 to demolish the existing facility, bring the area back into public use, and provide a relocated facility: This would remove the current safety risks and reputational harm, and enable the Council to mitigate against future vandalism and damage. It would support the Council's objectives for safer communities and improving health and wellbeing.

Option D above is the only option that enables the Council to effectively support its objectives and provide the facilities to enable income for use of the parks football pitches. Option D also provides an opportunity to design and construct a new facility with high levels of energy efficiency and sustainability, thus contributing to achieving the target of Net Zero by 2030, and other visual and environmental improvements

**Agenda Item 9
Social Care Charging Reform Update**

RESOLVED: That Cabinet
a) Agreed to the Council consulting with the public for 28 days in respect of the new Self-funder Arrangement Fee.

Feedback obtained from the consultation period will be provided to cabinet for decision making in February 2023.

- b) Acknowledged the changes required to the Fees and Charges Policy because of social care reform and the impact these reforms will have to the Council and the residents of West Northamptonshire.
- c) Noted the utilisation of the 2022/23 DHSC Fair Cost of Care and Market Sustainability fund.

REASONS RESOLVED:

- 1) To enable West Northamptonshire Council to meet the changes as stated in the Governments Social Care reforms and the statutory requirements originally set out in the Care Act 2014, by the 1st October 2023.
- 2) To engage with the public on a 28-day consultation period, which will allow the Council to generate people's awareness of the imminent changes to social care and gather feedback to allow Cabinet to make an informed decision regarding the introduction of the Self-Funder Arrangement Fee.
- 3) To be consistent with previous proposed changes to the Fees and Charges Policy and additional charges being asked of the residents of West Northamptonshire Council.
- 4) To provide awareness to Cabinet relating to the utilisation of the DHSC Fair Cost of Care and Market Sustainability grant.

ALTERNATIVE OPTIONS:

Option 1 (recommended) – Agree to a public consultation which will enable the Council to meet the changes as stated in the governments Social Care reforms and advise on the Self-Funder Arrangement Fee. This approach would be consistent with previous proposed changes to the Fees & Charges Policy.

Option 2 (Not recommended) – Do nothing and continue not to charge for arranging care on behalf of a self-funder. However,

	<p>given the expected increase in demand, additional Council funding will be required so that situations where people are left with no support are mitigated.</p>
<p>Agenda Item 10 Director of Public Health Annual Report</p>	<p>RESOLVED: That Cabinet</p> <ul style="list-style-type: none">a) Noted the contents of the report and recommendations made.b) Also noted the progress made with regard to the recommendations in the previous annual report. <p>REASONS RESOLVED:</p> <ul style="list-style-type: none">1) It is a statutory obligation for the DPH to write and circulate an Annual Report and to include recommendations for council and partner agencies to follow. <p>ALTERNATIVE OPTIONS:</p> <p>Each year the DPH must decide on a topic that the annual report will cover in that period. At the time of making this decision the pandemic had already begun and was clear it was going to be a dictating factor in the Public Health world for some time. Great examples of collaborative working were already apparent and this seemed to be a natural, but important focal point in the fight against Covid. Working with our partners, both internal, external and in the community, is something that Northamptonshire is proud of and is keen to advocate and develop for the benefit of all, now and in the future. Learning from the experiences that were had over the last two years to ensure the effective relationships and working arrangements continue, seemed to be a perfect focus for the DPH Annual Report. It is therefore hoped that sharing this learning with partners and the community will help people to understand how partnership working can be effective, how it can be developed and also give an understanding of the incredible work that went on behind the scenes in Northamptonshire to keep people informed and supported in this particularly difficult time in our history.</p> <p>As much of the work done over the last two years has been focussed on COVID-19 it felt sensible to have the report span the</p>

	majority of the pandemic which is why the report is a two year report.
<p>Agenda Item 11 Northamptonshire Safeguarding Children Partnership Annual Report</p>	<p>RESOLVED: That Cabinet</p> <p>a) Received the Northamptonshire Safeguarding Children Partnership's Annual Report 2021-22 (Appendix A) and noted the findings.</p> <p>REASONS RESOLVED:</p> <p>1) Under Working Together to Safeguard Children 2018, the three key strategic lead agencies are accountable for safeguarding children and young people, including the Local Authority, who in turn are required to publish an annual report. This report provides assurance to the Council of the activities undertaken by the partnership and its agencies to safeguard children and young people across the county during the reporting period.</p> <p>ALTERNATIVE OPTIONS: The report is for information only.</p>
<p>Agenda Item 12 Economising on mobile telephony</p>	<p>RESOLVED: That Cabinet</p> <p>a) Delegated authority to the Executive Director of Corporate Services in consultation with the Cabinet Member for HR & Corporate Services to award and enter into a renegotiated contract with our existing supplier.</p> <p>REASONS RESOLVED:</p> <p>1) Renegotiating the contract will enable the Council to achieve a reduction in the order of £134k per annum for WNC against the existing contract cost as well as reduction in cost for our partners North Northamptonshire Council and the Children's Trust. The latter impacts directly on the cost to the Council.</p> <p>ALTERNATIVE OPTIONS: If councils wait until June to go through procurement, there will be a missed opportunity for 6 months of savings; approximately £67k in savings for WNC and NNC, and £45k for NCT. Missing this</p>

opportunity is unwise in the current harsh economic landscape. There is also a medium risk that should a different supplier be selected, SIMs would not be transferred over to a new supplier in time, alongside existing project timelines.

Opting out of a full procurement in June means we will not be able to test the market for an even cheaper solution. However, given the current macroeconomic state, officers deem it unlikely that costs can be driven down further than a 56% reduction in price.

Should officers agree to renegotiate the existing contract now, this would be done through a procurement framework, under a Direct Award Contract (DAC). DACs occur when a contract is awarded to a contractor without a competition, when there is only one appropriate supplier who can meet the criteria, or when there is a material change to an existing contract; the latter two factors would apply here as we would need a) continued service, and b) a significant change in the existing contract. All DACs over a value of £30k must be published.