

REPORT OF THE MEETINGS OF CABINET

HELD ON 16TH NOVEMBER, 14TH AND 21ST DECEMBER, 2006
AND 18TH JANUARY, 2007

Cabinet Members: R.J. Phillips (Leader of the Council),
D.W. Rule, MBE (Deputy Leader),
Mrs. L.O. Barnett, P.J. Edwards, Mrs. J.P. French, J.C. Mayson,
R.V. Stockton, D.B. Wilcox, R.M. Wilson.

This report covers proceedings of the meetings listed above.

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

- 1.1 **Herefordshire Unitary Development Plan (UDP)** - Cabinet has considered representations to the Proposed Modifications and Statement of Decisions and Reasons. The statutory plan making process requires that all objections to Modifications or to a Council decision not to accept an Inspector's recommendation must be considered by the Council, and that the outcome of this process be set out in a Statement of Decisions and Reasons. The Proposed Modifications and Statement of Decisions and Reasons were published and made available for inspection between 7th September and 19th October, 2006. During this period 255 comments were received with 84% (214) objections and 16% (41) representations of support. Model Farm in Ross-on-Wye generated the largest number of responses with 43% (94) objections and 2 representations of support. A further 3 objections were for the rejections of the Inspector's recommendation to amend the Ross-on-Wye settlement boundary to exclude the Model Farm site. The rejection of the Inspector's recommendation regarding land at Bullinghope generated some 37 objections and 2 representations of support with one objection submitted being a petition with 218 names calling for the deletion of the allocation. The modification to allocate land at Holmer for housing generated 21 objections and 6 representations of support. Many of the objectors requested detailed amendments to the proposal with regards to traffic issues rather than to the principle of the development of the site. Set out at the Appendices are responses and recommendations regarding representations to the Proposed Modifications and Statement of Decisions and Reasons. Cabinet was advised that representations in the Schedules by WO and OE Price should refer to Holmer House Farm rather than the site attributed, with no further modification being proposed in response.
- 1.2 Cabinet has noted that there have been a number of consequential changes made as a result of modifications to the UDP, which do not materially affect the content of the Plan and can be made without the need to publish the modifications, as they are minor amendments such as updates or corrections. Those identified are:
- Paragraph 5.4.22 provides the reasoned justification for the Tanyard Lane housing site in Ross-on-Wye. There remains reference to the pedestrian and cyclist links to the new business park. However, in his report the Inspector recommended (6.10/2) that other references in the paragraphs which refer to both sites should be deleted. The recommendation has been accepted and, therefore, to provide consistency, the words "and new business park (policy E4)"

should be deleted from the third sentence of paragraph 5.4.22 as a consequential change.

- Two typographical errors in proposed modifications 189 need to be corrected. In paragraph 11.3.4 there is reference to a landbank of 43,969,000 tonnes. This figure should read 3,969,000. In paragraph 11.3.5 there is reference to reserves of crushed rock at 2001, however, this should refer to reserves of crushed rock at 2004.

Cabinet thanked the officers for the hard work that had gone into producing the UDP.

Cabinet recommends to Council that:

- (a) **the responses and recommendations set out in the attached Schedules regarding duly made representations to the UDP Proposed Modifications and the Statement of Decisions and Reasons be approved;**
- (b) **no further Modifications materially affecting the content of the Plan need to be made, and a further Inquiry is not required;**
- (c) **the minor changes set out above be included within the Plan without the need for further modifications;**
- (d) **a Statement of Decisions and Reasons be published in respect of the Council's consideration of the representations;**
- (e) **the UDP be adopted and that the requisite statutory procedures be undertaken to give notice of intention to adopt the Plan;**
- (f) **the UDP be adopted on the day after the expiry of the period given by the Council in the notice of intention to adopt, provided that no direction to modify or call in the Plan has been made by the Secretary of State; and**
- (g) **notice of adoption be given in accordance with the statutory procedures.**

2. NOTICES OF MOTION

2.1 No motions to Council were considered by Cabinet during the reporting period.

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

3.1 There were no such decisions made during the reporting period.

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

4.1 Report on Decisions Taken

- (i) **Managing Performance Management** - Cabinet has noted the results of the recently completed audit of performance management. In 2005 performance

management had been identified as a weak area for the Council. The Audit Commission has now re-assessed progress over the last twelve months to test the performance management culture. It looked at three key services: adult social care, children's social area and benefits.

Cabinet has noted the steady progress the Council is making in strengthening its performance management arrangements and culture, but recognises that it still has to embed into the Council a culture of continuous improvement shared by Members and officers. Cabinet accepts the recommendations of the Audit Commission and has recommended the report to the Audit and Corporate Governance Committee.

- (ii) **Edgar Street Grid** – Cabinet has received a report on the potential need to make Compulsory Purchase Orders for the acquisition of interests and rights on the Edgar Street Grid (ESG), which is required to facilitate the regeneration of this 100 acre site in Hereford. A plan of the site will be on display at the Council meeting. There are three areas in particular that are a priority, these are the Retail Quarter – concentrated in the city block between Edgar Street, Widemarsh Street, Blackfriars Street and New Market Street including the Livestock Market and Garrick House Car Park; the Civic Quarter – the area between Blueschool Street and Coningsby Street; finally the Link Road/Canal Basin – a stretch of land reaching from the A49 north of the football ground through to Commercial Road with its junction to Station Approach. In order to enable the Council to be in a position to drive forward the implementation of the Edgar Street Grid proposals, the implementation of a CPO, or a number of CPOs is likely to be necessary if all the interests and rights in the ESG cannot be acquired by agreement. It is anticipated that there will be a CPO for each of the priority areas.

Cabinet has authorised the Head of Legal and Democratic Services to take forward further preparatory work for the potential Edgar Street Grid CPO/CPOs in respect of the land and rights in the identified area (and any further land that may be identified) and to take all necessary related action to facilitate the implementation of the Edgar Street Grid proposals.

Cabinet has also received a confidential report regarding the marketing for redevelopment, of the Council assets within the Retail Quarter of the Edgar Street Grid site and approved the proposals.

4.2 **Report on Items of Interest**

- (i) **Financial Strategy Update** – The Council's Medium Term Financial Management Strategy (MTFMS) had been approved in October 2006 after widescale consultation. The MTFMS places emphasis on affordability and sustainability in the budget process. The Financial Strategy updates the position from October 2006, with particular reference to emerging areas of pressure for the 2007/08 budget and takes into account the comments from the Strategic Monitoring Committee. Cabinet has noted that, under the Government's Comprehensive Spending Review, the previous pessimistic forecasts continue to look accurate with nil growth forecast for local government along with tight control on Council tax increases. Government expectation is that growth in priority services will be secured through greater efficiency and closer joint working and service provision with other public bodies.

- (ii) **Strong and Prosperous Communities: The Local Government White Paper October 2006** - Cabinet has noted the contents of the White Paper, which sets out a wide ranging programme to give local people and communities more influence and power to improve their lives. The White Paper proposes to achieve improvement through strengthening the role and powers of local authorities through "...a new approach to local partnership to give local authorities more opportunity to lead their area, work with other services and better meet the public's needs." Cabinet has noted that the White Paper encourages greater co-operation between local authorities and Primary Care Trusts and other partner organisations, which fits in with the Council's and the Herefordshire Primary Care Trust's proposals for a Public Service Trust. An Executive Summary of the White Paper has been sent to all Members of the Council and a seminar for all Members will be organised in due course.
- (iii) **Community Forums** – Cabinet has received the report on the October 2006 round of Forum meetings and noted the statistics presented. Once again Members expressed their thanks and satisfaction to the Community Forum Co-ordinator over the style of the meetings and how well managed they are.

5. CHILDREN AND YOUNG PEOPLE (Cabinet Member: Councillor D.W. Rule, MBE)

5.1 Report on Decisions Taken

- (i) **Performance Update Following the Joint Area Review and the Annual Performance Assessment of the Council's Children's Services** – Cabinet has noted the progress to date on performance. The Annual Performance Assessment states that significant improvement has been made and provides a sound platform for further improvement. Nationally the Council has received a score of two, which puts the Council at the middle level (1-4). Overall performance in the Safeguarding and Assessment Service has been rated as good, which means the Council is now in a position where there are no inadequate assessments on "Stay Safe" or Service Management" issues.
- (ii) **School Transport** – Cabinet has received a report assessing the impact of the introduction of charges for those pupils admitted to year 7 in St Mary's RC High School and The Bishop of Hereford's Bluecoat High School in September 2006. Cabinet was pleased to note there was no discernable impact on the popularity or the mix of students attending the two aided high schools. In fact there had been an overall increase in students attending the schools. Cabinet noted that the Education and Inspections Act 2006 would not make any difference to the transport arrangements for pupils in Herefordshire.
- (iii) **Care Matters: Transforming the Lives of Children and Young People in Care** – Cabinet has received a report on the Government Green Paper Care Matters: Transforming the Lives of Children and Young People in Care and noted that although outcomes for looked after children had improved in recent years, there was still a significant gap when compared with all children. A comprehensive consultation exercise was undertaken with 65 looked after children and young people, aged 10+ were sent copies of the young people's version of Care Matters with their own questionnaire. In addition views were sought from a further eight young people and care leavers and were

interviewed by professional staff. As well as the young people, over 200 key stakeholders in Herefordshire were contacted by email and asked to complete an electronic questionnaire. Cabinet has noted that although there had been an encouraging response to the consultation, there had been no formal response from the Secondary Schools or the voluntary and independent sector. It also noted that further attempts would be made to engage with the Secondary Heads Association and the Voluntary Sector Alliance.

6. COMMUNITY SERVICES (Cabinet Member - Councillor R.V. Stockton)

6.1 Report on Decisions Taken

- (i) **Bromyard Downs (Common)** – Cabinet has considered the proposed action for the future management and governance of Bromyard Downs. The Common is currently managed through the Bromyard Common Management Committee. The Council has received a request to determine whether the management committee is fulfilling its functions towards the Downs. Under the Scheme of Delegation the Council is required to determine any grievances. Cabinet has endorsed the proposed plan of action, as set out by the Head of Legal and Democratic Services to review the governance and maintenance of the Common and will receive a further report in due course.

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

7.1 Report on Decisions Taken

- (i) **Draft Annual Operating Plan 2007-08** – Cabinet has agreed that, as part of the Performance Improvement Cycle the Council should have an Annual Operating Plan (AOP) to give effect to the first year of its latest Corporate Plan and to serve as the basis for in-year integrated performance reports. Cabinet approved a draft of the Corporate Plan 2007-10 in October 2006, and gave in principle approval to the associated three-year investment proposals. The draft AOP sets out what the Council intends to do and achieve in year one of the new Corporate Plan. It takes into consideration the views of the Strategic Monitoring Committee. The AOP has been developed in line with the changes to the Medium Term Financial Management Strategy. It will be finalised in conjunction with the Budget for 2007-08 and along with the final version of the Corporate Plan and the proposed budget be recommended to Council for formal approval.
- (ii) **Corporate ICT Strategy** – Cabinet has approved the draft Corporate ICT Strategy subject to further consultation. This is the first time a detailed strategy document has been prepared setting out a strategic road map for ICT services; how the service will be developed and adapted to meet the business needs of the Council and its partner organisations; and be a key building block for the delivery of the Herefordshire Connects Programme. The strategy will allow for more flexible working solutions giving a standardised desktop computing environment so that hot-desking and home working can be introduced. It will also manage the corporate risk and inspections and audit recommendations.

7.2 Report on Items of Interest

- (i) **Integrated Performance Report** – Cabinet has received a report outlining performance to the end of September 2006 and the actions being considered to address areas of under-performance and a further report in November measuring performance against the Annual Operating Plan 2006-07. The September report outlines 89 indicators of which 19 were marked red indicating issues that have not been addressed. Cabinet has noted that issues around sustaining vibrant and prosperous communities were mostly about public perception rather than access to services. They were pleased to note that staff sickness absence was now below target. There has also been a significant reduction in overspends in the Adult and Community Services Directorate. The November report measured performance against revenue and capital budgets and corporate risks, and remedial action to address areas of under-performance, along with progress against the Council's Overall Improvement Programme.

Cabinet has agreed to monitor most 'in year' performance indicators that measure the public's perceptions of quality of life or services in a different manner. Progress towards improving them will be judged against three year targets. Performance will be reported annually along with in-year performance reporting of the things that are happening that should change, for the better, how people perceive their quality of life and services.

- (ii) **Pay and Workforce Development Strategy 2005-08** – Cabinet has noted the progress made against the Strategy and the key actions to be taken for the forthcoming year. Cabinet first agreed the Pay and Workforce Development Strategy 2005-08 in June 2005. Cabinet noted the areas for priority action were pay and rewards, developing leadership capacity, resourcing, developing the skills and capacity of the workforce, and developing the organisation. Activities within each key theme act in support of each other and are designed to help support delivery of the Corporate Plan.

8. ENVIRONMENT (Cabinet Member: Councillor P.J. Edwards)

8.1 Report on Decisions Taken

- (i) **Annual Monitoring Report 2005/06** – Cabinet has approved the second Annual Monitoring Report and its formal submission to the Secretary of State. Cabinet has noted that the Report had been produced in line with the guidance provided by Government, which is for an objectives-policies-targets-indicators approach to the monitoring of development plans. Improvements have already been made in line with government requests and best practice has been implemented where appropriate.
- (ii) **Local Development Scheme** – Cabinet has approved the revised Local Development Scheme. The scheme is a requirement placed on local planning authorities to publish a statement of how the forward planning work is to be organised over a three year period and revised as necessary. The current scheme was published in January 2006 and has now been reviewed in response to a number of considerations and allows a more flexible approach in the future, with links to the Community Strategy.

- (iii) **Sustainability Strategy** – Cabinet has endorsed the Sustainability Strategy for 2006-09 and the accompanying action plan. The Sustainability Strategy contributes to the Community Strategy for Herefordshire in which the Herefordshire Partnership sets out its vision for Herefordshire. One of the five guiding principles is that we “integrate sustainability into all our actions”. As a key member of the Herefordshire Partnership the Council is committed to and promotes sustainable development. The Strategy sets out a programme of activities that will enable the Council to co-ordinate across all its plans and strategies.

9. HIGHWAYS AND TRANSPORTATION **Cabinet Member - Councillor D.B. Wilcox)**

9.1 Report on Decisions Taken

- (i) **Policy Statement for the Use of the Rivers Wye and Lugg** – Cabinet has approved the draft Policy Statement for the use of the Rivers Wye and Lugg as the basis for public consultation. It recognises the importance of the rivers to the County’s future. In particular, the River Wye is nationally renowned and, together with the River Lugg, is defined as navigable within the confines of the County. Cabinet agrees on the need to make more use of the rivers for diverse leisure and economic interests. Cabinet recognises the main responsibility for the rivers lies with the Environment Agency but a policy statement for the use of the two rivers has been produced to indicate how the Council could work with partners on matters of mutual interest and concern.

10. RESOURCES **(Cabinet Member - Councillor R.M. Wilson)**

10.1 Report on Decisions Taken

- (i) **The Council’s Investment in the Maylords Shopping Centre** – Cabinet has received a confidential report and approved the commencement of negotiations to restructure the headlease with Prudential Property Investment Managers (PruPim) in order to revitalise Maylords as a shopping centre and as good financial return in the long term.

10.2 Report on Items of Interest

- (i) **Asset Management Plan** - A report on this item was deferred and will be considered by Cabinet at its meeting on 8th February, 2007. It will be reported to the Council meeting on 9th March, 2007.

11. RURAL REGENERATION AND STRATEGY **(Cabinet Member - Councillor J.C. Mayson)**

11.1 Report on Decisions Taken

- (i) **Hereford Livestock Market** - After a long period of consultation with the public and interested parties Cabinet has approved a new site for the relocation of the Livestock Market. The agreed site is on the Roman Road identified as Site 5. Cabinet noted the effect of the relocation on the future of the Edgar Street Grid proposals. In considering the options the main considerations were: the effect on residents, traffic implications and long term

value. Cabinet felt that no site would be perfect, but the aim was to secure a suitable long term site and to negotiate with the market operators' both a capital contribution and lease terms. Cabinet felt that this would prove to be the best site to relocate the market with the least disruption to residents and provide long term value and therefore gave authority for officers to proceed to negotiate the purchase.

The decision was called in by the Community Services Scrutiny Committee who wished to ensure that all the sites had been investigated thoroughly.

Following the call-in, Cabinet considered the matter again, including the recommendations of the Scrutiny Committee, in an urgent report on 18th January, 2007. This was the last opportunity for Cabinet to consider the issue before the meeting of Council on 9th February, 2007. It has accepted the recommendations of the Scrutiny Committee, subject to the normal processes being followed in respect of any planning applications, and confirmed that the market will re-locate to Site 5 on the Roman Road.

Cabinet has also expressed their thanks to the Cabinet Member (Rural Regeneration and Strategy) for the work he had carried out so far to bring the project forward and to the officers involved. In particular thanks were expressed for the work of the late Councillor George Hyde and that of Councillor Terry James who had initiated the project by agreeing to seek a change to the Hereford Market Act to enable the relocation to go ahead.

12. SOCIAL CARE ADULTS AND HEALTH (Cabinet Member Councillor Mrs. L.O. Barnett)

12.1 Report on Decisions Taken

- (i) **Future Social Care Needs for Older People and Adults with Learning Disabilities in Herefordshire** – Cabinet has considered the findings and recommendations of the review of future social care needs of older people and people with learning disabilities. It has agreed the proposals to move to a more effective and efficient prevention based service model and to establish the additional capacity needed to deliver the improvements. A similar needs analysis on the future needs of the service has been undertaken in respect of 18 to 65 year olds with mental health problems and/or physical disabilities. Cabinet recognises that the proposals would lead to significant improvement in the services for vulnerable client groups. It has noted that the implementation of the Herefordshire Connects programme would be important to the improvements in services.
- (ii) **Integrated Community Equipment Services** – Cabinet has noted the proposed changes by Central Government to the delivery of community equipment services nationally and the impact and pressure this will have on the pooled revenue budget and the need for capital investment. Cabinet has requested a further report on the role of the Third Sector in equipment service once the full Government guidance is available. A pilot project on the new method of delivery and fitting of community equipment has demonstrated that efficiencies can be made, but in order to progress this model additional capital and revenue investment is required. A further report on savings and cost benefits and how they will be progressed will be submitted to a future meeting.

- (iii) **Homelessness Update** – Cabinet has received a report on homelessness prevention in Herefordshire. It had approved a number of ‘spend to save’ initiatives in July 2005, which addressed the financial pressures created by the demand for homelessness services in Herefordshire. Additionally the provision of housing for the homeless and housing advice services have returned to the Council from Herefordshire Housing and this has led to an improving position for homelessness prevention in Herefordshire, with less than two new families a month going into bed and breakfast accommodation. The spend to save fund has enabled nearly 300 successful homelessness prevention payments to be made since it became available in October 2005, with the total value of payment since the fund was created being in the region of £130k. This has helped considerably in the use of temporary accommodation. Since April 2006 over 70 families have been helped in accessing the private rented sector before being re-homed. Previously families would have had to stay in bed and breakfast accommodation until it had been determined whether the Council had a duty to re-house.

COUNCILLOR R.J. PHILLIPS
LEADER OF THE COUNCIL