# Cabinet

A meeting of Cabinet was held on Thursday, 3rd October, 2013.

**Present:** Cllr Robert Cook (Chair); Cllr Jim Beall, Cllr David Coleman, Cllr Ken Dixon, Cllr David Harrington, Cllr Steve Nelson, Cllr David Rose and Cllr Michael Smith.

**Officers:** N Schneider (CE); J Danks, B Brown, L King (R); P Dobson, R Poundford, J Nixon, J Edmends, D Kitching (DNS); S Willson, L Hanley (CESC); P Kelly (PH); D E Bond, P K Bell (LD).

Also in attendance: Members of the Public.

Apologies: Cllr Mrs Ann McCoy.

## CAB Declarations of Interest

#### 70/13

Councillor Smith declared a declared a personal non prejudicial interest in respect of agenda item 6 – Economic Climate Update as he had a family member that worked for Tees Achieve.

Councillor Nelson declared a personal prejudicial interest in respect of agenda item 8 – Care Ready Retirement Housing (Billingham) as he was a Member of Tristar Board. Councillor Nelson made representations after the report had been introduced but did not speak during consideration of the item and did not vote.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 10 – Mitigating the Impact of Welfare Reform – Policy and Delivery as he was a Member of Tristar Board.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 11 – Welfare Reform Monitoring Update as he was a Member of Tristar Board.

## CAB Minutes

#### 71/13

The minutes of the meeting held on 4th September 2013 were confirmed and signed by the Chair as a correct record.

## CAB LA Nominations

## 72/13

In accordance with the procedure for the appointment of school governors, approved as Minute 84 of the Cabinet (11th May 2000), Cabinet was requested to approve the nomination to school Governing Body as detailed within the report.

RESOLVED that appointments be made to the vacant Governorship subject to successful List 99 check and Personal Disclosure, as follows:-

Ash Trees School - Ali Aston Crooksbarn Primary School - Councillor D Wilburn Fairfield Primary School - Mrs S Lowry Levendale Primary School - Mr D Massey Village Primary School - Mrs S Smart

# CAB City Deal and Growth Strategy

# 73/13

Consideration was given to a report on City Deal and Growth Strategy. A range of initiatives through central government which could make significant levels of financial resources available across the Tess Valley were being pursued through the Tees Valley LEP. The report provided information on identified priorities, potential funding and timescales for progressing submissions to Government.

With regard to the next steps the time table was as follows:-

- Minister (Greg Clark) Challenge Session on 17th October
- Final deadline for submission on 23rd October
- Local Growth Working Group (Panel of Ministers) on 6th November

To accommodate this Tees Valley Unlimited (TVU) were seeking agreement from each of the Boroughs by 8th October to the principles set out in the proposal and delegated authority as appropriate to the final submission before 23rd October.

The submission would be in the form of a 20 page document that would be based on the slides attached to the report. The need for delegated authority was because the content was likely to change to some degree after the Challenge Session and prior to 23rd October.

TVU's Leadership Board would have a special meeting on 3rd October to approve in principle and give delegated authority to the Chair and Managing Director to finalise submission post the Challenge Session.

# **RESOLVED** that:-

1. The proposal as set out in the slides that were attached to the report be approved.

2. Delegated authority be given to the Corporate Director of Development & Neighbourhood Services in consultation with Cabinet Member for Regeneration & Transport to agree the final submission prior to 23rd October.

# CAB Economic Climate Report

74/13

Consideration was given to an update report on the Economic Climate. The report provided Members with an overview of the economic climate, outlining the effects that this was having on Stockton Borough, and the mitigations already in place and those being developed in response to this.

A report was submitted to Cabinet in December 2008, which set the scene of the economic downturn, and the effects that the global recession and economic

climate were having on businesses, rising unemployment, and mortgage repossessions.

The monthly update report would enable a focussed account to be made of any recent changes to economic circumstances (both positive and negative), the direct impact that this may be having on the Borough, and the responses and mitigations either in place or being developed to support businesses and residents. Attached to the report was a summary of those changes and responses.

RESOLVED that the content of the report and support the work being undertaken be noted.

# CAB Implementation of the Scrap Metal Dealers Act 2013

75/13

The purpose of this report is for Members to consider how the Council implements the new licensing regime for scrap metal dealers contained in the Scrap Metals Dealers Act 2013. The new provisions come into effect from 1st October 2013 with a transitional period until 1st December 2013.

The report detailed that increases in metal theft, driven by the rise in scrap values, were estimated to cost the economy between £220 and £700 million a year. The legislation, which dated from 1964, was ineffective in dealing with a problem that caused disruption and increased expense to energy supplies, transport, telecommunications and local authorities.

The Scrap Metal Dealers Act 2013 was passed by Parliament in March 2013. The Home Office commenced the implementation of the Act on the 1 October 2013, with a transition period running until 1 December 2013. Businesses holding a registration under the previous legislation would be able to continue to trade legally if they submit an application under the new Act before the 15 October 2013.

The legislation repeals the old Scrap Metal Dealers Act 1964 and parts of the Vehicles (Crime) Act 2001 and brought forward a revised regulatory regime for the scrap metal dealing and vehicle dismantling.

Responsibility for enforcement lay with the Police and Local Authorities. Regional discussions were on-going with Police Forces to decide on enforcement roles and leads. It was envisaged that the Police would continue to lead on scrap metal issues.

The key features of the new Act were detailed within the report.

A new policy had been drafted which set out how the Council would process, assess, and decide licence applications. A copy of this draft policy was attached to the report.

The Licensing Committee considered the draft policy at their meeting on 17 September 2013 and welcomed the new regime as they felt it provided an improvement on the exiting system of registration but they raised a number of concerns about the new rules. These related to the absence of any new environmental requirements to resolve issues that had arisen at sites where processing and handling of scrap took place; the fact that gold and silver had specifically been excluded from the new rules; the fact that waste transfer sites had not been specifically included in the legislation and they were concerned that no additional funding had not been provided to deal with enforcement at unlicensed premises.

At the time of this meeting there were 49 scrap dealers registered with the Authority. 43 of these were itinerant collectors i.e. they did not have a scrap metal store. There were 9 motor salvage operators registered with the Authority.

With regard to fees scrap metal registration under the old Act was free and the fee for a motor salvage operator registration was £70. The new fees had been set in accordance with Home Office guidance and reflected the cost involved in processing and assessing applications in addition to compliance checks across the 3 year lifetime of the licence and not in relation to the size of a business. Lower fees had been set for collectors to reflect the reduced inspections expected at these businesses. The fees under the new Act were detailed within the report.

#### **RESOLVED** that:-

1. The draft Scrap Metal Dealers Act 2013 Licensing Policy as detailed in Appendix One to the report be approved.

2. The proposed scheme of delegation as outlined in Appendix One of the proposed Policy be approved.

# CAB CARE READY RETIREMENT HOUSING (BILLINGHAM)

#### 76/13

Consideration was given to a report on Care Ready Retirement Housing (Billingham). Approval was sought for the sale of the 'car park site' (directly adjacent to Billingham Community Centre) for the provision of a mixed tenure, 'Care Ready', retirement housing scheme and to sought support for an additional one-off resource to fund the necessary car park re-provision.

A previous report was presented to Cabinet (November 2012) which sought approval for disposal of the same site (the car park site directly adjacent to Billingham Community Centre) for a 56 unit mixed tenure Extra Care Housing scheme and to support funding to provide like-for like car parking re-provision. Whilst Cabinet supported the need for accommodation of this nature (and the necessary car parking re-provision), the proposed new housing scheme did not secure planning consent and therefore did not proceed.

In light of changing demographics in the Borough (specifically an increasing aging population) and the continued demand for people to live independently in a home of their own; there was a clear need for additional elderly person's supported accommodation in Billingham that would complement the Boroughs three current Extra Care schemes (at Hardwick and Thornaby). Inevitably

unless the Council were able to address this imbalance there would be increasing demands placed on housing, social care and health budgets. On this basis, further discussions had taken place between Housing / CESC colleagues and the Vela Group to consider alternative older persons housing schemes and if possible to identify alternative locations in the Billingham area. As it had not been possible to identify a viable alternative site within the Billingham area, a new older person's housing scheme for the same car park site had been worked up with Vela.

The new proposal did not include guest facilities, a bistro or on site ancillary services such as a hairdresser and as such cannot be classified as Extra Care. However it would still retain the following features:-

\* Self-contained apartments (i.e. all 38 units will have their 'own front door' and will continue to support independent living);

\* An assisted bathroom (providing bathing facilities for residents with specific bathing requirements);

\* Appropriate staff/office accommodation;

\* Buggy store (for electric wheelchairs etc);

\* Furnished lounges and hobby areas for residents; and

\* Private landscaped gardens and on-site car parking (sufficient for residents, staff and visitors).

The new scheme would continue to allow all properties to be 'care ready' i.e. each residents care and housing related support services would be able to adapt quickly should individual care needs change. As such the scheme would promote health, well-being and independence for older people with the overarching aim of preventing (or as a minimum delaying) the need for accommodation and care in a registered care home. A scheme of this nature would make a positive contribution to a wide range of health, social care and public health outcomes.

Of the 38 units it was proposed that 28 would be made available for affordable rent, 5 on a shared ownership basis and 5 for outright sale. Whilst this would be the first older persons housing scheme to offer this tenure mix / choice within the Borough other examples do exist in neighbouring authorities.

The proximity of the housing scheme to Billingham Community Centre also offered learning opportunities for scheme residents as well as the option of using the café facilities (currently run by BCT Aspire a local social enterprise company).

The total scheme cost of the 'Care Ready Retirement Housing' scheme was anticipated to be in the region of £3.5million. Vela had been notified that they had successfully secured £366,000 from the Homes and Communities Agency (HCA) 'Affordable Homes Rent Guarantee Programme' (a new funding pot).

As reported to Cabinet in November 2012, Government via the HCA had driven down the level of grant awarded to Registered Housing (RP) providers over recent years and as such RPs were expected to fund the development of new homes via a mixture of rental income, reserves, borrowing and as is the case here income from sale units. At the same time the HCA also expected local authorities to make the best use of their assets which included the sale of land at less than open market value (if evidenced it is both necessary and appropriate).

A valuation exercise had been undertaken to assess the value of the land which the Council was considering to dispose of in accordance with the requirements of the Local Government Act 1972: General Disposal Consent (England) 2003. The unrestricted value of the cleared car park site (which was the best price reasonably obtainable for the land with no restrictions) was £400,000 (this assumed no significant abnormal cost of development). To make this scheme financially viable it was proposed (subject to satisfying the statutory requirements) that the Council sells the site at an undervalue. The valuation would be reassessed prior to the actual disposal to ensure that the assumptions remain appropriate.

Prior to the November 2012 Cabinet the survey of the car park concluded that its usage reached only a maximum 58% of its capacity and as the Borough wide parking strategy was yet to conclude, Members supported the proposal for 'like for like' car parking (in terms of numbers) and agreed to construct part of the new car park with macadam, with the remaining bays to be formed with a temporary construction. This solution was proposed to avoid any over-provision of car parking until the actual needs of the town centre were established. On this basis Cabinet supported £230k of capital resources to be set aside for this purpose.

In the intervening period, Technical Services had advised that to ensure on-going and appropriate levels of car parking provision for Billingham Town Centre it was appropriate that a permanent car park be provided on a 'like for like' basis. The existing car park site provided 87 spaces, the proposed new car park to be relocated to the rear of the existing Community Centre would provide 89 spaces including 4 disabled spaces. This 'like for like' re-provision would ensure car parking was retained in the town centre for visitors as well as ensuring suitable car parking for Tees Achieve customers, employees and others attending community learning sessions in Billingham Community Centre.

The proposed layout indicated how the car park would be positioned and still retained the important trees that were visually prominent. It would be built to SBC standards, benefit from street lighting and be served by CCTV which would be monitored by the Councils surveillance centre. In addition it would include improved footpath linkage both within the car park and to the Causeway. As a result of the need to make all 89 spaces permanent and to include the features detailed the revised costing was £400,000.

Both the Vela Group and Technical Services had confirmed that they would be in a position to proceed with submitting a planning application (in tandem). Once both had secured planning permission the car park re-provision would then commence, only when complete would the 'original' car park site be released to Vela.

A definitive timetable which incorporated both developments was being drafted (to take into account of planning, tender and build timescales etc.), it was anticipated that once Vela commence works the build time for the new housing scheme would be 12 months. Once a firm timetable is agreed copies would be shared with Billingham Ward Members and appropriate Cabinet Members. **RESOLVED** that:-

1. Subject to the Vela Group securing planning consent to dispose of the 'car park site' (car park directly adjacent to Billingham Community Centre) for the purpose of a mixed tenure 'Care Ready' retirement housing scheme be approved.

2. It be acknowledge that to secure a financially viable affordable housing scheme it will be necessary to dispose of the site at less than its un-restricted market value. On this basis Cabinet approved (subject to Vela securing planning consent) the sale of the site at an 'undervalue' in accordance with the General Disposal Consent. Whilst it is anticipated that there will be no initial capital receipt, disposal terms will include the provision for sharing future profits should any be generated from the granting of long leaseholds (i.e. the sale units).

3. Approval for the terms of the disposal be delegated to the Corporate Director of Resources in consultation with the Cabinet Member for Corporate Management and Finance.

4. Recommend to Council approval of an additional £170k from capital one-off resources (in addition to the £230k already set aside) to fund 'like for like' car parking re-provision to the rear of Billingham Community Centre. The revised cost of the new car park is £400k as detailed in paragraph 13 of the report.

# **RECOMMENDED** to Council that:-

5. An additional £170k from capital one-off resources (in addition to the £230k already set aside) be approved to fund 'like for like' car parking re-provision to the rear of Billingham Community Centre.

# CAB Winterbourne View Update

77/13

Consideration was given to a report that provided an update on Stockton's position with respect to partnership work, led by the Clinical Commissioning Group (CCG), to implement the requirements of the Joint Improvement Programme, following the exposure of abuse at Winterbourne View Independent Hospital.

Following the exposure of the abuse at Winterbourne View Independent Hospital a Serious Case Review was conducted and published in August 2012. The investigation resulted in a number of staff being prosecuted and Castlebeck Care closed Winterbourne View (Castlebeck Care had been acquired by Danshell care, a provider of specialist learning disabilities, autism and acquired brain injury services). A Concordat (Programme of Action) was published in December 2012 that set out how the NHS and Local Authorities, with the support of the Association for Directors of Adult Social Services and Association of Directors of Children's Services, would reform how care was commissioned and provided for people with a learning disability. It was recognised that a number of clients may also have autism, mental health issues and, as a result, may demonstrate behaviour that challenges.

The regional Winterbourne Implementation Group (a subgroup of the North East and Cumbria Learning Disability Clinical Network) was leading this work locally. The group members were drawn from health and social care commissioners, clients, carers and providers.

The main areas identified for action were to:-

• Complete and maintain a register of patients from March 2013

• Identify people who are placed in an 'in-patient' learning disability service.

• Review all people with a learning disability who are currently placed in an 'in-patient' learning disability service.

• Identify people in 'inappropriate' placements.

• Agree a plan to move these people (to involve client, family and advocates as appropriate).

• Clinical Commissioning Groups (CCGs) to develop commissioning plans with Local Authorities to move these people to Community Placements (by June 2014).

There were no assessment and treatment centres in Stockton for people with learning disabilities. At the start of the planning process, Stockton residents were identified within assessment and treatment facilities within the Tees Valley and were subject to clinical reviews of their care needs. The concordat also articulated additional elements that were recommended to be part of the in-patient review process.

In order to ensure that the reviews met the required principles and were able to inform future commissioning plans more accurately, local templates were developed through the Tees Learning Disability Integrated Commissioning Group (TICG). The templates were used to undertake some additional review work through the use of an independent reviewer for those people who had not already received an individual service design (ISD). This work considered the format and content of the review with regard to it being patient centred, accessible, and that it supported local commissioning planning. All of this work was completed by July 2013.

The reviews undertaken and the ISD process identified a number of areas where improvements could be made. Whilst there was assurance that everyone identified was safe and their needs had been suitably identified, areas for improvement were highlighted and have been incorporated into the draft joint plan that was being developed by the CCG, in partnership with the Local Authority. Key requirements of planning were to:-

1) Develop Joint Specifications for the procurement of services and develop quality assurance standards/tools

2) Agree proposals for the future assessment and treatment requirements and community infrastructure

3) Develop and ensure delivery of a market development programme

4) Review and refine admission/discharge and joint working protocols including accessible documentation and communication systems.

5) Develop processes for on-going monitoring of service provision in relation to people whose needs are complex.

6) Develop and deliver a Joint Advocacy Framework for Tees to ensure that advocacy support is available and accessible to people whose needs are particularly complex.

7) Engage further with Children's services to ensure seamless planning and transition

Service design, procurement, commissioning and transition plans were key deliverables to achieve safe long term solutions.

However, the timescales identified nationally for the Winterbourne View work streams were a particular challenge, given the complexity of the needs of the people identified and the risk of re admission to twenty-four hour care.

As each person identified would require individually designed and commissioned long term solutions, this could also present further challenges with regard to additional costs for individual packages of care and the increased need for community infrastructure with regard to behavioural and intensive intervention services. Failure to ensure that the 'move on' provision was robust and well planned could result in placement breakdown and the potential for re-admission to twenty-four hour care.

Further reviews had been undertaken by NHS England, rather than the CCG, for those people whose care was being commissioned through the specialist services function. Across the Hartlepool and Stockton CCG, a number of people had been identified whose cases were being managed through this service and work was in progress to determine the number of these who were Stockton residents. These clients were all placed in low or medium secure inpatient NHS provision within the region.

Through planning for transitions in children's services, information on young people who may require services in adulthood was shared so that appropriate provision could be made. The main vehicle for this was the multi-agency Transitions Forum which met on a regular basis. The Senior Social Worker in the Complex Needs Social Work team had responsibility for transitions and liaises with young people, families, adult services and health services. This included provision of information for commissioners. The 16 – 19 Officer also works to commission education provision for young people post 16 and to plan ahead. This work involved close liaison with other agencies. When young people were placed out of area monitoring of the placement was undertaken by relevant officers in children's services.

An update on planning for Stockton adult clients whose care management was led by the CCG was attached to the report.

The Initial Stocktake of Progress against key Winterbourne View Concordat Commitment document for Stockton, submitted to NHS England and the Local Government Association was also attached to the report.

**RESOLVED** that:-

1. The report be noted.

2. The plan to address the requirements of the Winterbourne View Concordat be supported.

# CAB Mitigating the Impact of Welfare Reform - Policy and Delivery 78/13

Consideration was given to a report on mitigating the impact of Welfare Reform – Policy and Delivery.

The report presented a summary of the strategic approach, approved policies in place and activity to support local residents in dealing with the economic climate generally and to mitigate the impact(s) of the Welfare Reform Act specifically as they emerged.

Previous reports to Cabinet had detailed the introduction of the Welfare Reform Act 2012 which set out Government's intention to reform the benefits and tax credits system to provide greater incentives to work and have included details of how the impact would be monitored. The first monitoring report was being reported to Cabinet and would be the subject of regular reports to cabinet.

The report provided a summary of the strategic approach being taken to support residents across the Borough in relation to the impact the economic downturn. The report also sets out the work, in more detail, that was being undertaken in relation to policy development and activity to those specifically affected by the impact of the Welfare Reform Act. It was noted that in some instances it was difficult to evidence the impact was directly as a result of welfare reform rather than the wider economic climate. Furthermore, the evidence of impact of the changes introduced in April and July was still emerging.

In line with the Councils approach to evidence based policy development, the report included examples of where policies had already been amended to take account of anticipated and emerging impact. As the data and intelligence (for example via case studies) from the monitoring framework was gathered over time it was anticipated further evidence of direct impact to emerge to shape further policy.

It was noted that the main content of the report was focused on the Council's response to mitigating the impact of the welfare reform changes, although reference was made to key partners such as Tristar. The report did not capture the detail of the wide range of activity being undertaken, for example, by the voluntary and community sector, in supporting those affected by welfare reform and the wider economic climate.

With regard to the next steps the network of meetings and forums both locally and regionally, along with monitoring and activity data being collated, would be used to inform future policy and service delivery as the changes following the introduction of Welfare Reform continue to embed. Although the Council and partners were responding and reacting to individual circumstances as necessary where policy or procedures were causing undue difficulties, no significant change to agreed policy needed to be undertaken, until further evidence was available to support change or following a review of impact.

The complex nature of this legislation and the possible multiple impact of the individual elements of the reform meant that in some areas this may take a minimum of 12 months before a full understanding / impact was known, especially given the delay in implementation of Universal Credit.

The monitoring framework, review programme, networks, planned consultation and commissioned research would provide the necessary evidence to support and inform future strategies and policies to deal with the impact of the legislation and continue the Council policy to support the vulnerable and target resources to those most in need.

Members would continue to receive regular updates to Cabinet linked to the monitoring framework in place to monitor Welfare Reform at both a local and regional level.

**RESOLVED** that:-

1. The approach being taken to support residents in dealing with the current economic climate in general be noted.

2. The proactive and evidence led approach being taken to mitigate specifically the impact of Welfare Reform and the activity undertaken to date be noted.

3. It be noted the evidence relating to specific impacts of the various elements of the Welfare Reform Act is still emerging and is being regularly reported to Members through the agreed monitoring framework (Qtr 1 2013/14 Welfare Reform monitoring report also on the agenda for this Cabinet meeting) and regular sessions on the Members Policy Seminar agenda.

## CAB Welfare Reform – Monitoring Update

79/13

Consideration was given to a report that presented an update on Quarter 1 monitoring of the impact of Welfare Reform legislation, across our Borough.

Previous reports had detailed the introduction of the Welfare Reform Act 2012 which set out Government's intention to reform the benefits & tax credits system to provide greater incentives to work. The report provided details of the first quarters monitoring using the framework agreed by Members in July 2013.

Welfare Reform meant several changes to benefits, the introduction of which was staggered across different geographical areas and over a period of time, as detailed below:-

• Universal Credit (Roll out delayed from October 2013).

• Personal Independence Payment (introduced Stockton in April 2013 as part of

a national pilot).

• Under Occupancy/ Restriction to Housing Benefit (April 2013).

• Transfer of responsibility for elements of The Social Fund to Local Authorities (April 2013).

• Local Council Tax Support Scheme (April 2013).

• The Benefit Cap (15th July 2013).

By July 2013 all reforms were introduced into the geographical area of Stockton with the exception of Universal Credit. The DWP had announced that the rollout would be delayed with further pilot work taking place in 6 areas across the country. Further work would also be undertaken on the national IT system that was required to facilitate the rollout and operation of Universal Credit. It had also been determined that more training was required for clients in support of future on line access, which was a requirement of the new Universal Credit benefit. Further updates on the timeline of the rollout would be provided once known.

Members agreed a framework for monitoring the impact of the Welfare Reform which included both qualitative and quantitative data collection as detailed below:-

• Monitoring of performance indicators and activity data.

• Case Studies – To capture multiple impacts not always collectable through data sets.

• Use of Survey Data to capture, impact on lifestyles, mood, feeling happy / healthy / positivity measures.

Work on developing the definitions and source of the information for the performance measures had been underway since agreement in July. Available data had been collected retrospectively for the first quarter of this financial year and was attached to the report.

Further work had been on-going to develop the outstanding definitions and gather data for the remainder of the measures along with some historical data and context where appropriate. Measures identified in the appendix, under the "other category" would be supported with narrative at Quarter 2. Case studies would also be provided. This would allow for fuller reporting from Quarter 2 onwards with some analysis, trends and context. A report was scheduled for Cabinet in November 2013.

A number of the measures were being collected to the same definition across the region. This would allow for comparisons between authorities in the region and provide data that could be aggregated to identify impact on the region. Where available this would form part of the regular report to Members.

A template had been developed to capture case studies through a number of organisations supporting those impacted by the Welfare Reform changes. These would be collated and discussed at the Welfare Reform Board and reported to Cabinet as appropriate.

The Council viewpoint panel were to be used to monitor impact on lifestyles, mood, feelings of wellbeing etc. One survey a year would be used to capture this information. This would take place towards the end of the first year of the reforms.

Data and analysis from all 3 methods of collection would be used to inform:-

- Policy Shaping
- To provide information to the Elected Leadership and Executive of the Council
- To benchmark regionally / nationally
- To identify any emerging trends.
- Measure short, medium and long term impact
- Lobby as appropriately.

With regard to the next steps the information would continue to be collected on a quarterly basis with regular updates to the Welfare Reform Board, CMT and elected members through Cabinet, Scrutiny and Members seminars. Information would be shared regionally through ANEC and the Institute of Local Governance who had been commissioned regionally to monitor the short medium and long term impact of these reforms.

RESOLVED that the report be noted.