

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 14 March 2013 at 2.00 pm

Present: Councillor JG Jarvis (Chairman)

Councillors: H Bramer, RB Hamilton, AW Johnson, PM Morgan, RJ Phillips, GJ Powell and PD Price

In attendance: Councillors AM Atkinson, P Rone, MAF Hubbard, TM James, RI Matthews and A Seldon, PA Andrews, WLS Bowen, EMK Chave, J Hardwick, AJW Powers and SJ Robertson

76. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

77. DECLARATIONS OF INTEREST

Councillor Phillips declared a non-pecuniary interest in agenda item 5 (Herefordshire Council Workforce Strategy 2013-15), because of his roles as Deputy Chair of the Local Government Association Workforce Board, and a member of its National Joint Council. He remained in the meeting for the duration of the item.

78. MINUTES

RESOLVED: That the minutes of the meeting held on 21 February 2013 be approved as a correct record and signed by the Chairman.

[Note: the minutes of the meeting held on 27 February 2013, which were also listed on the agenda for approval, were to be finalised and would therefore be put to Cabinet's next meeting programmed for April 2013.]

79. CORPORATE DELIVERY PLAN

Cabinet considered a report on the corporate delivery plan for 2013/14, which had been approved by Council on 23 November 2012. The report gave the review position, following a realignment of resources to ensure that the Council was working on the right things. It provided further detail on the specific projects contained in the plan, and the methodology and basis for measuring in-year performance. The plan was one element of the Council's wider Budget and Policy Framework, and its overall aims were to improve performance, reduce costs, identify and minimise risks and ensure effective service delivery.

Council had delegated the responsibility for approving in-year amendments to "outcome measures" to Cabinet, and members were asked to consider adding a series of outcome measures to the corporate delivery plan, to enable more effective monitoring (paragraph 10.4 of the report, page 7 of the agenda refers).

The following principal points were made in discussion:

- It was crucial to maintain a correct balance between the corporate delivery plan, the root and branch programme, and the budget, and the proposed quarterly reports to Cabinet would be an essential part of the monitoring process.
- The Chief Executive provided reassurance that in moving forward, the focus would be on the specific elements of the Council's business plans, in order to demonstrate effective delivery and financial control. He would speak in more detail on financial control later in the order of business on the agenda (minute 83 refers).
- There would be an ongoing public consultation over some elements of the plan, particularly because some projects would continue to impact on specific communities and groups of people. In addition, a number of events would be run, using the "lean approach" to understanding the entire customer experience from start to finish.
- It was requested that councillors in general be included in the process for meeting the delivery challenges outlined in paragraph 10.7 of the report. Some members felt that this paragraph served to emphasise a clear need to appoint specific project managers to alleviate the growing pressure on directors, particularly in the areas of making savings and improving performance. Acknowledging that such a move might present a resource issue, the Head of Human Resources said that project management would most likely be concentrated on the bigger, more complex projects, and that the capability of line managers and their staff also needed to be drawn upon. She said that she would consider ways to develop the role of councillors more fully in relation to the issues in paragraph 10.7, alongside the current level of updates provided to Cabinet, and the agreed routine involvement of the Overview and Scrutiny Committees. This also needed to be carefully balanced with officers being enabled to carry out their tasks effectively.
- In response to a question, the Head of Human Resources gave details of the current recruitment campaign in respect of social workers. Despite using some innovative ways to attract staff in this field, and a scheme of career development amongst existing staff, it was still challenging to secure permanent experienced team members due to a national shortage of social workers.

RESOLVED: that

- (a) the corporate delivery plan 2013/14 be approved;**
- (b) the additional outcome measures (as detailed in paragraph 10.4 of the report) be included in the corporate plan to enable more effective monitoring of performance in relation to the council's public sector equality duty, safeguarding, the effectiveness of the adults transformation plan, and broadband delivery;**
- (c) performance monitoring and delivery assurance arrangements be noted; and**
- (d) the Overview & Scrutiny Committees will play a role in challenging and assurance of delivery.**

80. HEREFORDSHIRE COUNCIL WORKFORCE STRATEGY 2013-15

The Deputy Leader/Cabinet Member Corporate Services presented a report on the Council's workforce strategy for 2013-15. The strategy set out the framework for the proposed outcomes for the workforce in the light of the Council's ongoing transformation. It had taken account of the priorities in the corporate plan, together with the employee opinion survey and other performance and feedback mechanisms within the Council. He drew members' particular attention to the identified workforce strengths and

weaknesses, the Council's priorities for attracting, recruiting and retaining key staff, and the guiding principles of its pay and reward policy.

During the ensuing discussion, the following key points were made:

- The ten workforce outcomes outlined in paragraph 10.1 of the report were the underpinning principles of the strategy, and would ensure that the right management skills, staff and roles were in place. Many elements, such as outcome (f) (supporting team members to lead healthy lives and to have a good work/life balance) had arisen directly from the staff opinion survey, coupled with analysis of staff data.
- A general measure was being put in place to de-clutter the Council's staff policies, to enable a swifter and more agile decision-making process, and provide greater clarity of guidance.
- The workforce strategy was mindful of the current challenging economic climate, and aimed to encourage staff motivation and morale, and optimise the positive value of the workforce in relation to service provision. The new system of staff appraisals would be a key tool in monitoring the workforce and helping staff to achieve career progression and feel valued.
- With reference to paragraph 15.1.2. of the report, it was noted that Cabinet would receive a report on the information management and technology strategy at its meeting on 18 April 2013.

RESOLVED: that the Workforce Strategy (at Appendix A of the report) be approved.

81. CHILDREN'S SAFEGUARDING - IMPROVEMENT NOTICE AND PROGRESS ON THE OFSTED RECOMMENDATIONS

The Cabinet Member Health and Wellbeing reported that an Improvement Notice had been received from the Department for Education (DfE) in respect of Children's Safeguarding. She also highlighted the progress that has been made in addressing Ofsted's recommendations, setting out key areas of action that were essential to secure good child protection services over the next two years. One of the requirements of the Notice was a statement of expectation by the Council, and an action plan, which were contained in Appendices 2 and 3 of the report.

The main points of the discussion were:

- It was imperative that the Council had full ownership and delivery of the statement of expectation and the action plan, and reached agreement with all of the necessary external agencies on the way forward. Partnership working was by its nature challenging, and Cabinet was given assurance that other agencies were fully on board and committed to making the necessary improvements.
- Correct balance was needed between addressing the urgency of the measures and making sustainable improvements. Evidence of progress to date was given in Appendix 4 to the report.
- Members and staff would be provided with regular information in real time so that progress could be measured accurately. Some aspects of the plan were being monitored on a daily basis so that an immediate response could be applied when needed. The Director for People's Services reported that officers involved in implementing the action plan were ambitious and driven to ensure its success. It was important to engage all staff fully in the plan, and to support those with challenging roles.
- The main priority area was an audit of some 1400 cases, which when complete, would give a strong indication of quality of practice. It was important to work around

some of the issues, such as the inflexibility of the ICT system in use, and to distinguish between quality of practice information and performance data.

- It was crucial that all councillors attended safeguarding training to further a broad understanding of the issues at stake. Some members with experience in this area were already supporting the process. The importance of the scrutiny role and the Safeguarding Board was also emphasised.
- Nationally, recruitment in children's safeguarding was difficult due to an overall shortage of skilled workforce, particularly at management level. The Council was continuing its recruitment campaign and further developing its strategies for career progression
- Members noted that the next Ofsted report was due in the autumn of 2013, at which time the independent chair of the Improvement Board would send a separate report to the DfE. In the meantime, the quarterly reports to Cabinet would provide a much greater level of detail so that members were fully aware of developments.

RESOLVED: that

- (a) the Improvement Notice from the Department for Education be received;**
- (b) the statement of expectation for children's safeguarding in Herefordshire, and further discussion and potential endorsement by partners, be confirmed;**
- (c) the finalisation of the statement as set out in the report, be delegated to the Director for People's Services; and**
- (d) progress to date in addressing the recommendations from Ofsted, be noted.**

82. DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2012

The Director of Public Health presented the annual public health report for 2012, which included information about the changes to public health and the transition process. The report also incorporated proposals to change ways of working during 2013 to include the Living and Wellbeing Review. The approach recommended in the report would inform service development and commissioning aimed at improving the public health and wellbeing.

Members commented that the move to place the responsibility for public health with the Local Authority presented a significant opportunity to make a difference to the Herefordshire population, enabling greater control and a direct and open dialogue with local communities, and helping to steer the ongoing consultations in relation to the Council's core strategy.

RESOLVED: that

- (a) the Director of Public Health's Annual Report 2012 be received;**
- (b) the implementation of the report's recommendations, and the proposed approach and actions highlighted in the report to inform service development and commissioning during the next planning cycle and in the medium term, be supported; and**
- (c) the dissemination of the report and cascade of key messages, be supported.**

83. BUDGET MONITORING REPORT 2012/13

The Cabinet Member Financial Management presented the report of the Chief Officer Finance and Commercial, which gave the financial position for both revenue and capital budgets to 31 January 2013, and projected financial information to the end of the financial year. The report also contained the up-to-date treasury management position.

Cabinet noted the key points summary on pages 99 and 100 of the agenda, and in particular the projected overspend of £3.9 million, which would need to be met largely from the general funds reserve of £6.1 million. Referring to the table on pages 100 and 101, outlining the main financial movements from the December 2012 projected spend, members noted in particular the continued demographic pressures which were responsible for increases in expenditure for adult social care, and the significant number of claims under the Bellwin grant scheme in respect of flood damage. The Chief Officer Finance and Commercial emphasised the importance of providing a clear picture of the overall financial position at all times, and to be able quickly to respond to any areas which took a different direction to that projected.

During the discussion, the following key points were raised:

- Members commended the financial team for securing excellent interest rates on short-term borrowing.
- Concern was expressed at the pressure caused by early discharges in the hospital system and the impact that this might have on other areas of the system. It was acknowledged that the pressure could be mitigated in part by improvements in the home care and close-to-home care process.
- With reference to paragraph 20 of the report, it was confirmed that very limited information was currently available in relation to a pending fine for a data protection breach in children's services. The information would be made available to members when the investigation had been concluded, and this would help to avoid any future recurrences.
- With reference to paragraph 15.1 of the report, the Chief Executive confirmed that, having re-assessed the Council's risk management statement, he was taking an immediate measure to effect a more robust system and increase financial control throughout the Authority. This would take the form of regular financial control meetings for each directorate, to be chaired by the Chief Officer Finance and Commercial. Cabinet noted that the meetings would begin in the very near future, and welcomed this move.

RESOLVED: that

- (a) the report and the forecast position be noted;**
- (b) the fact that that the Leadership Team continues to deliver a further level of savings for 2012/13 in order to minimise any impact on reserves at year end, be noted; and**
- (c) the Treasury Management report at Appendix C to the report, be noted.**

84. COMMISSIONING AND COMMERCIAL STRATEGY

Cabinet considered a proposed commissioning and commercial strategy, which set out the Council's approach to commissioning, procurement and contract management. The Head of Commercial Services explained the key commissioning principles as set out on page 136 of the agenda, and the main purposes of the strategy, given in paragraph 10.2 of the report.

The following principal points were raised in the ensuing discussion:

- Value for money, staying within budget, giving clear expectations, and providing a proper audit trail were essential elements of commissioning, and there should be a proven ability to demonstrate these elements to the public.
- The Head of Commercial Services gave assurance that more measures would be put in place to further effective contract management, including developing a commissioning toolkit, establishing a robust contract management system, and bringing in tighter financial controls and strategic analysis.
- In response to a question, the Head of Commercial Services advised that the Council was in the process of recruiting qualified procurement officers by three means, namely: a specialist recruitment drive, a system of developing staff to fill given roles through a “grow your own” system, and a graduate trainee scheme.
- Given the current budgetary pressure, members welcomed information on decommissioning as part of the strategy, and commented that there was also merit in exploring avenues of income generation.

RESOLVED: that the new Commissioning & Commercial Strategy 2013-2016, at Appendix A to the report, be noted.

85. URBAN VILLAGE / LINK ROAD COMPULSORY PURCHASE ORDER AND ASSOCIATED SIDE ROADS ORDER

The Cabinet Member Environment Housing and Planning presented a report in respect of the urban village/link road compulsory purchase order, and the associated side roads order.

The decision to be taken was a Key Decision because:

- it would result in the Council incurring expenditure which was significant having regard to the Council’s budget for the service or function to which the decision related; and
- because it was likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the County.

Members observed that Notice had been served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the agreed master plan, Cabinet was requested to agree the development of land within the City Regeneration area for the purposes of the provision of a link road, highway and other associated infrastructure and mixed uses. These uses included housing, employment, leisure, retail units, tourism, civic and community uses together with associated public access and public realm, car parking, other new highways and other associated infrastructure, drainage, flood alleviation and associated works.

The report sought to approve the making of the necessary orders, and also considered the next steps associated with the development of the Urban Village Phase 1, which formed part of the overall regeneration plans for the City, through the provision of market and affordable housing to meet the high levels of housing need in the County. To support the delivery of Phase 1 of the housing, the report also sought delegated authority for the Chief Officer Finance and Commercial to make arrangements to market Council-owned land at Merton Meadow.

The following points were made in debate:

- The Assistant Director Place Based Commissioning confirmed that the costings for the compulsory purchase orders had factored in certain legal costs, and a business relocation strategy. It was noted that one of the principal sites had already been purchased.
- Funding was available to support an element of affordable housing within the proposed scheme, and it was noted in particular that Sanctuary Housing had undertaken a public consultation on this issue, and that a planning application was expected in the near future.
- Cabinet felt that the development of the link road was crucial to the delivery of new housing, the broader regeneration of the Hereford city area, and traffic relief to the inner ring road.
- The site would bring additional benefits in the form of civic and community uses, including the provision of policing and health facilities, a new transport hub adjacent to the railway station, and sustainable travel features including pedestrian and cycling access.
- To ensure best practice, officers would visit some sites where similar schemes had already taken place.

RESOLVED: that

- (a) **the Deputy Chief Executive be authorised to arrange for the making of the County of Herefordshire District Council (Edgar Street Grid and Link Road) Compulsory Purchase Order 2013 under s226(1)(a) of the Town and Country Planning Act 1990, the Local Government (Miscellaneous Provision) Act 1976 and the Acquisition of Land Act 1981 for the acquisition of the land/property and the acquisition of the new rights within the areas coloured pink and blue respectively shown on the plan attached at Appendix 1 (subject to any final amendments of the said plan the Director for Places and Communities considers necessary);**
- (b) **the Deputy Chief Executive be authorised to arrange for the making of the County of Herefordshire District Council (A465(Link Road) Classified Road) (Side Roads and Other Works) Order 2013 under Sections 14 and 125 of the Highways Act 1980 which provides for the stopping up and improvement of particular side roads which connect with the proposed A465 Link Road in Hereford ("the Link Road Scheme") as shown in the plan attached at Appendix 2 subject to any final amendments of the said plan the Director for Places and Communities considers necessary);**
- (c) **the Deputy Chief Executive be authorised, in consultation with the Director for Places and Communities to implement the Orders, including the acquisition of all necessary land and interests and new rights, and to pay compensation including acquisitions agreed by negotiation and to carry out any other additional steps needed for the implementation of the Orders or scheme for the Link Road;**
- (d) **the Director for Places and Communities be authorised to procure and let the construction contract, or contracts, for the Link Road and to take all necessary steps to proceed with the scheme implementation;**
- (e) **in order to facilitate the delivery of the Urban Village Phase 1 changes to parking provision are agreed;**
- (f) **the Chief Officer Finance and Commercial be authorised to market Council-owned land within the area of Merton Meadow and to dispose of the land required to support the delivery of Phase 1 of the Urban Village, subject to achieving value for money.**

The meeting ended at 4.25 pm

CHAIRMAN