

## REPORT OF THE MEETINGS OF CABINET

**HELD ON 18TH MARCH, 15TH APRIL AND 6TH MAY, 2004**

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**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 report covers proceedings of the meetings listed above. A supplementary report on proceedings of the meeting held on 13th May, 2004 will be circulated separately.

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

- 1.1 **Youth Justice Plan** - Cabinet has endorsed the Youth Justice Plan (which has been subject to some minor textual amendments following consultation with the partner agencies), which as part of the Policy Framework, is now enclosed, at Appendix 1, for approval by Council. The Youth Justice Plan is prepared on an annual basis on behalf of Herefordshire Council and Worcestershire County Council. The basic plan preparation is undertaken by the Youth Offending Team. The format is closely prescribed. Once completed, the Youth Justice Plan is submitted to the Youth Justice Board.

**Cabinet recommends to Council that the Youth Justice Plan be approved.**

- 1.2 **Treasury Management Investment Strategy 2004/2005** - The Council has adopted and is currently working within CIPFA's Code of Practice on Treasury Management in the Public Services (2001). In future, the Investment Strategy will form part of the annual Treasury Management Strategy. Cabinet has endorsed the Treasury Management Investment Strategy for 2004/05, enclosed at Appendix 2, for approval by Council. The main priorities of the Strategy are: the security of capital; the liquidity of investments and the optimum return on investment commensurate with the proper levels of security and liquidity.

**Cabinet recommends to Council that the Treasury Management Investment Strategy 2004/2005 be approved.**

### **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 have been 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) **Disability Scheme** - Cabinet has approved a Disability Scheme and Indicative Action Plan for adoption by the Council. The Disability Discrimination Act 1995 (DDA) introduced new measures aimed at ending the discrimination faced by disabled people in the areas of employment, access to goods, facilities and services, and property rights. Since October 1999 it has been necessary to take all reasonable steps to remove barriers, except where physical alterations to premises are necessary, but from 1st October, 2004 physical changes to premises will be required. The implementation of the Disability Scheme will increase the focus on diversity issues and greatly assist in the adoption of the Local Government Equality Standard. A steering group has been set up to implement the scheme and report on progress.
- (ii) **Implementation of the Freedom of Information Act** - The Freedom of Information Act 2000 will be implemented from the 1st January, 2005. The Act applies to public authorities and those providing services to them. It establishes the public's right to information both in manual/paper records and electronic records. From January 2005 individuals have a statutory right to access information held by the Council and to receive a reply within 20 working days.

Cabinet has approved the approach to preparation for the implementation of the Freedom of Information (FOI) Act within Herefordshire Council.

- (iii) **Extra Care** - To facilitate the development of the Extra Care Village scheme on Ledbury Road, Hereford, Cabinet has agreed that a transfer of resources should be made from Strategic Housing's LSVT Capital receipt reserves to Corporate non-housing LSVT reserves, equivalent to the District Valuer's valuation of the land in Council ownership at the former Ledbury Road Nurseries.

It has recognised that the resources available to develop affordable housing will need to be kept under review as the sums available on LSVT Housing Capital Reserves are drawn down.

- (iv) **Equality Standards** - The Council's Equal Opportunities Policy was approved in July 2002. The Equality Standard is a National Performance Indicator developed to assess how local authorities are progressing with these matters. Cabinet has approved an updated Equal Opportunities Policy (EOP) which reflects changes in legislation. It has also approved proposals for a Corporate Equalities Plan (CEP), which will be developed in consultation with all Council directorates and service areas.
- (v) **Local Area Forums (LAFs)**- Cabinet agreed the principles for new arrangements for LAFs in October 2003. The first round of LAFs took place over a three week period in March 2004 with meetings being held at a variety of venues throughout the County. The agenda for this round of meetings was set by the Council and included a presentation on the budget and priorities for the Council, as well as background on the LAF review. Additional local items were included and attendees had the opportunity to ask questions. Numbers

attending the meetings ranged from 20 to 60. Cabinet has noted some issues in relation to the accessibility of agendas and publicity for the meetings as well as a number of local issues. Cabinet has agreed the following proposals. That:

- (a) there be a timetable of meetings for the whole year - see Appendix 3 (this does not preclude organising 'one-off' LAFs for specific topics);
  - (b) the Public Relations team be asked to undertake a publicity campaign targeting Parish Councils, the media, public libraries, community groups, etc;
  - (c) the UDP Consultation will dominate the next round of LAFs. Dates have been set to accommodate this. Local items requested by community members at previous meetings will also be included in this or future meetings;
  - (d) Cabinet Members will attend each meeting accompanied by a member of the Chief Executive's Management Team.
- (vi) **Herefordshire Housing - VAT Arrangements** - Cabinet has considered proposals by Herefordshire Housing to temporarily hold in abeyance the VAT arrangements agreed at the time of the transfer of the housing stock.

#### 4.2 Report on Items of Interest

- (i) **Revenue Budget Monitoring 2004/05** - Cabinet has received a monitoring report on the revenue budget for programme areas in 2003/04. The position reflects an across the board improvement for most programme areas together with increased income from interest earned. The estimated value of uncommitted reserves as at 31st March, 2004 remains at £2,050,000. This takes account of a likely underspending on capital financing costs during the year and the final Herefordshire Commercial Services position, offset by a potential call on reserves in relation to a small number of service areas. The figure also takes account of authorised approvals during the course of the financial year.
- (ii) **Capital Programme Monitoring 2003/04** - Cabinet has noted the Capital Programme forecast for 2003/04 which indicates that no conditional resources will be lost. The monitoring arrangements in place for the capital programme continue to identify improvements in its overall management.
- (iii) **Public Service Agreement Update** - Cabinet has received a report detailing the latest performance against the Local Public Service Agreement (LPSA) targets. This showed that 20 targets were likely to be met, 12 needed further improvements and nine were not likely to meet the target. Cabinet has noted that the Council has had negligible success in re-defining some of the more problematic issues and the Office of the Deputy Prime Minister (ODPM) has maintained a rigid stance in line with the contents of the original agreement, even where government targets have been relaxed. Overall there have been some significant gains for the Council and its partners through the LPSA process and it has provided a focus for successful partnership working leading to real performance improvement. There have also been lessons learnt from the first round, particularly in terms of clarity of target achievement with the ODPM, which will be important in the next round of negotiations.

Cabinet has also received an update on the second round of LPSAs to be negotiated with the Government. The new agreements will be more focussed on local issues with a strong evidential base required for improvement. The Council may wish to consider only a few targets related to some major themes or targets which have outcomes of a more long-term nature extending beyond three years. The Council has elected for negotiation with the Government in the second tranche of local authorities in July.

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

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

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

- (i) **Risk Management Strategy** - Cabinet has approved a revised Risk Management Strategy for Herefordshire Council and the arrangements for the development, promotion and monitoring of Risk Management within the Council. It has acknowledged that it is sometimes necessary to take risks in order to innovate but recognised that risks must be assessed and managed. It was suggested that a seminar for Members be held later in the year.
- (ii) **Strategic Audit Plan 2004/05 and 2007/08** - Cabinet has received a report on the process used to develop the Strategic Audit Plan for 2004/05 to 2007/08. It has noted that the approach to preparing the Annual and Strategic Plan is based upon a risk assessment methodology using 'traffic lights' signposting, with red being high risk, amber being medium risk and green being low risk. Within each risk area, consideration is given to residual risk for specific functions or establishments based on the last Audit opinion and current knowledge. However, fundamental systems are always red, no matter what their previous audit opinion is, as these are systems whose failure could cause major disruption or loss of financial control to the Council. New developments for 2004/05 include the Anti-Fraud and Corruption work as part of the CPA process and audit follow-up work in line with the CIPFA Code of Practice for Internal Audit. Cabinet has endorsed the Annual Plan for 2004/05, which also reflects continuing Audit Services involvement in supporting the Performance Management Framework and LPSA.

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

- (i) **Corporate Health Performance** - Cabinet has received an update on the Council's corporate performance in relation to national and Local Best Value Performance Indicators from 1st April 2003 to 31st January, 2004. Four targets, have been exceeded in the monitoring period. These relate to the percentage of top 5% of earners from a black and minority ethnic communities; the number of complaints, both formal and informal; staff mileage and use of public transport by staff. It was noted that claims for staff mileage to the end of the financial year were still being processed and savings equating to around £135,000 were expected over the previous financial year. Although there was a 40% increase in the use of public

transport by staff this equated to only £5,000 over the year. Ten areas have been identified for further improvement. Of these, the target for electronic delivery of services and targets relating to Staff Review and Development interviews and training plans for staff, are expected to be much improved.

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

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

- (i) **County Sports Partnership** - At its meeting on 25th September, 2003 Cabinet agreed to Herefordshire's involvement in the County Sports partnership. The targets set out in the National Framework for Sport in England, identify County Sports partnerships as being one of the main mechanisms for the distribution of funding. Further discussions have been held with Sport England to review the position. Cabinet has agreed that the Council should work in partnership with the existing Worcestershire All Sports partnership and Sport England to identify a suitable model for taking forward Herefordshire's inclusion in one of the 45, nationally identified, County Sports partnerships, to enable access to national and regional funding for sport. Cabinet has requested that every effort be made to increase the Council's representation to at least two members, one of whom need not necessarily be an officer or Member of the Council.

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

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

- (i) **Hereford Market Auctioneers** - Cabinet has authorised the Head of Property Services to agree Heads of Terms with Hereford Market Auctioneers (HMA) for their relocation to a new market site. The relocation of the livestock market is a vital first step in the regeneration of 43 hectares of land known as the Edgar Street Grid. The Council and HMA have conducted negotiations to ensure that the immediate future of the Hereford Livestock Market is secured.

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

### **8.1 Report on Decisions Taken**

- (i) **Whitecross High School** - Cabinet has selected a preferred bidder to replace Whitecross High School in a 25-year PFI contract and authorised further negotiations with that preferred bidder.

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

### **9.1 Report on Decisions Taken**

- (i) **Belmont** - Cabinet has authorised the Director of Environment to acquire land at Belmont (known as the Pond Area) for the purpose of public open space in the interests of the proper planning of the areas and to take all necessary steps for the adoption of the former landfill site as public open space.

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

### **10.1 Report on Decisions Taken**

- (i) **Rotherwas Access Road, Compulsory Purchase Orders (CPOs) and Side Roads Orders (SROs)** - Land Plans have been prepared detailing the extent of land required for the Rotherwas Access Road. Cabinet has authorised the County Secretary and Solicitor to make CPOs to facilitate the construction of the Rotherwas Access Road; to improve access to the Rotherwas Industrial Estate; to enable the release of additional employment land and to assist the development of the business currently located on the estate.

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

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

- (i) **Broadband - State Aid** - Cabinet has authorised the notification of the Broadband for Herefordshire Project to the European Commission, requesting confirmation that the Project does not infringe rules against state aid.
- (ii) **Citizenship Ceremonies** - Cabinet has received a report in relation to a new statutory obligation on the Council to arrange civil ceremonies for those eligible for British Citizenship in line with new regulations issued under the Nationality, Immigration and Asylum Act 2002 by the Home Office. The statutory fee of £68 will include refreshments and a gift. Cabinet has agreed that there should be a launch event in Herefordshire to include the office the Chairman of the Council, representatives from the Crown and local councillors as well as involvement from young people to welcome new citizens to the County. Cabinet was also keen to tailor the event to Herefordshire and involve local crafts and design in a gift from the County to commemorate the occasion.

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

12.1 There were no decisions by Cabinet 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) **Extra Care** - A report on this item is to be found at paragraph 4.1(iii) of this report.

**14. QUARTERLY REPORT ON SPECIAL URGENT DECISIONS OF THE EXECUTIVE**

There were no such decisions taken since the previous meeting of Council.

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