

**MINUTES of the meeting of CABINET held at THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD on Thursday 13 December 2007 at 2.00 pm.**

**Present:** Councillor RJ Phillips (Chairman)

**Councillors:** LO Barnett, AJM Blackshaw, H Bramer, JP French, JA Hyde, JG Jarvis and DB Wilcox

**In attendance:** Councillors: WJS Bowen, PJ Edwards, TM James, MD Lloyd-Hayes, SJ Robertson,

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor RI Matthews.

**2. DECLARATIONS OF INTEREST**

Councillor ACR Chappell declared a personal interest in Agenda item 4 Wyebridge Academy Position Statement. Councillor PJ Edwards declared a personal interest in Agenda item 8 Annual Monitoring Report.

**3. LOCAL GOVERNMENT ANNUAL FINANCIAL SETTLEMENT 2008/09**

Cabinet received the report on the Provisional Financial Settlement 2008/09, 2009/10 and 2010/2011. The formula grant for Herefordshire over the next three years is 2008/09 £53.373m percentage increase of 5.1%, 2009/10 £55.445m percentage increase of 4.0% and 2010/11 £57.652m percentage increase of 4%. Cabinet was advised that the increase was better than expected as the prediction had been for a much tighter settlement. Cabinet was informed that the detail of the Area Based Grants was still awaited.

Cabinet was reminded that whilst the settlement was better than anticipated the lobbying by the Local Government Association on adult care had reaped some dividends. A Member in attendance requested that the details on the financial settlement be distributed to all Members of the Council.

**RESOLVED That the report be noted.**

**4. WYEBRIDGE ACADEMY - POSITION STATEMENT**

The Cabinet Member (Children's Services) presented to Cabinet the position statement for Wyebridge Academy and stated that the outline business case that had been proposed was not ready, as there were outstanding issues which should be completed in time for the next scheduled Cabinet meeting. The issues were around third party use of the school premises and the building costs, with the new accommodation being built on the playing fields allowing the existing school and other users of the premises to carry on in the current accommodation until the new building was completed. The cost for this has been costed by Partnership for Schools at £800,000, which is in excess of the funds available. Cabinet was advised

that further information from Partnership for Schools was awaited. Due to the design work that has to be carried out it was unlikely that further information would be available until February.

Cabinet was advised that local Members in the South Wye area had been kept informed on the issues and it was noted how acute the timing was for the Academy. Cabinet was informed that local neighbours to the school had been consulted and that as far as possible the wishes of the community had been taken into account.

A Member in attendance raised concerns over the provision of a Sixth Form in the Academy and the effect this could have on the existing Sixth Form College in Hereford City, which is currently one of the highest performing Sixth Forms in the Country. Cabinet was advised that it was proposed to target those young people in South Wye not currently attending Sixth Form. It was also intended to give a broader breadth of education and to compliment and not compete against Hereford Sixth Form.

A Member in attendance raised a point of order over the advertising for the headteacher position for the Academy whilst still discussing the building of the school. Cabinet was advised that this would be addressed in the next report to Cabinet when discussing the outline business case.

## **RESOLVED**

### **THAT**

- (a) the interim report on the progress on this project be noted; and**
- (b) the final decision on the outline business case be deferred to the next meeting of Cabinet.**

## **5. HEREFORDSHIRE CONNECTS PROGRAMME UPDATE**

Cabinet received a report recommending the preferred technology to replace the current client systems, including the CLIX system, used within both Adult Social Care and the Children and Young People's Directorate. Cabinet was informed that the implementation to get a replacement in place was part of the JAR Action Plan and was advised that the Director of Adult and Community Services had been tasked strongly by the Commission for Social Care Inspection on when it was to be replaced.

It was stated that a number of site visits to other local authorities had taken place to find a suitable system. Discussions were held with three suppliers with Corelogic coming out as the most suitable alternative system to the SAP system in the provision of adult social care. Cabinet was advised that procurement was continuing through Deloitte using the arrangements currently in place, however should Cabinet decide to implement new procedures for the procurement; the process could take another six months.

A Cabinet Member spoke of the problems at the Bath Street premises and stated that the issues had been identified in the report but believed they had not been adequately addressed, as it had not been proven that the local area network to the building was capable of accommodating Corelogic. Upon request officers advised that to up grade the Bath Street premises to accommodate Corelogic could cost £130 – 150, 000.

A Member in attendance expressed concern that the report did not adequately cover

the stage that the Herefordshire Connects project was at and did not believe Cabinet was in a position to adopt the report without the whole Council being provided with a full update. Cabinet was informed that the Corporate Management Board had addressed the Herefordshire Connects project on 23 November when all directors had been happy with the specifications and financial recommendations. A Member in attendance raised doubts over the summary of costs due to differences in the figures. Cabinet was advised that an out of date table of figures had been inadvertently put in the first report, which had been rectified in the second report to Members.

A Member of the Executive reminded Cabinet that the option before them was the best way forward for the Council. The Head of Legal and Democratic Services was requested to confirm to Cabinet that the Hereford Connects project had met due process. The Head of Legal and Democratic Services stated that five tenders had initially been put forward, with three tenders put forward for the SAP system. The Head of Legal and Democratic Services confirmed that due process had been carried out and had been observed by himself and other members of staff.

Cabinet discussed further the various systems available in particular the system used in Trafford and some other authorities. Again concern was voiced over the Bath Street premises and whether it would be sold in the near future. The Chief Executive advised Cabinet that having listened to the debate he understood Members' concern over the robustness of the costs and undertook to investigate the robustness of the financial situation and report back to Members.

## **RESOLVED**

### **THAT:**

- (a) Cabinet authorise the Head of Legal and Democratic Services to sign the framework agreement with Deloitte;**
- (b) Cabinet confirm Corelogic Framework as the preferred solution and authorise the Directors of Corporate and Customer Services and Resources, in consultation with the Director of Children's Services and Director of Adult and Community Services, to proceed with this acquisition on a fixed price basis through the Deloitte framework agreement; and**
- (c) Cabinet receive assurance on budget savings in relation to the accommodation strategy.**

## **6. COMMUNITY FORUMS**

Cabinet received the report on the decision of the Herefordshire Partnership Chief Executives' Group and Group Leaders on the future of Community Forums. Cabinet was reminded of the history of the Community Forums through to the current pilot style of forums which are run in conjunction with West Mercia Police and the Herefordshire Association of Local Councils (HALC). Cabinet agreed the current forums had mixed success rates but were maintaining reasonable attendance figures from the public. Cabinet agreed that the Herefordshire Partnership Group needed to address issues around style, advertising and the involvement of all partner organisations in the forums. Cabinet was advised that the Hereford and Worcester Fire and Rescue Authority, as one of the Herefordshire Partnership organisations, was considering using the forums for public consultation. It was agreed that as many partner organisations as possible needed to be involved with the forums to ensure the benefit to the community.

Cabinet addressed the issue of the number of forums, which had now increased to 12, but also the location of the various forums in the county. Cabinet agreed the need to expand the number of organisations using the forums and raised concerns that although the Police Consultative Committee was being disbanded, it was being replaced by another similar body. Cabinet discussed the various possible differing styles for the forums and agreed they needed to be relatively brief and informal and that Councillors were able to talk with local residents.

#### **RESOLVED**

##### **THAT:**

- (a) the decisions by Herefordshire Partnership Chief Executives' Group and Group Leaders referred to in the report be noted;**
- (b) Community Forums be managed and badged by Herefordshire Partnership in the future; and**
- (c) publicity, content, style, resourcing and involvement of all partner organisations be reviewed.**

#### **7. THE HEREFORDSHIRE COMPACT**

Cabinet received a report on a revised Herefordshire Compact. Cabinet was informed the current compact involved the Council, the Primary Care Trust and the Alliance representing the Voluntary Sector. However it was government policy to have an agreed and published local compact covering all public sector services' engagement with the voluntary and community sector, with a code of good practice. Cabinet agreed the Compact and for it to be endorsed by the Chief Executives' Group, with the Herefordshire Compact to supersede the existing Health and Social Care Compact.

#### **RESOLVED**

##### **THAT:**

- (a) the Herefordshire Compact be adopted; and**
- (b) codes of good practice be developed to support the implementation of the Herefordshire Compact.**

#### **8. ANNUAL MONITORING REPORT**

Cabinet received the Annual Monitoring Report 2006/07 for approval and its formal submission to the Secretary of State in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. Cabinet was advised that the Act introduced new provisions and requirements for development planning including the regular review and monitoring of development plans through mandatory Annual Monitoring reports. The report is based on the period 1 April to 31 March and is to be submitted no later than 31 December.

Cabinet referred to the one planning approval given on a floodplain at Paytoe, but agreed the advantages of it outweighed the objections. Officers were thanked for their work in providing the report.

**RESOLVED That the Annual Monitoring Report 2006/07 be approved for submission to the Secretary of State.**

**9. LOCAL DEVELOPMENT SCHEME**

Cabinet received a report on a revised Local Development Scheme for approval, which is a statutory requirement of the Planning and Compulsory Purchase Act 2004. Cabinet was referred to the principal amendments which included the adoption of the Unitary Development Plan and the demise of the Structure/Local Plans and the deletion of the Development Plan Document (DPD) as a result of discussions with Government Office, the Planning Inspectorate and the Planning Advisory Service. In the future reference is to be made to national and regional planning policies setting out key policies within the Core Strategy. This will include a new Hereford Area Action Plan taking forward Hereford City's growth point status and further DPDs addressing the market towns and rural areas with the intention of greater emphasis on 'place shaping'.

Cabinet was advised that a Planning Delivery Grant had been awarded of £173k with an indication for a future grant of £218k. Priority setting needed to be done for the growth areas. West Midland transport priorities were significant to the Hereford Area Action Plan. Herefordshire was also in line for rural funding with some areas getting capital funding with the potential for significant funding for the future.

**RESOLVED That the revised Local Development Scheme be approved and have effect from 31 January 2008.**

**10. PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

Cabinet was advised that several issues had arisen in the last two days, which required further consultation on. Cabinet agreed that due to the importance of the issues more time was required to carry out cross directorate discussions. Cabinet moved to defer the Planning Obligations Supplementary Planning Document to a future meeting of Cabinet.

**RESOLVED That the Planning Obligations Supplementary Planning Document report be deferred to a future meeting of Cabinet.**

**11. POLYTUNNEL DEVELOPMENTS IN HEREFORDSHIRE**

Cabinet was advised that since the publication of the Polytunnel Developments In Herefordshire report further advice had been received from legal Counsel. Cabinet moved to defer the report to a future meeting of Cabinet in order to consider the advice of legal Counsel.

**RESOLVED That the Polytunnel Developments in Herefordshire report be deferred to a future meeting of Cabinet.**

**12. COLWALL RAILWAY BRIDGE**

Cabinet was asked to approve expenditure to provide a temporary bridge over the sub-standard bridge in Colwall carrying the B4218 should an assessment prove it to be the appropriate means for opening the bridge to normal highway traffic. The Cabinet Member (Highways and Transportation) stated that information on the assessment of the bridge had only been received 48 hours prior to the Cabinet meeting and had shown the bridge could be used by vehicles up to three tonnes in weight. Cabinet was informed that Network Rail owned the bridge with the road across it belonging to the Council. Network Rail has stated that it has no plans to replace the bridge until 2011/12. Cabinet was advised that the recommendation was

for the purchase of a Bailey bridge in partnership with Network Rail should it be found necessary after further tests had been carried out.

Cabinet was informed that Network Rail had indicated they would be agreeable to a 50/50 share on the cost of the Bailey bridge. However, Cabinet would need to approve the whole cost as it would need to be purchased through just the one provider. It was added that the basis of the charge between Network Rail and the Council was complicated and it would need to be checked by the legal department to ensure it was favourable to the Council. A Member of the Executive raised concern over the quality of the Bailey bridge and whether it was reusable. Cabinet was advised that each bridge was made to meet the specific needs and therefore not reuseable.

A Member in attendance at Cabinet felt that the cost of the bridge should have been reflected in the report to Cabinet along with an indication of what Network Rail would pay towards the bridge prior to Cabinet making any decision.

Cabinet was reminded of the impact the loss of the bridge had so far been on the people of Colwall and the business community and it was felt that to wait until 2011/12 before replacing the bridge would be too long and not acceptable to the community.

**RESOLVED That approval be given for the purchase and installation of a temporary Bailey bridge, if this is considered the most appropriate means to carry the B4218 over the existing sub-standard bridge in Colwall.**

**13. A BETTER LIFE: PERSONALISED SERVICES FOR PEOPLE WITH LEARNING DISABILITY IN HEREFORDSHIRE**

Cabinet received a report on two major developments in personalised services for people with learning disability in Herefordshire and Cabinet's endorsement was sought on the approach.

Cabinet was advised that the two main issues for people with learning disabilities was to have self-directed support and own accommodation. It was emphasised that service users wanted to have a move towards self-directed support and to have their own accommodation, as opposed to institutional accommodation, thus giving independence and choice. It was noted that there were 535 local residents with learning disabilities in receipt of services, with an additional 140 people placed locally by other authorities who require the use of local health services.

Cabinet was reminded that learning disability was life long and the aim was to improve outcomes for residents giving the means to work and be part of the community. The report was commended by Cabinet and Members were encouraged to attend the forthcoming seminar for all Councillors on services for people with learning disabilities.

**RESOLVED**

**THAT:**

- (a) Cabinet endorse self-directed support as the mainstream service response to meeting the needs of people with learning disability from April 2008, and authorise the Cabinet Member (Social Care Adults and Health) to agree the level of the Resource Allocation System;**

- (b) **Cabinet authorises officers to complete the partnership agreement negotiations on the detail of the contract with Focus Futures. A further report to be brought to Cabinet as a key decision for agreement of the contract and financial terms and conditions;**
- (c) **a seminar on services for people with learning disability be provided for all Members; and**
- (d) **all Members receive a copy of the Cabinet Report.**

**14. REVIEW OF POLLING STATIONS, POLLING PLACES AND POLLING STATIONS**

Cabinet received a report on the proposed changes to the number and locations of polling stations in Herefordshire. Cabinet was advised of the new Electoral Administration Act 2006, which requires that relevant authorities conduct a review of all polling districts and polling places by the end of 2007 with a further review conducted every four years thereafter. It is a requirement that the Returning Officer must make representations to the relevant authority as to the location of existing or proposed stations and the Returning Officer's comments must be published within 30 days of receipt.

It was noted that there had been some concerns from Members over the review but it was emphasised that it was a statutory duty. Cabinet was informed that there had not as yet been the opportunity to return to consultees, such as parish councillors, to gain their views or to gain the view of the new Chief Executive as the new Returning Officer.

A Member in attendance expressed the view that it was felt that more work needed to be done, with particular regard to the disputed polling stations. It was pointed out to Cabinet that the Strategic Monitoring Committee was awaiting a report on the issues that had arisen at the last local elections. The Head of Legal and Democratic Services advised that a response was still awaited from the electoral supplier.

Cabinet was advised that the advice of the Electoral Commission was that the review needed to be completed even if that meant the Executive did not approve the review. This would mean that the current arrangements for polling stations would remain until the review was revisited. Cabinet agreed that a further review needed to be carried out ensuring that it did not coincide with any proposed election date.

**RESOLVED**

**THAT:**

- (a) **the existing arrangement of polling districts and polling places remain unchanged;**
- (b) **the Returning Officer's recommendations as indicated in Appendix 2 of the report (Changes to Polling Stations) be not approved and Appendix 3 (No changes to Polling Stations) be approved; and**
- (c) **the review of Polling Stations be revisited and a further consultation take place before March 2008 with a report to Cabinet with the Returning Officer's recommendations in April 2008.**

**CABINET**

**THURSDAY, 13TH DECEMBER, 2007**

The meeting ended at 5.00 p.m.

**CHAIRMAN**