

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 10 April 2014 at 2.00 pm

Present: Councillor AW Johnson (Chairman)

Councillors: H Bramer, JW Millar, PM Morgan, GJ Powell and PD Price

In attendance: Councillors WLS Bowen, A Seldon, ACR Chappell and EPJ Harvey

79. APOLOGIES FOR ABSENCE

There were no apologies for absence from Cabinet Members.

Apologies for absence were received from Councillors: TM James, Group Leader Hereford Lib Dems and AJW Powers, Group Leader It's Our County.

80. DECLARATIONS OF INTEREST

There were no declarations of interest made.

81. MINUTES

RESOLVED: That the Minutes of the meeting held on 13 March 2014 be approved as a correct record and signed by the Chairman.

82. 2014/15 DELIVERY PLAN

The Cabinet Member, Corporate Services presented the Corporate Delivery Plan 2014/15.

The following points were made in discussion:

- The performance agenda was aligned to the priorities of the Delivery Plan.
- The priorities needed to be clear for staff and members of the public.
- The Chief Executive stated performance was a key area of focus in controlling budgets. Quarterly performance reviews of the Council's performance against key performance indicators would be published monthly on the Council's website.
- The Chief Executive stated that the senior management team, Cabinet and scrutiny chairmen would meet regularly to focus on key aspects of performance improvement.
- In response to a question on lean thinking working principles the Chief Executive stated that these principles would be applied by managers to remove any duplication of processes.
- Members stated they were pleased that a more project management approach to the transformation of processes was being taken and aligned with stated objectives.
- In response to a question seeking confirmation that the Belmont transport package was being openly discussed as phase one of the western relief road, the director stated that nothing had been formerly agreed.
- In response to a question on Adult Social Care services the Cabinet Member Health and Wellbeing stated it was impossible to state when this service would be at the same level as Children's Services. He added that the demands on the service were

lessening, which he believed indicated that the current targeting of the service was working effectively. The Chief Executive added that a commissioning board with the Council and the Clinical Commissioning Group had been set up to ensure better use was made of the funds available.

RESOLVED

THAT:

- a) the Corporate Delivery Plan be approved;**
- b) performance monitoring and delivery assurance arrangements be noted;**
- c) assurance was provided by directors that appropriate performance management systems were in place across all services; and**
- d) the Performance Plus corporate system is decommissioned.**

The Leader of the Council informed Cabinet that Agenda Item 7, Closedown of Hereford Futures Ltd., would be brought forward as the next agenda item, to enable the Solicitor to the Council to attend another appointment.

83. CORPORATE PERFORMANCE REPORT 2013/14: END OF FEBRUARY 2014

The Leader asked Cabinet for comments on the Corporate Performance Report 2013/14.

The following comments were made in discussion:

- Clarity and assurance was sought regarding paragraph 8.8 of the Corporate Performance Report 2013/14 relating to the potential risks to the Council whilst it did not have a five year housing land supply and an adopted local plan, as these were one of the government's key measures for an effective planning service.
- Concern was raised over the reduced number of food inspections undertaken by Environmental Health. It was seen as a high risk, as the number of inspections undertaken was lower than the statutory minimum requirement.
- The Director for Economy, Communities and Corporate advised that with regards to Environmental Health inspections the view had been taken that a certain level of risk would be accepted. He stated that should any situations arise because of the level of risk taken the decision would be reviewed.
- In relation to the five year land supply the Director reminded Cabinet that an all Member seminar would be held on April 22. The adoption of the Local Development Framework (LDF) and the granting of planning permission for the required number of houses would give the Council a five year housing land supply. In response to a question on the public enquiry for the LDF it was stated that May to June would be the appropriate time for the public to make their comments on the deposit stage. Once these comments had been submitted to the inspectorate, it was hoped that the public enquiry would then be held in the autumn.
- The Cabinet Member Infrastructure reemphasised the importance of all Members supporting the approval of the LDF in order to prevent the Council from being in a position of having to approve planning applications for sites not specifically allocated in the LDF.
- In response to a query regarding the number of fatalities or serious injuries on the roads listed on the data as green. The Cabinet Member Infrastructure stated that this was merely to indicate that the figure was reducing.

RESOLVED: That performance be noted.

84. WEST MERCIA ADOPTION SERVICE

The Cabinet Member Young People and Children's Wellbeing presented the West Mercia Adoption Service report and recommended Cabinet approve the recommendations. He advised that the local authorities involved were: Herefordshire, Worcestershire, Telford and Wrekin and Shropshire. Each authority had reached varying standards in the service and it was felt that by working together standards would be raised across the board for each authority.

The following comments were made in discussion:

- There was concern that by joining with other authorities not performing as well as Herefordshire standards would be brought lower rather than raised and there would be a greater workload for staff as well as reducing the number of staff. The Director confirmed that Herefordshire had a small high performing team and this was seen as an opportunity to join with three neighbouring authorities on a staged basis. One of the authorities was ranked as one of the top performing in the country. She added that joining as partners would provide strength and there would be no reduction in staff numbers. By growing the service there would be more adoption families available, leading to more children being adopted and fewer children in care.
- It was felt that by joining together as an adoption agency there would be tangible benefits, providing a range of specialist training with a managed low risk approach.
- The Cabinet Member reiterated that the purpose was to ensure that all the authorities involved moved up to the highest level alongside the top performing authority.

RESOLVED

THAT:

- a) the proposed future operating model for a West Mercia Adoption Partnership commencing first with Option 2, as outlined in Appendix 1 to the report, be approved;**
- b) the financial implications of this option be noted;**
- c) delegated authority be given to the Director of Children's Wellbeing, in consultation with the Cabinet Member, on any future decision on the implementation of the operating model, including a preferred provider.**

85. CLOSEDOWN OF HEREFORD FUTURES

The Economic Development Manager advised Cabinet that in order for a successful closedown of Hereford Futures Ltd., on a solvent basis, Cabinet's approval was sought, along with that of the Chief Financial Officer and the Homes and Communities Agency. This would allow for the movement of the Hereford Futures obligations to the Council, as there were still a number of projects in the joint venture agreement with the Homes and Communities Agency that would need to be effectively managed. Cabinet was referred to paragraph six of the report, key considerations, for the list of functions to be transferred. It was added that the maximum amount of funding required for the outstanding projects, as at March 6, would be £695k.

The following comments were made in discussion:

- In response to a question on published redacted minutes of Hereford Futures, and the lack of a document trail, the Director for Economy, Communities and Corporate advised that a handover meeting had been held with the Chief Executive of Hereford Futures and it had been agreed that technical files would be handed over to the Council. The Director confirmed that the Council had all the files and material it required to take the work forward. In respect of the remaining files and material, which belong to the Company, the Chief Executive of Hereford Futures had advised that some would be retained by Board Members and the remainder, which was not required would be disposed of. The Director added that he could request that minutes of meetings were made available, but it was a decision for the board of Hereford Futures.
- It was stated that at previous scrutiny review meetings copies of documents had been requested.
- The Leader emphasised that Hereford Futures management team were professional and had delivered on what had been asked of them.
- The Solicitor to the Council reiterated the comments made regarding files that belonged to Hereford Futures and that there was no obligation to handover documents.
- Concern was raised and assurance was sought as to whether the Council had the staff to take over the work of Hereford Futures, as it had been set up in the first instance to assist the Council's economic development team to carry projects forward. The Leader gave Cabinet his assurance.

RESOLVED

THAT:

- a) the transfer of Hereford Futures Ltd., obligations to Herefordshire Council, as outlined at paragraph six of the report, be approved;**
- b) delegated authority be given to the Director for Economy, Communities and Corporate, in consultation with the Solicitor to the Council, to finalise and sign the necessary documentation to effect the transfer of obligations arising from recommendation a) above, including any necessary variation to the joint venture agreement with the Homes and Communities Agency; and**
- c) the role and efforts of Hereford Futures Ltd., board members throughout the board's period of operation is recognised and thanks be extended to the board.**

86. CHANGE OF INTERNAL AUDIT PROVIDER

The Chief Financial Officer presented the report on the Change of Internal Audit Provider and stated that now was an appropriate time to replace KPMG as internal audit providers. A number of alternatives had been looked into, including private sector providers, partnering with other local authorities or having an in house audit team. Based on market testing it had been decided to join the South West Audit Partnership (SWAP) that had a proven track record and provided quality internal audit services to 12 local authorities. TUPE will apply and the current internal audit team of three staff will transfer to SWAP, which is a not for profit organisation.

It was stated that as part owners in the organisation there would be an option for the Chief Financial Officer to attend board meetings. Should the Council decide at a future

date to come out of SWAP, the only cost to the Council would be the cost of transferring staff into SWAP under TUPE.

RESOLVED

THAT:

- a) **the South West Audit Partnership (SWAP) be selected to provide the Council's internal audit service;**
- b) **the Chief Financial Officer be given delegated authority to finalise contractual arrangements including a TUPE transfer of staff within the approved annual budget;**
- c) **the Council join SWAP and become part owners of the local authority owned company at zero cost – subject to approval by the SWAP board; and**
- d) **the Chief Financial Officer be given delegated authority to be the Council's representative on the SWAP board and to exercise the Council's vote at shareholder meetings.**

Following the final item on the agenda Councillor Graham Powell informed Cabinet that Superintendent Ivan Powell would be retiring later this year. Cabinet felt it was appropriate that the Chief Executive and the Leader should write to Superintendent Powell and express their thanks to him for all his help and to emphasise the real difference he had personally made in the County. It was also agreed that the Leader should write on behalf of the Council to Superintendent Sue Thomas to welcome her into her new position and to looking forward to her taking an active role in the County.

The meeting ended at 3.30 pm

CHAIRMAN