

# REPORT OF THE MEETINGS OF CABINET

**HELD ON 22ND MARCH AND 12TH APRIL, 2007**

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**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 is the final report submitted to Council for the current year and covers proceedings of the meetings listed above.

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

1.1 There were no such decisions during the reporting period.

## **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 **Capital Funding for Riverside Primary School and Sutton St Nicholas Primary School.** The Cabinet Members (Corporate Strategy and Finance) (Children and Young People) and (Resources) made a decision on 22nd March, 2007 that the capital projects at Riverside Primary School and Sutton St Nicholas Primary School proceed on the tenders received, but allowing for a reduction in the Sutton St Nicholas Primary School scheme through the reduction in the size of the new building. A further report was made to Cabinet following this decision, as referred to at paragraph 5.1 (ii).

3.2 **Connexions Transition Plan and Commissioning Arrangements.** The Cabinet Member (Children and Young People) made a decision on 29th March, 2007 that Connexions (Herefordshire and Worcestershire) be the commissioning body for services for young people for the initial period 2008/10.

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

### **4.1 Report on Decisions Taken**

(i) **Gender Equality Scheme** – Cabinet has received a report on the Gender Equality Scheme 2007/10. The Gender Equality Duty is part of the Equality Act 2006 and one of the functions is to create a duty on public authorities to promote equality of opportunity between men and women and to prohibit sex discrimination in the workplace. In short the three main functions are to eliminate unlawful discrimination and harassment and to promote equality of opportunity. Cabinet has approved the scheme and accompanying action plan.

- (ii) **Future of Post Office Services in Rural Herefordshire** - Cabinet has received a report on the Department of Trade and Industry consultation document on the Government's proposed closure of up to 2,500 post offices nationally. The Council has noted the potential impact this could have on the county and has co-ordinated a response to the consultation and used this as an opportunity to examine sustainable models for delivering post office services in the County. The State of Herefordshire report indicates that 84% of the County's residents found it easy to access post office services and the Council intends to maintain this level of access. Cabinet also noted the impact the closures could have on the urban community of Herefordshire as well as rurally. Members suggested a campaign was needed to encourage people to use their local post office more often to prevent its possible closure and that a mapping exercise be carried out to locate Council and other rural services geographically in relation to current post office services across the county.
- (iii) **Herefordshire Satisfaction Survey** - Cabinet has received a report giving the results of a recently completed annual satisfaction survey. The data from the survey is important for service planning, performance assessments and the Council's improvement plan. The results indicate what the public think of the Council and its services and its partner organisations' services. Cabinet noted the perception indicators from the survey, which are central to the wider direction set for local government in the recent government white paper. A detailed analysis of all the results, including the growing number of comparisons, will be produced. The early rounds of the 2007 Herefordshire Voice panel will be used to identify the underlying reasons behind some of the key results including the overall satisfaction score. In addition the IPSO/MORI data provided by the LGA Reputation Campaign will be analysed on issues affecting public satisfaction and for lessons that can be applied locally. Staff, users and the general public will be consulted both on the results and the appropriate follow up actions.
- (iv) **Election Costs** - Cabinet has received a report on the proposed apportionment of election costs proposed between Herefordshire Council and the Parish and Group Parishes in the County. Parish Councils have been consulted on the proposals through the Herefordshire Association of Local Councils (HALC) who have approved the principle of the election costs. Cabinet has approved the apportionment of fees which will be divided equally and be proportionate to the number of electorate in a Parish.
- (v) **Public Service Trust** - Cabinet has received an outline of the way forward for the proposed Public Service Trust for Herefordshire. It has agreed that the financial implications for a Public Service Trust were very significant and would be at the forefront of their considerations. The financial implications would need to be addressed separately both in terms of the construction of a budget for any period of interim operation and for the first year of operation. It has noted that both the Council and the Primary Care Trust have recognised the need for an independent or external auditor to carry out due diligence enquiries before proceeding with the Public Service Trust proposals.

Cabinet has agreed that, in order to maintain the timetable proposed to the Herefordshire Public Service Trust Project Steering Group on 16th April, 2007, authority would be delegated to the Chief Executive and the Leader of the Council to enable them to give effect, if necessary, to any resolution of

the Steering Group in relation to the timing of public consultation and the timing of the placing of an advertisement for the post of Chief Executive for the Public Service Trust.

- (vi) **Herefordshire Connects Programme Update** - Cabinet has received the results of the evaluation of the three short-listed suppliers for the Herefordshire Connects Programme. Of the two options available for procurement: use of the Official Journal of the European Union (OJEU) or the CATALIST framework used by the Office of Government Commerce (OGC), the Council had chosen the CATALIST framework and in doing so will receive ongoing support from the OGC.

Cabinet endorsed the recommendation that Deloitte be confirmed as the preferred supplier, with SERCO as the reserve. Cabinet agreed that the Director of Corporate and Customer Services conduct negotiations with the preferred supplier, supported by the Director of Resources and the Head of Legal and Democratic Services, with a further report to be brought back to Cabinet outlining the outcome of the negotiations. Cabinet has also noted the recommendations of the Audit Commission in its report 'Herefordshire Connects' and agreed the actions proposed.

#### 4.2 **Report on Items of Interest**

- (i) **Strategic Monitoring Committee** - Cabinet has received and noted the report of the Strategic Monitoring Committee, which is the subject of a separate report to Council.

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

#### 5.1 **Report on Decisions Taken**

- (i) **Brilley CE Primary School.** Cabinet has received a report advising of the decision of the Governors and Parents of Brilley CE Primary School to request the transfer of pupils to Almeley Primary School, and to consider the future of the school. Cabinet was advised of the falling numbers of children in the County and that Parents and Governors of the school had reluctantly come to the view that it was in the best interests of the children to transfer them to a larger school. Cabinet has approved the transfer of children to Almeley School and has agreed that notices be issued to cease maintaining Brilley CE Primary School from the 31 August 2007.
- (ii) **Funding Arrangements for Riverside Primary School and Sutton St Nicholas Primary School.** Cabinet has received a report informing them of the decision taken by the Leader of the Council, the Cabinet Member (Children and Young People) and the Cabinet Member (Resources) regarding additional funding arrangements for the above schools. Cabinet had previously received the month eight Integrated Performance Report at its meeting on 22 February 2007, which highlighted a funding gap on the replacement primary school projects for the above two schools. At that meeting Cabinet had noted the position and referred the matter to the Leader, Cabinet Member (Children and Young People) and Cabinet Member (Resources) for decision paragraph 3.1 of this report refers. Cabinet noted the actions of the Cabinet Members to put in place the additional funding

required for both capital schemes, and agreed the additional £50,000 funding from capital receipt reserves for the rainwater harvesting system for the Sutton St Nicholas Primary School scheme to be reinstated.

## 5.2 **Report on Items of Interest**

- (i) **Progress on Improvement in Children and Young People's Services.** Cabinet has received a report advising of the position following the Government Office for the West Midlands (GOWM) Board meeting on 21st March, 2007. Cabinet noted that considerable progress had been made and the service was now operating well above the minimum requirement. It was noted that the Government Minister had determined prior to the Board meeting that there would be continued engagement regarding the service until September 2007. The Director confirmed that a meeting would be taking place shortly to mutually agree future targets.

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

### 6.1 **Report on Decisions Taken**

- (i) **Withdrawal of Hereford City Council Support for Grounds Maintenance and its Impact on the Parks Service** – Cabinet has received a report outlining the reasons for Hereford City Council's decision to withdraw funding support for grounds maintenance in Hereford City for 2006/07 and advising on the impact to services in light of the decision. The loss of this funding will impact upon the ability of HJS to undertake a countywide grounds maintenance service. Cabinet has agreed the situation would not be resolved prior to the elections and has approved the adjustment of the base budget to allow the grounds maintenance to be funded pending a permanent resolution of the situation.

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

### 7.1 **Report on Decisions Taken**

- (i) **Scrutiny Review of ICT Services** – A review of ICT Services was included as part of the Strategic Monitoring Committee's forward work programme. The recommendations from the review need to be considered alongside the Medium Term Financial Strategy and the priorities of the Council's Corporate Plan, Operating Plan and the Council's overall strategy for the Herefordshire Connects programme. Cabinet agreed there were a number of key issues that needed to be addressed in order to develop ICT services in line with the Council's business requirements and that an action plan be developed setting out how and within what timescale the recommendations would be addressed. Cabinet thanked the members of the scrutiny review for the work they had carried out.

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

### 8.1 Report on Decisions Taken

- (i) **Statement of Community Involvement** – Cabinet has received a report seeking approval for the adoption of the Council's Statement of Community Involvement (SCI). The SCI is required as part of the new planning system and sets out how the Council will consult on planning matters. The process by which an SCI is prepared is set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and adoption of the SCI is a statutory requirement. Cabinet has approved the SCI for adoption as the Council's policy in respect of consultation on planning matters and has noted the Inspector's report, which is to be adopted into the report.
- (ii) **Local Development Framework Task Group** – Cabinet has received a report outlining how the emerging Local Development Framework (LDF) will align with the Community Strategy. Cabinet has noted the government guidance which emphasised there should be complete coherence between the Community Strategy and all other plans for the area. The strategy covers not only spatial planning and traditional land use planning, but also social aspects such as health, employment and crime prevention. Cabinet has agreed that a Local Development Framework Task Group should be established between Herefordshire Council and Partnership representatives as a first step to developing a collaborative approach to guiding work on the Core Strategy.
- (iii) **Review of the Voluntary Code of Practice for the Use of Polytunnels in Herefordshire** – Cabinet has received a report outlining the findings of the Polytunnel Review Working Group, which was conducted after the Waverley Borough Council court case. It has approved the following recommendations:
- all new Polytunnel developments, whether for soil or table grown crops or otherwise, to be treated as development requiring planning consent.
  - Enforcement proceeding to be continued and/or initiated in accordance with priorities:
    - in respect of those sites where notices have already been served and/or in preparation;
    - during the growing season of 2007 in all cases where Polytunnels are already known, or are suspected to be outside the Code of Practice there is a threat to acknowledged planning interests, and are approaching four years in situ;
    - after the end of growing season 2007 in all other cases where planning applications have not, by then, been submitted and there is a threat to acknowledge planning interest,
  - the Cabinet response be reported to the Environment Scrutiny Committee in due course; and
  - a supplementary planning document is prepared on polytunnels developments to a timetable to be arranged by the Cabinet Member (Environment) and the Local Development Scheme is amended accordingly in consultation with growers and the community.

Cabinet recognised the importance of the advice given and the requirement not to deviate from the legal precedent set by the Waverley legal case in order to avoid the risk of judicial review and/or referral to the Local Government Ombudsman if it had failed to take account of the High Court Judgement.

## 8.2 Report on Items of Interest

- (i) **Outcome of Settlement Negotiations in Connection with High Court Proceedings Relating to the River Wye** – Cabinet has received a report on the settlement negotiations with the Church Commissioners for England and Wales and the Hereford and District Angling Association. The settlement concerned both fishing and mooring rights on a stretch of the River Wye between the Old Wye Road Bridge and the Victoria Foot Bridge. The negotiations have now been settled and the Council have secured the rights for persons under the age of eighteen to fish in that stretch of river. The Council has also been granted mooring and full fishing rights in respect of the area known as Corporation Wharf, near the Castle Green Training Centre. Cabinet has agreed to make a contribution towards the Church Commissioners' legal costs.

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

### 9.1 Report on Decisions Taken

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

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

### 10.1 Report on Decisions Taken

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

### 10.2 Report on Items of Interest

- (i) **Forward Looking Annual Efficiency Statement 2007/08.** Cabinet has received a report on the Council's draft strategy for the 2007/08 Annual Efficiency process, indicating progress to date on procurement issues and providing an update on future prospects for the Government's efficiency agenda. It has been advised that since the appointment of the Strategic Procurement and Efficiency Manager the Council's procurement and efficiency activities had improved. Cabinet has noted concerns that West Mercia Supplies was not being used as much as it could be and ways were being examined on how to use it more efficiently. Managers would also be reminded to use West Mercia Supplies for procurement as much as possible. Cabinet has agreed the Council's list of efficiency gains as set out in the report.

- (ii) **Reserves.** Cabinet has received information on the level of reserves held by the Council. Cabinet is made aware of the overall position on a regular basis, the level of reserves indicating the financial health of the Council. Cabinet noted the outline position on the general fund balance and where processes could be tightened up. It also noted that the capital reserves were slightly healthier than expected. Cabinet has agreed that the current level of reserves was appropriate given the Social Care and Herefordshire Connects budget commitments. It has also agreed the move to a risk based assessment to determine the level of general fund reserves.
- (iii) **LGA Briefings on the Lyons Report and Budget.** Cabinet has received a report on the content of the Sir Michael Lyons' inquiry and the implications for local government of the Chancellor's budget. The Lyons report sets out the possible changes regarding the future of local government. The Chancellor's budget statement outlines the financial environment and the implications for local government. Cabinet has noted the main proposals.

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

### **11.1 Report on Decisions Taken**

- (i) **Homelessness Update.** Cabinet has received a report on the progress made in homelessness prevention. In July 2005 Cabinet had agreed several 'spend to save' initiatives to address financial pressures within homelessness services. These changes have been implemented and are proving to be very cost effective. Cabinet has noted the quarterly report on progress and development in homelessness prevention services and the reducing number of families in bed and breakfast accommodation.

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

### **12.1 Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

**COUNCILLOR R.J. PHILLIPS  
LEADER OF THE COUNCIL**