



Briefing Report No: **85/2011**

Public Agenda Item: **Yes**

Title: **Annual Strategic Agreement 2011/12 with Torbay NHS Care Trust**

Wards Affected: **All Wards in Torbay**

To: **Cabinet**

On: **5 April 2011**

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1. Key points and Summary

- 1.1 At the Council meeting held on 24 March 2011 Members considered Report 76/2011 and the recommendations of the Mayor on the Annual Strategic Agreement (ASA) for 2011/12 between the Council and Torbay NHS Care Trust for the delivery of Adult Social Care. A revised Appendix 1 to Report 76/2011 was circulated prior to the meeting.

It was proposed by Councillor Bent and seconded by the Mayor:

- (i) that the Council be recommended to approve the Annual Strategic Agreement for 2011/12 as set out in Revised Appendix 1 to Report 76/2011 circulated prior to the Council meeting on 24 March 2011; and
- (ii) that the remaining risk related to the delivery of the required performance outlined and the ability to deliver a balanced budget, given the level of resources allocated for the delivery of Adult Social Care, be deemed acceptable.

An amendment was proposed by Councillor Thomas (J) and seconded by Councillor Oliver:

“that the Council refers the Annual Strategic Agreement for 2011/12 back to the Mayor to allow full consideration of the revised agreement (revised Appendix 1 to Report 76/2011) circulated on 24 March 2011.”

On being put to the vote the amendment was declared **carried**.

The substantive motion (to refer back to the Mayor) was then before Members for consideration.

On being put to the vote, the substantive motion was declared **carried**.

1.2 The Mayor is therefore requested to consider the recommendation of the Council set out in bold type in paragraph 1.1 above. The revised Appendix 1 to Report 76/2011 is attached as Appendix 1 to this report.

2. Introduction

2.1 The Annual Strategic Agreement with the Torbay NHS Care Trust is one of the Council's Policy Framework documents and the process for approving and amending a Policy Framework Document is set out in the Council's Standing Orders in Relation to Budget and Policy Framework.

2.2 The Mayor must consider the Council's recommendation set out in paragraph 1.1 in accordance with Standing Order F4.9 and:

- (i) submit a revision of the draft plan or strategy as amended by the Cabinet (the "revised draft plan or strategy"), with the Cabinet/Mayor's reasons for any amendments made to the draft plan or strategy, to the Council for its consideration; or
- (ii) inform the Council of any disagreement that the Cabinet/Mayor has with any of the Council's objections and the Cabinet/Mayor's reasons for any such disagreement.

F4.10 Subject to Standing Order F4.11, when the period specified by the Council referred to in Standing Order F4.9 has expired, the Council must, when:

- (i) amending the draft plan or strategy or, if there is one, the revised draft plan or strategy; or
- (ii) approving, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his/her approval, any plan or strategy (whether or not in the form of a draft or revised draft) of which any part is required to be so submitted; or
- (iii) adopting (with or without modifications) the plan or strategy,

take into account any amendments made to the draft plan or strategy that are included in any revised draft plan or strategy, the Cabinet/Mayor's reasons for those amendments, any disagreement that the Cabinet/Mayor has with any of the Council's objections and the Cabinet/Mayor's reasons for that disagreement, which the Elected Mayor submitted to the Council, or informed the Council of, within the period specified.

2.4 The Annual Strategic Agreement 2011/12 with Torbay NHS Care Trust and the recommendations of the Mayor will be considered at the Annual Council meeting on 24 May 2011.

Richard Thorpe
Executive Head of Governance

Appendices

Appendix 1 – Revised Appendix 1 to Report 76/2011 - Annual Strategic Agreement between Torbay Council and Torbay NHS Care Trust for the delivery of Adult Social Care 2011/12

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

Report 76/2011 – Annual Strategic Agreement 2011/12 with Torbay NHS Care Trust