

Chief Executive's Office

Chief Executive: N.M. Pringle

**To: All Members of Cabinet:
Councillors:
R.J. Phillips (Leader)
G.V. Hyde (Deputy Leader)
Mrs. L.O. Barnett
P.J. Edwards
Mrs. J.P. French
J.C. Mayson
D.W. Rule MBE
R.V. Stockton
D.B. Wilcox
R.M. Wilson**

Your Ref:

Our Ref: NMP/CD

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19th November, 2003

Dear Councillor,

**MEETING OF CABINET
THURSDAY, 27TH NOVEMBER, 2003 AT 2.15 P.M.
COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD**

AGENDA (03/18)

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest by members in respect of items on this agenda.

3. COMPREHENSIVE PERFORMANCE ASSESSMENT: IMPROVEMENT REPORTING

To receive an update on the Comprehensive Performance Assessment process and report on the publication of the revised score card which is due to be published on 18th December, 2003. *(Pages 1 - 2)*

4. PERFORMANCE MANAGEMENT ACTION PLAN

To approve the Performance Management Action Plan (December 2003 to March 2004). *(Pages 3 - 6)*

5. WRITE-OFFS DURING 2002/03 FINANCIAL YEAR

To note the levels of write-offs during the 2002/03 financial year. *(Pages 7 - 14)*

6. RESPONSE TO THE CONSULTATION ON THE GOVERNMENT'S GREEN PAPER "EVERY CHILD MATTERS"

To determine the Council's response to the above-described Green Paper (Report to follow)

7. POSITION STATEMENT FOR REPLACEMENT POOL FOR NORTH HEREFORDSHIRE

To note the timetable, costings and detailed design for the provision of a new pool in Leominster. (Pages 15 - 16)

EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the appendix to the report will not be, or is likely not to be, open to the public and press at the time it is considered.

RECOMMENDATION:

That the public be excluded from the meeting during discussion on the appendix to the report for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act as indicated below.

POSITION STATEMENT FOR A REPLACEMENT POOL FOR NORTH HEREFORDSHIRE (EXEMPT APPENDIX)

To consider the financial implications of a replacement pool for North Herefordshire. (Pages 17 - 18)

This appendix to the main report discloses the amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

Yours sincerely,



**N.M. PRINGLE
CHIEF EXECUTIVE**

Copies to: Chairman of the Council
Chairman of Strategic Monitoring Committee
Vice-Chairman of Strategic Monitoring Committee
Chairmen of Scrutiny Committees
Group Leaders
Directors
Herefordshire Commercial Services Manager
County Secretary and Solicitor
County Treasurer

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COMPREHENSIVE PERFORMANCE ASSESSMENT: IMPROVEMENT REPORTING

PROGRAMME AREA RESPONSIBILITY: AUDIT AND PERFORMANCE MANAGEMENT

CABINET

27TH NOVEMBER, 2003

Wards Affected

County-wide

Purpose

To receive an update on the Comprehensive Performance Assessment process and report on the publication of the revised score card which is due to be published on 18th December, 2003.

Key Decision

This is not a Key Decision

Recommendation

THAT the arrangements for the publication of the revised score card be noted but Cabinet indicates that if, in due course, the Council qualifies for a proportionate Corporate Assessment then the opportunity for a proportionate Corporate Assessment be not taken up

Reasons

The Cabinet needs to be in a position to respond quickly when the revised score card is published on 18th December, 2003.

Considerations

1. The Audit Commission published its proposals for interim revision to the Comprehensive Performance Assessment (CPA) scores pending the Audit Commission's proposals for a revised full Comprehensive Performance Assessment in 2005.
2. There was significant pressure from those authorities who had either shown significant improvements in performance since the last Comprehensive Performance Assessment or whose scores had been "artificially" depressed because of poor scores in particular areas of service. Herefordshire Council would potentially have been affected by those rules because, as has previously been explained, the addition of 1 point to the service score would bring the Council potentially into the Excellent category. However, the Audit Commission scheme does not permit an authority to be categorised Excellent if it has a score of 1 within the Environment block.
3. On the information currently available to the Council, it would appear that the

Further information on the subject of this report is available from
N.M. Pringle, Chief Executive, on (01432) 260044

Council's service score will improve although it is important to emphasise that this can only be confirmed when the revised score card is received in December. There are some elements of the score card which are still not available to the Council. The Audit Commission assessment process is a complex one and the Environment score failed to achieve a 2 by the narrowest of margins. There has, however, been only limited re-assessment in the Environment area and the potential for revision in that area is therefore less likely.

4. The Audit Commission plainly do not have the capacity to undertake a revised Comprehensive Performance Assessment for every authority that improves sufficiently in service terms and thus moves into the next category. The Commission was unwilling, for reasons which can be readily understood to reclassify authorities on the basis of a change to the service score alone. It has, therefore, developed the concept of a proportionate Corporate Assessment in circumstances where the service score threshold is achieved. It has, however, set a higher threshold in terms of the Corporate Assessment which will have to be achieved if the authority is to be reclassified. The Council's Corporate Assessment score whilst categorised Good was below the revised threshold which has now been announced.
5. The judgement which therefore has to be made is whether the Council should be willing to pursue an opportunity for a proportionate Corporate Assessment if the thresholds previously described are achieved. There are a number of elements to that judgement. Perhaps one of the most important is whether such a revised assessment would add to the improvement process. Cabinet received a report on progress on the Improvement Plan at its meeting on 25th September from which it was clear that sound progress was being made. However, there are a significant number of elements of the Improvement Plan which will not be wholly completed within a single year. Consideration also has to be given to the weight of inspection which the Council has already faced in the current year. On balance, therefore, it is felt that a proportionate re-assessment would make insufficient contribution to the Council's Improvement Planning to justify the inevitable disruption of further inspection. Rather it would benefit the Council to concentrate on consolidating those improvements in time for the revised Comprehensive Performance Assessment in 2005. For that reason it is not felt that the opportunity for a proportionate re-assessment should be taken should the improvement to the service score make the Council eligible.

Alternative Options

The alternative option is to proceed with a proportionate Corporate Assessment should the Council be eligible.

Risk Management

The risks centre on the management of the Council's reputation. It would assist the Council's reputation if it was to be reclassified as Excellent. It might, however, diminish commitment to the Improvement Plan.

Consultees

This report has not been the subject of consultation.

PERFORMANCE MANAGEMENT ACTION PLAN

PROGRAMME AREA RESPONSIBILITY: AUDIT AND PERFORMANCE MANAGEMENT

CABINET

27TH NOVEMBER, 2003

Wards Affected

County-wide

Purpose

To approve the Performance Management Action Plan (December 2003 to March 2004)

Key Decision

This is not a key decision.

Recommendations

That the Performance Management Action Plan be approved.

Reasons

As per attached paper

Considerations

1. The post of Head of Performance Management was created as a response to the Comprehensive Performance Assessment (CPA) recommendation that Herefordshire Council required a more rigorous approach to performance management. The successful appointee took up post on 15th September, 2003 and following a period of analysis and consultation has produced an action plan reflecting priorities to March 2004.
2. The action plan has taken into account the recommendations contained in other key documents, such as the CPA Improvement Plan and the Performance Management Framework, and these are signposted. One of the intentions of the role is to provide a focus for pulling together various strands of work in this area.
3. The approach adopted by the Head of Performance Management reflects the Audit Commission's approach and Cabinet will note that her membership of the IDeA/Audit Commission Performance Management Reference Group will ensure that Herefordshire Council will be kept up to date with any new thinking.
4. The action plan is set out against the relevant indicators of the EFQM model to ensure a holistic approach is adopted and progress reporting and any further plans will also be set out in this way. The plan includes measures to communicate and embed a performance management culture as well as more specific activities such as monitoring the LPSA targets. Both types of actions are required if the Council is to evidence improvement at the next CPA in 2005.

Further information on the subject of this report is available from
Sue Griffiths, Head of Performance Management, on (01432) 260476

5. It should be remembered that the Head of Performance Management post reports directly to the Chief Executive and, therefore, it is necessary to work with officers from across Directorates and Divisions to achieve the required outcomes. To this end two groups have been established, the Performance Leads Group, who as Heads of Service have a key role as champions, and the PI Coordinators group who will be able to assist with detailed policies and procedures. Both groups have met and have further meetings planned before Christmas. The Head of Performance Management also works closely with other key officers including the Head of HR, another new corporate role.
6. The action plan presents clear priorities and accountabilities over the next four months and regular progress reports will be made available both for Chief Executive's Management Team and elected Members

Risk Management

The Council scored 2 out of a possible 4 for the performance management aspect of the CPA. Without improvement to this score the Council is unlikely to reach an Excellent assessment and benefit from the associated freedoms. Failing to monitor the performance of services whether provided directly or through partners may mean that value for money is not being achieved. Failure to meet LPSA targets will have significant financial consequences for the Council.

Consultees

There are no consultees.

Background Papers

None identified.

Performance Management Action Plan December 2003 - March 2004

Indicator	Action	Who	Expected Outcomes	Measure	Link
Leadership	Improvement Plan -Design overview and review process	Head of P M and Performance Leads	Ensure that targets are corporately owned and delivered	All improvements delivered to timescale	CPA
	Design performance framework for Chief Officers	Head of P M and Performance Leads	Clarity of expectations of Senior Managers	Self reporting	PMF
	Communication of P M framework in Directorates/Departments	Head of P M ,Performance Leads and Directors	Understanding of framework and confidence to implement	Evaluation of various events/materials	PMF
People	Devise system to monitor HR Strategy	Head of P M and Head of HR	Key HR processes are fully embedded	All targets delivered to timescale	CPA
Partnerships and Resources	Devise/coordinate performance monitoring re: partnerships	Head of P M and "Contract Managers"	That services delivered by partners perform to required standard	Key performance targets are met	New
Processes	Finalise Herefordshire Driver	Head of P M, Policy Team and PI Coordinators	Final framework for use to support service planning	Evidence of use in audit of service plans	PMF
	Implement project management framework	Head of P M and Performance Leads	Consistent use of framework for key projects	All defined projects are using	CPA
	Finalise and implement risk management strategy and devise training	Head of P M, Performance Leads and Treasurer	Understanding of strategy and confidence to implement	Evaluation of various events	CPA

Indicator	Action	Who	Expected Outcomes	Measure	Link
People Results	Framework for use of staff survey	Head of P M, Personnel Manager and Research Team	Consistent use of 2003 information in service plans	Evidence of use in audit of service plans	CPA
Key Performance Results	Monitor/report progress on LPSA	Head of P M, Andrew Tanner, John Eades	Consistent and proactive approach to supporting progress to targets	LPSA targets are met or within agreed shortfall	LPSA
	Devise validation process for KPI's	Head of PM, Audit, PI Coordinators	Reliable and accurate data	No qualified PI's	BVPP
	Ensure frequency of performance monitoring reports is on target	Head of P M and PI Coordinators	Agreed framework is implemented	Reports to Cabinet/Scrutiny Committees	PMF
	Devise and monitor consistent performance reporting framework	Head of P M and PI Coordinators	Consistent framework which meets information needs of all stakeholder users	Survey of stakeholder users	PMF
	Investigate need for corporate performance database	Head of P M and PI Coordinators	Analyse need and assess existing systems/possible replacements	Agreed system which meets Council's needs	PMF
Innovation and Learning	Membership of IDeA/Audit Commission Performance Management Group	Head of PM	Influence on and advance notice of CPA criteria/good practice	Improved CPA rating on PM	New

Key: CPA - CPA Improvement Plan, PMF - PM Framework, LPSA - Public Service Agreement, BVPP - Best Value Performance Plan

WRITE-OFFS DURING 2002/03 FINANCIAL YEAR

PROGRAMME AREA RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

27TH NOVEMBER, 2003

Wards Affected

County-wide.

Purpose

To note the levels of write-offs during the 2002/2003 financial year.

Key Decision

This is not a Key Decision

Recommendation

THAT the position be noted.

Reason

The report is for general information.

Financial Implications

Provision is made for such write-offs in determining the Council Tax base, approved as part of the budget process.

Irrecoverable amounts in respect of National Non-Domestic Rates are fully reimbursed by Central Government, therefore there is no cost to the Authority.

The irrecoverable amounts for Sundry Debtors are recharged to the originating department, each being responsible for having due regard to these amounts during the budget process.

Considerations

In general, debts considered for write-off fell into five main categories:

- Bankruptcy or liquidation.
- Written off by Magistrates at Committal hearing.
- Unable to trace debtors.
- No further action possible.

Further information on the subject of this report is available from
Jane Salt, Assistant County Treasurer (Revenue and Benefit Services) on (01432) 260399

- Sundry debts below £100.

When a debtor is made bankrupt or has gone into liquidation, a claim is lodged and the matter is placed in the hands of the Receiver and no further effective action can be taken. Owing to the fact that under current legislation, local authority debts are, in the main non-preferential, the chances of realising significant payment are slight.

Both Council Tax and Business Rate cases are, where possible, progressed to the Committal to prison stage of recovery. At this stage the Magistrate has the power to remit part or all of the debt and the amount they remit has to be written off.

In a number of cases, the debtor has vacated and left no forwarding address. Enquiries are made including accessing other information held by the Council, contacting other local authorities and organisations. For Council Tax and Non Domestic Rates we also obtain information from the Council's external bailiffs and also use the Council's visiting officers. However, in some cases, no information is forthcoming and there is no other option but for the debt to be written off.

Small balances may be uneconomic to collect and are, therefore, written off. This may also apply in cases where the debtor is deceased and has left no funds or where a debtor has emigrated. Similarly, where credit balances remain, and they are less than £10, refunds are not issued on the grounds of economy, or if a customer is deceased and no executor details can be found, the credits are written back.

Sundry Debts are only written off after approval has been received from the originating department. We review annually the process as part of the Service Level Agreement discussions.

The total amounts written off during the financial year in respect of Council Tax, Non-Domestic Rates and Sundry debts can be found at Appendices A, B and C respectively.

Write-offs for both Council Tax and NNDR have reduced considerably from the previous year. The total amount written off by Herefordshire Council since 1 April 1998 represents 0.15% of the total debt raised for Council Tax and 0.55% for NNDR. Of the overall amount written off for Council Tax and NNDR, 61.57% of this is owing to bankruptcies and liquidations.

The amount written off in respect of Sundry Debts has doubled from the previous year. This is owing to a variety of reasons, one being that we have increased our recovery activity in this area. The largest increase is in the bankruptcy and liquidation category, over which we have little control. The next largest is in the over £500 'no further action' possible category and these debts relate in the main to former tenant arrears. During 2002/03 we received written confirmation from the Department of Works and Pension that we could not recover former tenant rent arrears from ongoing benefit and this accounts for the majority of debts in this category. The amount written off still only represents 0.67% of the debt raised, with 30% of this due to bankruptcies and liquidations.

All write-offs are the subject of a formal authorisation procedure as agreed by the County Treasurer.

Alternative Options

There are no alternative options.

Consultees

None identified.

Background Papers

None identified.

APPENDIX A

COUNCIL TAX

Detail	Amount written-off 2002/03 DR £	Amount written-off 2001/2002 DR £
Bankruptcy or Liquidation	24,071.92	9,008.96
Unable to Trace Debtors	80,756.67	145,298.33
Written off by Magistrates at Committal hearing	1183.53	8,674.06
Miscellaneous	14,735.53	6,426.11
TOTAL	120,747.65	169,407.46

APPENDIX B**NATIONAL NON-DOMESTIC RATES**

Detail	Amount written-off 2002/03 DR £	Amount written-off 2001/02 DR £
Bankruptcy or Liquidation	166,069.89	286,362.73
Unable to Trace Debtors	43,656.42	88,104.74
Miscellaneous	14,963.51	3,617.07
TOTAL	224,689.82	378,084.54

APPENDIX C

Sundry Debtors

Detail	Amount written-off 2002/03 DR £	Amount written-off 2001/02 DR £
Bankruptcy or Liquidation: Over £500 £100-£499	40,609.41 2,225.75	2,220.17 1,299.07
Unable to Trace Debtors Over £500 £100-£499	17,441.24 9,412.08	12,322.64 9,391.44
No Further Action Possible Over £500 £100-£499	32,260.33 24,815.32	12,094.81 21,070.00
Debts below £100 This category includes those accounts where the issue of a court summons is not considered cost effective as the summons issue fee is £27.00.	16,590.24	13,858.71
TOTAL	143,354.37	72,256.84

POSITION STATEMENT FOR REPLACEMENT POOL FOR NORTH HEREFORDSHIRE

PROGRAMME AREA RESPONSIBILITY: COMMUNITY AND SOCIAL DEVELOPMENT

CABINET

27TH NOVEMBER, 2003

Wards Affected

All wards in North Herefordshire (North of Roman Road).

Purpose

To note the timetable, costings and detailed design for the provision of a new pool in Leominster, further to the resolutions of Cabinet of 17th July, 2003 and Council of 25th July, 2003.

Key Decision

This is a Key Decision because it is significant in terms of its effect on communities living or working in an area comprising two or more wards. A Notice in accordance with Section 15 of the Local Authorities (Executive Arrangements)(Access to Information) Regulations 2000 was sent to the Chairman of Social and Economic Development Scrutiny.

Recommendations

- THAT**
- (a) the Council proceeds within the detail of this report for the provision of a new pool for North Herefordshire; and**
 - (b) all other options for provision are therefore discounted.**

Reasons

The detail and various reasons have been recorded in the report of 17th July, 2003.

The funding opportunity through Sport England to develop a new site is not available. Consequently, the development of this pool will place the burden fully on Herefordshire Council.

Considerations

1. The financial assessment is an exempt item and is appended to this report.
2. The issues to be considered in respect of the provision of a new pool are the cost plan, timetable, and tendering process.
3. The estimated timetable for the North Herefordshire Swimming Pool is as follows:
 - 12th January, 2004 – out to tender
 - 9th February, 2004 – return of tenders

- Early March 2004 – award of contract
 - There will be a mobilisation period with a commencement date of March/April 2004
 - July 2005 – completion.
4. It is intended to progress with the plans outlined and approved by Planning in August 2001, although within the context of that planning approval it has been necessary to make alterations picking up public comments, but these do not affect the overall planning consent.
 5. At the Council meeting held on 25th July, 2003, Councillors B. Hunt and P.J. Dauncey gave notice of the following motion:

"In view of Council's support for swimming pool provision in North Herefordshire, and recognising the overwhelming support by local people for a Bromyard Pool, we urge this Council to give maximum support to this project and to investigate a Bromyard scheme concurrently with the Leominster project."

Urgency was not moved and the matter stood referred to the Cabinet Member (Community and Social Development).
 6. It should be noted that the pool to be built in Leominster will be the only swimming pool built in the County for the foreseeable future. It is not intended to progress with suggestions for other pools at this time.
 7. It is anticipated that the budget for running the new North Herefordshire pool will be constrained within the existing client budget for the former pool operation. However it is intended that the Leisure Trust (Halo) will manage this facility as part of their agreement. It is also intended that an assessment will be made during the first year as to actual subsidy and cost to run and manage this new facility. Further discussions with Halo will then take place as to the actual level of subsidy.
 8. The old Sydonia pool has been demolished and the site has been levelled.

Alternative Options

Cabinet resolve not to proceed.

Risk Management

As per consultant risk register.

Consultees

County Treasurer
 County Secretary and Solicitor
 Property Services Manager
 Parks, Countryside and Leisure Development Manager

Background Papers

None identified.

Document is Restricted

