

REPORT OF THE MEETINGS OF CABINET

HELD ON 12TH AND 19TH JUNE AND 10TH JULY, 2003

Cabinet Members: R.J. Phillips (Leader of the Council),
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.

This is the first report submitted to Council for the current year and covers proceedings of the meetings listed above. A supplementary report on proceedings of the meeting held on 17th July, 2003 will be circulated separately

1. DECISIONS RESERVED TO COUNCIL UNDER PART 4 OF THE CONSTITUTION

1.1 **Best Value Performance Plan** – Under the Local Government Act 1999 the Council is required to produce and publish an annual Best Value Performance Plan which is subject to audit by the Council's External Auditors. The Plan forms part of the Council's Policy Framework and this year has to be published by 30th June, 2003. Cabinet agreed that the draft 2003/2004 Best Value Performance Plan should be approved for publication and recommended to Council for formal approval, subject to the final draft being first agreed by the Leader of the Council and the Cabinet Member (Audit and Performance Management). A copy of the Plan has been sent to all Members who are requested to bring it to the meeting.

1.2 **Review of the Constitution** - Cabinet has considered a number of amendments to the Constitution arising mainly from the revised Cabinet and Scrutiny responsibilities and recommends these to Council. A full report detailing the amendments is enclosed as a separate appendix. Members are requested to bring it to the meeting.

2. NOTICES OF MOTION

2.1 At the Council meeting held on 17th January, 2003 Councillor G.H.M. Woodford gave notice of the following motion:

"That, in the interests of open government and public participation, this Council should introduce the practice, already adopted elsewhere in the country, of a public question time at each meeting of the Cabinet."

Urgency was not moved and motion stood referred to the Strategic Monitoring Committee and Cabinet. This has been dealt with at paragraph 15 of the report appended to Item 1.2 above - Review of the Constitution.

3. KEY DECISIONS BY INDIVIDUAL EXECUTIVE MEMBERS WHICH WERE NOT INCLUDED IN THE FORWARD PLAN

3.1 There were no such decisions during the reporting period.

4. CORPORATE STRATEGY AND FINANCE (Chairman of Cabinet – Councillor R.J. Phillips)

4.1 Report on Decisions Taken

- (i) **Members' Allowances** - New regulations dealing with Members' Allowances have recently been introduced. Cabinet has agreed arrangements for reconvening the Independent Remuneration Panel and authorised the County Secretary and Solicitor to invite the Panel to review the current Members' Allowances Scheme and put forward for consideration any changes deemed necessary. The Panel met on 8th July, 2003 and a copy of its report and recommendations to Council appear elsewhere on the agenda.
- (ii) **Procurement of Technical Consultancy Services** - Cabinet has appointed Owen Williams Ltd as preferred bidder, subject to contract, for the procurement of technical consultancy services. It has also identified two reserves.
- (iii) **Final Revenue Outturn 2002/2003** - Cabinet has received the final outturn figure for 2002/03 which shows a net underspend of approximately £1.4 million once all commitments are accounted for. Cabinet has agreed that the underspending on housing benefits (£99,000) be carried forward to help fund a new housing benefit system and that any overspend on Social Care in excess of the 2% maximum allowed within Financial Standing Orders be met from reserves. The Statement of Accounts, which will be available by the end of July, must be approved by Members before 30th September 2003. In accordance with new requirements a report will be presented to the Statutory Accounts Committee as previously agreed by Cabinet (see Item 5.2(i)).

4.3 Report on Items of Interest

- (i) **Herefordshire Commercial Services Board** - Cabinet has received a confidential report advising of matters considered by the Herefordshire Commercial Services Board at its meeting on 29th April, 2003.
- (ii) **Race Equality Steering Group** – In line with the Race Relations Amendment Act (2000) the Council published a Race Equality Scheme in May 2002 providing a framework for how it intends to promote Race Equality. Cabinet received an annual report setting out progress against the action plan, which accompanies the Race Equality Scheme.
- (iii) **Capital Programme - Final Outturn 2002/2003** - Cabinet has noted that the final capital programme outturn for 2002/03 totalled £32,500,000 compared to an original budget of £27,370,000, which represented an increase of £5,130,000 or 19%. The main reason for this increase was the transfer of the housing stock in November, which involved capitalised costs of £4,130,000 in 2002/03. Other increases amounting to £2,450,000 reflected additional borrowing approvals and grant funding received after the establishment of the original capital programme budget. The final outturn, therefore, represents 95% of the adjusted capital budget. The programme was financed by credit approvals of £14,010,000, grants totalling £9,720,000 and capital receipts and reserves totalling £8,770,000.

- (iv) **Bank Accounts** - Cabinet has received a report on the Council's bank accounts. It has noted that the Council operates a total of 223 bank accounts, 162 of which are imprest accounts that allow establishments to aid efficiency in making small purchases of goods and materials.
- (v) **Local Government Bill** - Cabinet has received an information report on the Local Government Bill which contains key proposals which will impact on capital finance, financial administration, Council Tax and other areas. It is intended that the proposals will take effect from 1st April, 2004, although this cannot be guaranteed as it is dependent on an unimpeded passage through Parliament.
- (vi) **Strategic Monitoring Committee** - Cabinet has received and noted the Strategic Monitoring Committee's report which will be made to Council.

5. AUDIT AND PERFORMANCE MANAGEMENT (Cabinet Member - Councillor D.B. Wilcox)

5.1 Report on Decisions Taken

- (i) **Compliance with Statement of Auditing Standard 610** – Cabinet noted the principles of Statement of Auditing Standard 610, which required the Audit Commission as the Council's external auditors to report on all audit matters to those charged with governance on behalf of the Council. It was agreed that a Statutory Accounts Committee be established comprising the Leader and the Deputy Leader of the Council, the Cabinet Member for Audit and Performance Management and the Chairman and the Vice-Chairman of the Strategic Monitoring Committee to ensure compliance with the Regulatory Framework for the consideration of the Council's final accounts.
- (ii) **Corporate Performance Outturns 2002/2003** - The Council has developed revised performance monitoring arrangements as outlined in the Comprehensive Performance Self-assessment submitted as part of the CPA process last year. The new arrangements ensure that the Chief Executive's Management Team, the Strategic Monitoring Committee and Cabinet are all involved in the process. This work has been taken forward and developed, as part of the framework previously approved by Cabinet. Performance against the 19 national corporate health indicators measured during 2002/2003 has generally been on target and shown improvement year on year. Areas identified for further improvement relate to Early Retirements, Disability and Land Searches. Measures have been put in place to address these issues. The number of local corporate indicators has been reduced from 48 to 35, in line with advice from District Audit. Again a number of issues have been highlighted for further improvement. Cabinet has noted that the County Secretary and Solicitor's Department has successfully passed its LEXCEL audit. LEXCEL is a national Law Society standard used primarily in the private sector. It was noted that BV8 (% of undisputed invoices being paid within 30 days of receipt) had improved from 78.09% in 2001/02 to 83.5% in 2002/03 but was still below the target of 100%.

**6. COMMUNITY AND SOCIAL DEVELOPMENT
(Cabinet Member - Councillor R.V. Stockton)**

- 6.1 There were no decisions taken relating to this programme area during the reporting period.

**7. ECONOMIC DEVELOPMENT, MARKETS AND PROPERTY
(Cabinet Member and Deputy Leader - Councillor G.V. Hyde)**

7.1 Report on Decisions Taken

- (i) **Asset Management Plan** - Cabinet has approved the Asset Management Plan (AMP). The AMP is a corporate document that provides information on the strategic use of council owned land and property assets (with the exception of housing and schools). It is a mandatory national initiative that seeks to improve the management of properties held by local authorities. The Plan is important to the Council because it is the mechanism by which the Council is allocated central government capital funding under the Single Capital Pot (SCP) initiative. The Council's 2002 Plan was graded 'satisfactory' and the Council is aiming for a 'good' grade this year.

**8. EDUCATION
(Cabinet Member: Councillor D.W. Rule, MBE)**

8.1 Report on Decisions Taken

- (i) **Pupil Admissions Policy** - In accordance with the requirements of the Schools Standards and Framework Act 1998, as amended by the Education Act 2002, the Council has approved the general criteria for admission of pupils to community high schools as recommended by the Local Admissions Forum. However, following representations from Aylestone High School, Cabinet referred back to the Forum their recommendation concerning the unique arrangement in the County under which 10% of the pupils admitted at the age of 11+ into Aylestone High School are selected by tested aptitude in music. After considerable debate Cabinet has determined that the Council's admissions policy should, in the interest of consistency, be confined to the general criteria already approved for all Community High Schools in the County. This means that selection by aptitude for Aylestone High School's Music Plus will be discontinued.

**9. ENVIRONMENT (PLANNING AND WASTE MANAGEMENT)
(Cabinet Member: Councillor P.J. Edwards)**

9.1 Report on Decisions Taken

- (i) **Planning Delivery Grant** - The Council will receive substantial additional funding for the further improvement of the delivery of planning services in 2003/04 from the Planning Delivery Grant programme. Cabinet has endorsed

a programme of improvement work funded by the Planning Delivery Grant to support continuing service improvement and to meet current Best Value Performance Indicators for the Council's planning services. It is hoped that continued service improvement as a result of the grant will secure further funding over the next two years of the programme.

- (ii) **Herefordshire Unitary Development Plan (UDP) - Handling The Response** - Cabinet has established a Member Working Group to consider representations on the deposit draft Unitary Development Plan. The Working Group comprises: Cabinet Member (Strategic Planning, Regulatory and Waste Management) Chairman and Vice-Chairman of the Planning Committee, Chairman and Vice-Chairman of the Environment Scrutiny Committee and the Cabinet Member (Highways and Transportation). Local Members will be consulted by the Working Group when issues specific to particular settlements or sites arise.

- (iii) **Planning For Waste: Best Practicable Environmental Option** - Cabinet has considered the results of a study, carried out in conjunction with Worcestershire County Council, of the Best Practicable Environmental Option (BPEO) for dealing with municipal solid waste, commercial and industrial waste and construction and demolition waste. The BPEO will form the basis for the formulation of land use planning policy in the Unitary Development Plan (UDP) and inform the waste management contract. Cabinet has agreed:
 - (a) to endorse the Best Practicable Environmental Option (BPEO) Technical Report as the basis for preparing policies and proposals in the Unitary Development Plan.
 - (b) that the BPEO for Municipal Solid Waste be based on a minimum 33% recycling/ composting and a maximum of 22% landfilling with any balance required being managed through a form of thermal treatment.
 - (c) that the BPEO for Commercial and Industrial Waste be based on reducing landfill to 23%, increasing recycling to 73% and 4% dealt with by existing thermal treatment.
 - (d) that the BPEO for construction and demolition wastes be based on reducing landfill to 24% and recycling increased to 76%.
 - (e) the Unitary Development Plan will contain policies to guide the identification and siting of additional waste management facilities (including, as appropriate, materials reclamation, composting and thermal facilities).
 - (f) that, it will be important to retain an element of flexibility when considering applications for waste management facilities, but that processes or technologies put forward as an alternative to those which comprise the BPEO for a particular waste stream will have to clearly demonstrate how the impact of that process or technology will be equal to or not significantly greater than those which have been modelled for the agreed BPEO.
 - (g) that, pending the adoption of the Unitary Development Plan, waste planning applications be determined in the context of the Hereford and Worcester County Structure Plan 1986 – 2001 and the Waste BPEO.

This reflects the substantive conclusions of an extensive Technical Study and Report carried out by Consultants on behalf of the two Authorities into the

BPEO for waste management and planning. These conclusions include the results of a joint public consultation exercise undertaken in conjunction with Worcestershire County Council. There are a number of small technical alterations made to reflect the different planning regimes being followed by the two Counties. Cabinet has noted that Worcestershire County Council had approved similar recommendations earlier the same day.

- (iv) **Integrated Waste Management Contract** - Since the refusal of planning permission for a waste to energy plant in Kidderminster the Council, together with Worcestershire County Council, has been in negotiations with the Contractor to find a new way to meet the Government's targets on waste management. The current standstill agreement which temporarily suspends aspects of the main contract ends on 30th September, 2003. Cabinet has received a report setting out progress with the Joint Members' Waste Forum, concerns from DEFRA and new proposals from the Contractor. It has agreed to endorse the work of the Joint Members' Waste Forum to minimise waste arising across Herefordshire and Worcestershire and to inform the Contractor that their latest proposal is not acceptable in its current format. It has also authorised the Director of Environment, in consultation with the County Secretary and Solicitor, County Treasurer and Worcestershire County Council, to investigate alternative proposals to keep the present contract in existence, ensuring PFI credits are retained; allow local government recycling and diversion targets to be achieved; satisfy local government procurement requirement and have the support of both Herefordshire and Worcestershire Councils. It has also authorised him to extend the standstill agreement as necessary to progress these matters.

10. HIGHWAYS AND TRANSPORTATION
(Cabinet Member - Councillor R.M. Wilson)

- 10.1 There were no decisions taken relating to this programme area during the reporting period.

11. HUMAN RESOURCES AND CORPORATE SUPPORT SERVICES
(Cabinet Member - Councillor Mrs. J.P. French)

- 11.1 There were no decisions taken relating to this programme area during the reporting period.

12. RURAL REGENERATION AND SMALLHOLDINGS
(Cabinet Member - Councillor J.C. Mayson)

- 12.1 There were no decisions taken relating to this programme area during the reporting period.

13. SOCIAL CARE AND STRATEGIC HOUSING
(Cabinet Member Councillor Mrs. L.O. Barnett)

13.1 Report on Decisions Taken

- (i) **Business Case for Investment in Services for Older People** – The outcome of the 2002 Budget Panel was that in order to progress the development of Older People's Services a business case outlining the requirements of the service in order to meet need, should be produced as a guide to setting policy and investment. Cabinet considered an outline business case and decided that it should be supported with consideration being given to a full business case in Autumn 2003 as part of the revenue budget considerations. It was also decided that support be re-affirmed in principle for the provision of an extra care housing scheme.
- (ii) **Joint Review Inspection of Social Services for Herefordshire** - A Joint Review Inspection by the Social Services Inspectorate and the Audit Commission took place during the Autumn of 2002. Cabinet has received a presentation on the findings of the Joint Review. It found that Herefordshire is currently serving some people well with promising prospects for improvement. The Council has made some significant improvements since becoming a unitary authority; people receive a prompt service and most service users have a named social worker. An investment in family support services has contributed to more children being supported at home and a reduction in the number of looked after children. The Council has also made good progress in integrating both the Learning Disability and Mental Health Services with Health. Yet, across all client groups, there is still an insufficient range and quantity of provision to support adults and children to maintain their independence and remain at home. Furthermore, the thresholds for receiving services are too high and this presents risks, particularly in children's services. There is also too much variation in the quality of assessment and care planning with an unacceptable proportion of this being unsatisfactory. In addition, discharge arrangements for people leaving hospital need to be improved by ensuring there are sufficient resources in place in a timely manner.

The review found that there is an impressive level of political leadership within the Council, and a clear sense of purpose and direction within the new Directorate Management Team. Investments in senior and middle management have already yielded considerable benefits in improving performance and have given impetus to some key developments. There are excellent relationships with other agencies, such as Health, that are helping the Council to achieve its goals. The Council faces a difficult financial situation, especially in Social Care but at the time of the Joint Review, the Council was making good progress in dealing with this. The Joint Review Team concludes, therefore, that the prospects of services improving in the future are promising.

The Director of Social Care and Strategic Housing presented an action plan for Social Care Improvement in Herefordshire. This included the following priorities:

- Developing home support for older people
- Improving assessment practice and quality - adults and children
- Improving resources for children with disabilities
- Improving records management and data quality
- ensuring the integrated service have the right pooled budget

- 'getting the best from the money'
- managing risk well
- having an organisation and culture which focuses on supporting best practice - and 'doing what we say we are going to do'

Along side these priorities it is recognised that there are clear challenges which include:

- keeping vulnerable people and services safe
- capacity to develop new services for older people
- help reducing hospital discharge delays
- keeping partnerships real and healthy and
- having capital for supported and affordable housing.

Cabinet thanked the Review Team for their very detailed presentation and expressed their thanks to the Director of Social Care and Strategic Housing and her team for all their hard work. They approved the action plan.

COUNCILLOR R.J. PHILLIPS
LEADER OF THE COUNCIL