

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 19 December 2013 at 2.00 pm

Present: Councillor AW Johnson (Chairman)
Councillor (Vice Chairman)

Councillors: JW Millar, PM Morgan, GJ Powell and PD Price

In attendance: Councillors AJW Powers, TM James, A Seldon, JG Jarvis, AM Atkinson, J Hardwick, EPJ Harvey and RI Matthews

55. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors H Bramer (Cabinet Member, Contacts and Assets) and WLS Bowen (Herefordshire Independents Group Leader).

56. DECLARATIONS OF INTEREST

There were no declarations of interest made.

57. BUDGET MONITORING REPORT

Consideration was given to the report of the Chief Officer - Finance which provided Cabinet with assurance on the robustness of budgetary control and monitoring across the Council. The report also highlighted the key financial risks within directorates and identified the mitigation measures being implemented to bring the Council within its overall approved budget. The Chief Officer - Finance drew attention to the following points:

- i. The Council continued to forecast an overspend for the year; this was approximately £2.5m at October 2013, compared to £3.3m in September 2013.
- ii. The key pressure continued to be Adult Wellbeing; with a projected overspend of £3.9m at October 2013, compared to £3.4m in September 2013.

RESOLVED: That

- (a) **Cabinet notes the projected overspend of £2.5m for 2013/14, an improvement on the September position of £0.8m, the potential impact on reserves and the 2014/15 budget;**
- (b) **Cabinet supports the continuing action by Directors to identify further financial savings to mitigate the impact.**

58. ADULT SOCIAL CARE NEXT STAGE INTEGRATION - COMMISSIONING OF DAY OPPORTUNITIES

The Cabinet Member, Health and Wellbeing introduced the report of the Director, Adults Wellbeing, which sought approval of the underpinning principles, the specification,

process and transition plans to support the procurement and implementation plan for the day opportunities that are part of the Next Stage Integration (NSI) programme.

The Cabinet Member, Health and Wellbeing highlighted the key points of the report:

- a. The council was meeting its commitment to consult service users and carers, and the consultation and engagement process had led to the development of key service principles in the procurement specification.
- b. This included a commitment that the council would resource a process that ensured a full assessment of needs of service users before any changes were implemented. No changes would take place until the service user had had an appropriate assessment of their needs, and a support plan was in place to meet their eligible needs.
- c. In response to a question from Councillor Powers, Councillor Powell confirmed that there were enough potential providers to carry out the proposals, and to ensure that they offered quality at the right price. He explained care costs were higher in Herefordshire than in other areas, but that, while the council sought to control costs, it would always meet its responsibility to meet eligible needs.
- d. In response to a question from Councillor James, Councillor Powell confirmed that eligibility would not change and that every user would be assessed.

RESOLVED: That the proposals for implementing the approach set out in the report to deliver Day Opportunities Services be approved, and the Director for Adult Wellbeing be authorised to proceed to invite tenders for providing Day Opportunities Services based on the principles set out in the report.

59. CHANGES TO HEREFORDSHIRE SCHOOLS AND POST 16 TRANSPORT POLICY

The Cabinet Member, Young People and Children's Wellbeing introduced the report of the Head of Sufficiency and Capital Commissioning, which set out proposals for changes to the discretionary transport policies.

Councillor Millar reported that the council's current subsidy to the cost of school transport exceeded its statutory responsibility, and that the council's financial position was such that it could no longer deliver services over the statutory minimum. The council had consulted widely on the proposals, and had made concessions on the proposals in response to feedback. Councillor Millar explained that alternative sources of funding were available for post-16 students.

In response to questions from Councillor Harvey and Councillor Matthews, Councillor Millar explained that secondary schools could work with feeder schools to seek ways to mitigate any adverse effects. The Interim Head of Service, Children's Wellbeing, reported that Herefordshire was a net importer of pupils from other counties, and would continue to be even if all those affected by the changes were to choose schools outside the county. He reported that there were a number of schools with places available, should the nearest suitable school be full.

Councillor Millar explained that the council was currently providing services in excess of the statutory minimum, and that this created inequalities. The savings from the proposal were substantial, and the change would clarify policy and minimise future risk.

In response to a question from Councillor Seldon, the Solicitor to the Council reported that, if there was a legal challenge to the proposals in relation to post-16 students, he was satisfied that in all the circumstances the council was acting reasonably and thus lawfully.

In response to questions from Councillor Powers, Councillor Millar reported that colleges had discretion to award bursaries to any child in genuine need. He explained that staff dealing with education and those dealing with transport would, in the future, be working together and could be better able to deal jointly with any issues that arose, and to consider school transport issues as part of the wider public and community transport policies.

Councillor Johnson, Leader of the Council, reported that, should the proposals be approved, the Cabinet would continue to monitor the situation and seek to work with schools.

RESOLVED: That Cabinet agrees the recommendation(s) to:

- (a) withdraw the Herefordshire free home to school transport policy eligibility based upon nearest and catchment school and replace with eligibility based upon:
 - i) nearest suitable school with places,**
 - ii) in England;****
- (b) continue to provide the Herefordshire free home to school transport policy eligibility based upon nearest and catchment school only for those pupils entering Y10 or in Y11 at their current school on 1 September 2014 so they may complete their study programmes;**
- (c) continue to charge parents for a seat on a school bus (because the child is not eligible for free transport) but reduce the Council's subsidy by increasing annual charge by £60 (£1.58 a week) from £660 to £720 (£17.36 - £ 18.95) in September 2014 and to annually review the subsidy each September thereafter to take account of operating costs;**
- (d) continue to charge post 16 transport but to reduce the Council's subsidy by increasing the annual charge by £60 (from £660 to £720) in September 2014 and to annually review the subsidy each September thereafter to take account of operating costs;**
- (e) withdraw free transport for Herefordshire post 16 years with SEN and replace with the requirement to meet the annual charge of £720 from September 2014. This is to be annually reviewed each September thereafter to take account of operating costs; and**
- (f) The implications of these policy changes be reviewed annually or sooner in the event that the impact of the proposed changes is materially worse than anticipated.**