

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 17 February 2011 at 2.00 pm

Present: Councillor RJ Phillips (Chairman)

Councillors: LO Barnett, AJM Blackshaw, H Bramer, JP French, JG Jarvis, PD Price and DB Wilcox

In attendance: Councillors WU Attfield WLS Bowen, PJ Edwards, TM James, RI Matthews, PM Morgan, WU Attfield and MAF Hubbard.

86. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor JA Hyde, Cabinet Member Children's Services.

87. DECLARATIONS OF INTEREST

There were no declarations of interest made.

88. MINUTES

RESOLVED: That the Minutes of the meeting held on 20 January 2011 be approved as a correct record and signed by the Chairman.

89. SECTION 75 AGREEMENTS

The Cabinet Member, Adult Social Care, Health and Wellbeing presented the report to Cabinet and advised Cabinet that the monitoring of the Section 75 agreements would be carried out by the director of resources.

The Acting Director of Adult Social Care informed Cabinet:

- That learning disability and community health staff would be transferred to the new mental health provider 2gether NHS Foundation Trust.
- The Section 75 Integrated Care Organisation document was being finalised for sign off by the Chief Executive and Director of Resources.
- There would be a clear written understanding of how the service would operate with effective partnership working and monitoring to ensure effective delivery.
- The new service would be a joined up service supporting staff delivering services in community hospitals and out in the community.
- Members were reminded that previously the service had not been fully integrated for health and social care, this had now been addressed and there would be a commission delivery board meeting quarterly monitoring the service.
- Organisational change would continue and it was important to ensure arrangements were in place to support staff delivery the service.
- Preparations are underway for when the GP Consortium comes into being.
- In response to a question on accountability, Cabinet was reminded that this was a new vision for adult social care and the new framework was currently being consulted

on. It was added that within the new framework there was a clear set of outcomes for monitoring, which included the number of readmissions to hospital. It was important to note that the accountability would be to the Health and Wellbeing Board, however there would continue to be external monitoring by the Care Quality Commission and other external regulators.

RESOLVED That:

- a) **a Section 75 agreement be established between the Herefordshire Integrated Care Organisation and Herefordshire Council in respect of hospital, community health and adult social care services;**
- b) **a Section 75 agreement be established between 2gether NHS Foundation Trust and Herefordshire Council in respect of community Mental Health Services;**
- c) **the remaining Section 75 agreement between Herefordshire Council and NHS Herefordshire be revised to reflect the changes in provider arrangements arising from recommendations a) and b) above; and**
- d) **delegated authority be given to the Director of Resources, in consultation with the Chief Executive, to complete the agreements.**

90. LOCAL DEVELOPMENT FRAMEWORK AND LOCAL TRANSPORT PLAN

The Cabinet Member Highways and Transportation presented the report along with the Cabinet Member Environment and Strategic Housing. Cabinet was advised of the following points:

- The Local Transport Plan (LTP) is aligned to the Local Development Framework (LDF), both of which are budget and policy framework items requiring approval by Council.
- The Council is required to adopt the LTP by 1 April 2011. Due to additional research, the impact of the Localism Bill and the issue that the LTP is aligned to the LDF, it is proposed that the current LTP 2 is adopted as the interim LTP3 until planning issues are addressed and the LDF is finalised.
- That the Economic Development Strategy is considered by Council at the same time.
- Parish Councils to be consulted in July with a deadline date of October 2011 for comments.
- Noted that delegated authority has been given to the Leader of the Council and relevant Cabinet Member in order to take into consideration the views of the Overview and Scrutiny Committee without the calling of an additional Cabinet meeting.
- Significant consultative work on the proposals has already been carried out with local businesses and the Chamber of Commerce.
- Whilst the authority must, currently, comply with the Regional Strategy, it is due to be revoked by Act of Parliament later in 2011. This will allow flexibility, especially with regards to housing targets and distribution, in the LDF.
- In response to a question on house building, Cabinet was advised that the current rate of house building was currently low and that the level of growth in the county needed to be taken into account.
- There was concern by some Members that the report did not fully reflect the views of the public. It was noted however, that there had been a move towards consensus across a large part of the county.

RESOLVED:

THAT:

- 1. Additional research and advice on the impact of the Localism Bill along with further consultation, including an advisory community poll, be undertaken to inform the development of the Local Development Framework Core Strategy, and a further report on the detail of this consultation be brought to Cabinet in June;**
- 2. It be recommended to Council that:**
 - (a) the Local Development Framework timetable be revised as set out in the table at paragraph 11 below;**
 - (b) the linkage between the Local Development Framework and Local Transport Plan, and the consequent impact on the Local Transport Plan timetable be noted;**
 - (c) the existing Local Transport Plan 2 be adopted as the Council's interim Local Transport Plan³ pending finalisation of the Local Development Framework submission; and**
3. Delegated authority be given to the Leader of the Council, in consultation with the relevant Cabinet Members, to take account of any views the Overview & Scrutiny Committee may express on the proposals above in drawing up Cabinet's final recommendations for consideration by Council.

91. INTEGRATED CORPORATE PERFORMANCE REPORT - QUARTER 3 2010-11

The Cabinet Member Corporate and Customer Services and Human Resources presented the report and advised Cabinet that improvements with the targets set were being made, but directorates needed to ensure that policy objectives were being met.

The following points were noted in discussion:

- Of the targets sets two thirds were on or ahead of target. These included processing planning applications and reducing road traffic accidents.
- There were relatively few key projects behind schedule. The most common causes were continued uncertainty over funding or government policy.
- Greater emphasis was needed on assisting children to gain qualifications, both in the early years foundation stage and at key stage 1 and 2.
- Looked after children achieving level 4 in English and Maths had exceeded target showing improvement from previous years. However, greater emphasis was needed to increase those achieving 5 or more A*-C GCSE's Members were concerned at the number of areas repeatedly not reaching targets. It was noted however, these were areas that the Overview and Scrutiny Committee could investigate..
- In relation to the growing number of 16-18 year olds not in education, employment or training; Cabinet was reminded that under the Edgar Street Grid proposals there were proposals for a Skills Academy for young people to gain qualifications in practical skills to enable them to work in the construction industry.
- In addition, the emphasis now was towards attracting technically based industries to the county, which could provide attractive employment opportunities for young people.

RESOLVED: That Cabinet accepts the performance report to the end of December 2010 and the measures being taken to address areas of under performance.

92. BUDGET MONITORING REPORT 2010/11

The Cabinet Member Resources presented the Budget Monitoring Report 2010/11, which was the financial forecast position for both revenue and capital to the end of 31 March 2011. The Cabinet Member updated Cabinet on the following points:

- The figures were based on the position as at the end of December 2010.
- The report confirmed that the requirement for directors to deliver recovery plans was now proving effective, with the reduction in discretionary spend in order to find additional savings to support the Council's revenue position.
- There was a projected overspend of £2.2m on a revenue budget of £143m, however, plans that had been put in place were now taking effect.
- Services for Integrated Commissioning were still under pressure. Through government health bodies there is £800k of available funding in 2010/11, which was being actively pursued by the partnership to ensure maximum use of the funding.
- The capital programme at the end of December totalled £69.7m and is fully funded from a variety of places, including government grants of £39m.
- Treasury management activity showed that the budget for interest receivable would be exceeded by £100k.
- Due to the winter weather there had been additional pressure on the Sustainable Communities budget and the £500k winter weather reserve is required to ease the pressure.
- Cabinet noted that two directorates had not reduced their discretionary overspend significantly and it was requested that this was investigated further.
- Cabinet discussed the proposed waste disposal unit to be built in Worcester, which was a joint project between Worcestershire and Herefordshire Councils, and the amount of funding held in reserves for this project. Cabinet was reminded that this fund had been built into the reserves over a number of years and was part of the Council's financial plans. It was confirmed that this was a reserve against risk, if the planning application was successful when it went before Worcestershire Council's Planning Committee, then this funding would be built into the financial strategy.

RESOLVED:

That Cabinet:

- a) **Noted the report and the forecast deficit position of £2.2m; and**
- b) **Noted the Chief Executive's requirement that directors deliver recovery plans to ensure a balanced revenue budget.**

93. SHADOW HEALTH AND WELLBEING BOARD

The Deputy Chief Executive presented the report to Cabinet and advised Cabinet on the following points:

- There was a requirement to establish the Health and Wellbeing Board and in so doing would progress the Council's status as an early implementer for the Department of Health.

- This would then put the responsibility for improving the health and wellbeing of residents in the county in the hands of the local authority, which would bring together all the partner organisations, with the local authority taking on the leadership role.
- The new Board would be able to look more broadly at the health and wellbeing of all residents and not just with regard to health and social care.
- It was noted that Herefordshire had already established a pathfinder GP Consortium.
- All of the GP practices in Herefordshire are to be represented on the GP Consortium.
- The terms of reference would be based upon those in the Health and Social Care Bill.
- Amendments to the Constitution would be put before Council in March in order to include the Health and Wellbeing Board.
- It was expected that there would be continuing updates for Members as issues arose and changed nationally.

RESOLVED:

That it be recommended to Council that:

- (a) **a Shadow Health and Wellbeing Board be created and chaired by a Cabinet Member;**
- (b) **the powers and duties of the Shadow Board shall be:**
 - (i) **for the purpose of advancing the health and wellbeing of the people in Herefordshire, to encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner; and**
 - (ii) **to provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services; and**
 - (iii) **to encourage persons who arrange for the provision of health-related services in Herefordshire to work closely with the Health and Wellbeing Board; and**
 - (iv) **to encourage persons who arrange for the provision of any health or social care services in Herefordshire and persons who arrange for the provision of any health-related services in Herefordshire to work closely together; and**
 - (v) **to advise on how the functions of the Council and its partner commissioning consortia under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) are to be exercised; and**
 - (vi) **to give to the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act;**

- (c) the membership of the Shadow Board shall include:
- those executive members of the Cabinet whose current areas of responsibility are encompassed by the powers and duties of the Shadow Board
 - the Chief Executive
 - those officers whose jobs include the roles of Director of Adult Social Services, Director of Children's Services and Director of Public Health (as defined in clause 26 of the Health and Social Care Bill of 2011).
 - a representative of LINK (Local Improvement Network)
 - a representative of the Herefordshire Primary Care Trust
 - a representative of Hereford Hospitals Trust or (from 1st April 2011) the new Integrated Care Organisation for Herefordshire
 - a representative of the Herefordshire GP Consortium
 - a representative of the voluntary and community sector in Herefordshire
 - a representative of the business community in Herefordshire
- PROVIDED THAT the Shadow Board may at its discretion include such further representatives as it shall determine;**
- (d) the Shadow Board shall comply with the Standing Orders of Herefordshire Council in so far as executive members may make decisions at its meetings; and
- (e) the Monitoring Officer report further on appropriate delegations and other constitutional requirements for a formal Health and Wellbeing Board once the Health and Social Care Bill has been enacted and the relevant implementation date is known.

The meeting ended at 3.30 pm

CHAIRMAN