

Cabinet

A meeting of Cabinet was held on Thursday, 22nd April, 2021.

Present: Cllr Robert Cook (Chair), Cllr Jim Beall, , Cllr Nigel Cooke, Cllr Lisa Evans , Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr Michael Smith

Officers: Julie Danks, Margaret Waggott, John Devine, Rachel Harrison, Nigel Hart, Michael Henderson (MD), Beccy Brown, Julie Butcher (HR&L), Garry Cummings, Martin Skipsey ,(F,D&BS), Martin Gray (CHS), Reuben Kench (CL&E), Jamie McCann (CS), Ann Workman (AH).

Also in attendance: Cllrs Clark, Gamble, Hall, Riordan, Stephenson and Mrs Walmsley.

Apologies: N/A

CAB 76/20 **Declarations of Interest**

Cllr Beall declared a personal, non-prejudicial interests in respect of the item entitled LA Governor Appointments as a result of his spouse being one of the nominee Governors proposed.

Councillor Cook declared a personal, non-prejudicial interest in respect of the item entitled Minutes of Various Bodies as he was a Board member on the Tees Valley Combined Authority.

CAB 77/20 **Minutes of the Meeting held on 18th March 2021-For Approval/Signature**

The Minutes of the Meetings held on 18th March 2021 were agreed and signed as a correct record.

CAB 78/20 **COVID-19 Update**

Cabinet with were provided with an update on COVID-19, 12 months on from the first lockdown, and the Council's response over this period. The update summarised the impact of COVID-19 on the borough, and the impact it had had on the Council, and the Council's response and recovery in both the short, medium and long term.

In Stockton-on-Tees as at 31st March 2021, there had been 15,669 people who had had confirmed cases of COVID-19. There had been 490 COVID-19 related deaths registered for residents of Stockton-on-Tees. Although the number and rate of cases and the death rate had been relatively low in Stockton-on-Tees, the impact on the economy and on people's way of life had been significant.

COVID-19 had also had a significant impact on the Council and on staff, with significant numbers of staff working from home for a prolonged period, and a number of staff deployed into other roles to support the combined response. The response from staff throughout the pandemic had been outstanding and Cabinet noted the breadth of activity that formed part of the response of the Council in continuing to provide services, responding to the need to deliver services differently, and the many different roles played by Council staff in response.

Whilst operationally difficult, certainly in the early stages of the response, some

of the changes made in response to the virus presented opportunities for how the Council operated and how services could be accessed in the future. It was important for the Council to build on this momentum and continues to adapt to changing behaviours. This formed a key element on the work outlined in the Council Plan 2021-24 for how the Council would continued to react, respond and lead the process of recovery.

**CAB
79/20 An Investment Strategy for Schools, SEN and Early Years Update**

The previous investment strategy in for schools agreed by Cabinet in July 2019 included indicative allocations to support investment in Secondary school expansion, Pupil Referral Unit and Primary Development based on available Basic Need Grant and estimated Section 106 contributions.

Cabinet were provided with an update on works delivered to date and invited to approve proposals to address priorities involving the allocation of resources for incorporation in the Capital Programme in respect of those indicative allocations.

The Council's Basic Need funding currently unallocated as outlined in the Medium Term Financial Plan, amounted to £13.3m. In addition, the Council had now received Section 106 contributions of £3.8m from developers which could be added to the programme meaning that the total available for investment amounted to £17.1m.

The proposals for investment included changes to already approved schemes, necessary planned investment, and future Primary school development; the details for which were all detailed and could be summarised as follows:-

Resources available	£'000
Basic Need	13,300
Developer Contributions	3,800
Total	17,100

Proposals

Covid Cost Pressures	950
Outwood Bishopsgarth	5,000
Secondary School adaptations	1,250
Pupil Referral Unit	4,500
Primary Schools	5,400
Total	17,100

RESOLVED that:-

1.Cabinet approve the revised programme outlined in the report.

2.Cabinet delegate authority to the Director of Finance, Development and Business Services and the Director of Children's Services in consultation with the Leader of the Council for expenditure towards Secondary School Improvements at a value of £1.3m.

3. Cabinet note that any future investment included in 'Primary Schools' will be brought back to future cabinet meetings for approval.

**CAB
80/20** **RIPA Report**

Cabinet noted that the Investigatory Powers Commissioners Office was required by law to gather statistical data from all public authorities on their use of Investigatory Powers available to them under the relevant legislation. This information was used to inform the Commissioners Annual Report which was to be published later in 2021.

Cabinet noted statistics on the Council's use of the RIPA Act 2000 in line with the 2020 annual return to the IPCO. The detail provided was compared to that of the previous two years.

**CAB
81/20** **Minutes of Various Bodies**

In accordance with the Council's Constitution or previous practice, the minutes of the meeting of the bodies indicated below were submitted to members for consideration:-

- Tees Adults Safeguarding Board - 9th December 2020;
- Tees Valley Combined Authority - 29th January 2021

RESOLVED that the minutes detailed in the Appendices to the report be received.

**CAB
82/20** **Older People's and Mental Health Care Home Services Fees**

Cabinet noted that in order to review and decide on what the Council should set as its usual cost for the efficient and effective operation of the local market in care homes, an exercise to assess actual costs had been carried out, which sought to enquire into and develop a deeper understanding of what the actual costs of providing care home services in Stockton was, including the local factors that relate to the market.

The assessment of the actual costs of providing care within Stockton was aimed at establishing a fair fee for Council funded care home services. The Council may take into account local factors and any other relevant matters, as well as its own resources.

Proposals were submitted for approval which would bring about an increase in fees if adopted, whilst meeting providers' costs and seeing an overall increase in the rates paid. The Council had also taken the opportunity to review the fee structure and had updated the structure to reflect 'dependency' and associated levels of client care needs rather than purely environmental factors and whether the resident had a dementia diagnosis.

Cabinet noted that it was the Council's responsibility to ensure adequate provision of services to meet assessed need. The impact of COVID-19 had further reduced levels of occupancy across the market and as at 15 March 2021 the overall vacancy rate stood at 23%. It was therefore clear that occupancy was a factor where there were particular issues of concern in the Stockton market as there was currently and had been for some considerable time, a significant oversupply of residential capacity. As part of the Council's market shaping responsibilities, the rate should appropriately incentivise providers to achieve a high level of utilisation.

The Council's view based on its requirements was that 6% spare capacity was sufficient within the Stockton market and that 94% occupancy would, therefore, be an appropriate target for occupancy and market shaping was planned to move over time towards this figure.

Cabinet noted that Council had a reduced means of managing the market to increase occupancy levels towards the target of 92% for this forthcoming year and the Council would therefore need to provide an Occupancy Support Scheme during 2021/22 to assist the market until the Bed Sufficiency Assessment was operational. The scheme would provide financial support to those individual care homes where occupancy levels had fallen significantly and would be targeted at the care home's fixed costs (minus profit). The Council expected care homes to be able to manage their variable costs in response to varying occupancy.

Prior to determining the proposals presented to Cabinet, officers had consulted all contracted providers, and the Stockton and Billingham Care Home Association about the proposed rates and the Council's approach to enquiring into actual costs. Comments were received from 6 individual providers and one coordinated response from the Association, who represented 10 care providers. Full details of those responses were provided.

RESOLVED that:-

1. Cabinet approve the proposed 6.6% average fee increase for older persons care home services set out in paragraph 61 of the report;
2. Cabinet approve the proposed 2.2% fee increase for mental health care home services set out in paragraph 62 of the report;
3. Cabinet approve the Older People's Occupancy Support Scheme for 2021/22 and delegate the scheme details, review and any necessary updates to the Director of Adults and Health and the Director of Finance, Development and Business Services in consultation with the Cabinet Member for Adult Social care.

**CAB
83/20**

LA Governor Appointments

In accordance with the procedure for the appointment of school / academy governors, approved as Minute CAB 27/13 of the Cabinet (13 June 2013), Cabinet was invited to consider the following nominations, as amended at the meeting, to school / academy Governing Bodies:-

- Mill Lane Primary School - Cllr Pauline Beall;
- Bowesfield Primary School - Cllr Louise Baldock

RESOLVED that the above appointments be made to the vacant Governorships in line with agreed procedures subject to a Personal Disclosure and DBS clearance.