

REPORT OF THE MEETINGS OF CABINET

HELD ON 25TH May, 15th and 29th June and 13th July, 2006

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 first report submitted to Council for the current year and covers proceedings of the meetings listed above. A supplementary report covering the meeting of 20th July will be circulated separately.

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

- 1.1 **Youth Justice Plan 2006/07** – Cabinet has endorsed the Youth Justice Plan which, as part of the Policy Framework, requires approval by Council. The Plan is enclosed as a separate document and is available in the Members' Room, on the Council's website or on request. The Youth Justice Plan is prepared on an annual basis on behalf of Herefordshire Council and Worcestershire County Council.

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

- 1.2 **Herefordshire Unitary Development Plan (UDP): Inspector's Report, Statement of Decisions and Reasons, and Proposed Modifications** – Cabinet considered the recommendations made by the Inspector following the UDP Public Inquiry. The statutory plan-making process requires that each of the Inspector's recommendations are considered by the local planning authority and any modifications agreed by Council. The Statement of Decisions and Reasons lists each of the Inspector's recommendations and sets out a proposed response in terms of acceptance or rejection. It was noted that over two thirds (70%) of the Inspector's recommendations were for no change to be made to the Plan. Only seven of the Inspector's recommendations (representing 1% of the total of 633 recommendations) were proposed for rejection. Cabinet endorsed the outline recommendations with two amendments: to accept the Inspector's recommendations in respect of the Greyfriars site, Hereford and to reject the Inspector's recommendations in respect of the Leominster Zone of Interest for the following reasons: The reference to the zone of interest reflects the consideration given to additional road infrastructure expected to be required to accommodate the development of Leominster. Transport factors and constraints such as air quality are expected to require the provision of further road infrastructure to enable growth. The Plan, as paragraph 8.8.21 makes clear, does not map specific land or safeguard a route for protection. It is however reasonable and necessary to record known constraints and likely requirements beyond the Plan period in the interests of future planning.

The relevant papers are enclosed as a separate appendix for those Members who have not received them already and are otherwise available on the Council's website.

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

Cabinet recommends to Council that the Statement of Decisions and Reasons and the Proposed Modifications, as amended, 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 **Enforcement of Clean Neighbourhood and Environment Act 2005 (Revision)** The Cabinet Member (Environment) made a decision on 8 September 2005 that Fixed Penalty Notices be issued for litter, fly-posting and graffiti offences. The fines were set at £100 or £50 if paid within 14 days of the offence. In May 2006 the Government, under the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations, set £80 as the statutory maximum for these offences. The Cabinet Members has now agreed that the fine for litter, fly-posting, and graffiti offences be set at the statutory maximum imposed by Government (£80 as of May 2006); and that the fine will be reduced to half the statutory amount if paid within 14 days of issue.

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

4.1 Report on Decisions Taken

- (i) **Proposed Performance Improvement Cycle** - Cabinet has approved the immediate introduction of a performance improvement cycle for the Council that integrates fully corporate, service and financial planning and performance management. It has noted that the framework presented in the report depicts a "perfect year" and that some time will need to be made up this year to stay on track.
- (ii) **Community Forums** - Cabinet has received a report on the April - May 2006 round of Community Forum meetings. Cabinet has thanked the Community Forum Co-ordinator for her report and for her efforts in arranging and attending the meetings. It continues, however, to be concerned about the continuing low attendance rates. Cabinet has discussed how to improve the attendance figures and has proposed that other partnership organisations could be involved in the Forum meetings. The Leader has agreed to write to the Police Divisional Commander requesting that the police do not develop their Police and Community Together (PACT) meetings without a proper dialogue with this Council. (A seminar for all Members on the future of community policing and the role of the local Member has since been arranged for 31st July, 2006).

- (iii) **Accommodation Strategy Update** - Cabinet has received an exempt report and has agreed a number of actions for the acquisition of the Plough Lane site including approval of the budget.
- (iv) **Response to the Review of the Strategic Service Delivery Partnership** - The report of the Strategic Monitoring Committee represented the first major scrutiny of the operation of the Council's partnership arrangements with Herefordshire Jarvis Services Limited and Owen Williams Limited since they were instituted in September 2003. Recommendations from the review have been considered and an action plan prepared. Cabinet felt that the Review Group had provided a useful set of recommendations concerning the development of the partnership, many of which were already in hand or in process as part of existing management initiatives. The report has helped to give impetus to the process and has helped all members of the partnership to focus on how to optimise the working arrangements both for the immediate benefit of the Herefordshire public and also to set the foundations for a successful long term business model with scope for expansion, recognition for excellence and replication. To address some continuing concerns that were expressed by Scrutiny members at the meeting, Cabinet has asked that an external consultant be engaged to undertake a brief piece of work to verify a number of aspects of the services supplied by the Partnership.
- (v) **Proposed Police Restructure** – Cabinet has agreed a response to the Secretary of State for Home Affairs reaffirming the Council's support for retaining a West Mercia Police Force and registering the Council's objection to the proposed merger of the Staffordshire, West Midlands and Warwickshire forces into a single police force for the whole of the West Midlands area. The Secretary of State for Home Affairs has recently announced that there should be more talks before the proposed merger of many of the police forces. This will provide the Council with more time to work out issues relating to the mergers, including costs, council tax and local accountability. The Council had been advised that it had until 2nd July, 2006 to submit its proposals to the Home Office, however, this date has now been extended. (The current position is that mergers are on hold but have not been formally abandoned by the government. The merger between Cumbria and Lancashire Police Forces, who agreed to merge, has been abandoned due to the costs involved.)
- (vi) **Draft Medium Term Financial Management Strategy** - Herefordshire Council is determined to provide a sound basis for sustainable improvements in services and a better quality of life for the people of Herefordshire. The Medium Term Financial Management Strategy (MTFMS) will provide the financial context for ensuring service improvement aspirations for the future are both affordable and sustainable. Cabinet has approved the draft Medium Term Financial Management Strategy (MTFMS) as a basis for consultation both within the Council and with strategic partners prior to approval of the final document in October 2006.

- (vii) **Report on Herefordshire Council Support to the Voluntary and Community Sector** - A report on this item is to be found at item 6.1(i) of this report.

4.2 **Report on Items of Interest**

- (i) **Report of the 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. **CHILDREN AND YOUNG PEOPLE** (Cabinet Member: Councillor D.W. Rule, MBE)

5.1 **Report on Decisions Taken**

- (i) **Herefordshire Council - Children's Services - Annual Performance Assessment (APA) by Ofsted and Commission for Social Care Inspection (CSCI) Self-Assessment Report** - Following the JAR inspection in 2005 the Council is in a routine programme of annual performance assessment and is required to indicate progress since the JAR. Cabinet has noted that the most challenging aspects are the reporting on Staying Safe and service management. There have been some significant improved outcomes for children and families in recent months. The social work resources have increased to respond to referrals, so concerns are assessed more promptly. The DfES Challenge and Support Review has been undertaken and the feedback has been mainly positive. The Cabinet has also endorsed the APA self-assessment and agreed that Grade 2 would be an appropriate overall score.

5.2 **Report on Items of Interest**

- (i) **Progress on Improvement Following the Joint Area Review (JAR) in Herefordshire** - Cabinet has received a further progress report on the latest improvement position following the JAR inspection. It has noted that there has been significant progress on a number of recommendations and this has been acknowledged by the Department for Education and Skills (DfES) and the Commission for Social Care Inspection (CSCI). All of the areas of activity in the JAR Improvement Plan due by the end of June 2006, have been completed. Recommendations for the development of new Common Assessment processes including a pilot in South Wye are on track. However, steady and continuing progress is still required in relation to a number of issues including: permanent social work staffing; the rising number of referrals and trends and capacity considerations; case allocation in the duty team and the waiting list for occupational therapy.

The improvement agenda for children's services is progressing well. In those areas where further progress is required, particularly in relation to performance management, information management and commissioning, additional external support is already being accessed. The DfES response to the review report has been to confirm that the response has been positive and services have improved as a result.

Cabinet has been advised that a new Head of Service (Safeguarding and Assessment) has been appointed. It has also noted the role of the Challenge and Support Board which will report progress back to the Minister. A decision will be taken in December on whether the Board needs to continue.

Cabinet has noted that the Director of Children's Services is exploring a number of options to ensure adequate staffing and service delivery.

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

6.1 Report on Decisions Taken

- (i) **Report on Herefordshire Council Support to the Voluntary and Community Sector** - The 2004 Review of Council Support to the Community and Voluntary Sector highlighted the need for a Council strategy for Voluntary and Community Sector support. National policy is for the Voluntary Sector to be supported to deliver public services, to encourage volunteering and social enterprise and to build stronger communities. Cabinet has received a report on the responses received during the consultation process on the Strategy Framework and proposals to take the Framework forward. It has endorsed the Strategy Framework and agreed that the Community Regeneration Team should take the lead in developing a more detailed Action Plan and implement the Framework across the Council. It has also endorsed the principles set out as a basis for negotiations with the members of the Herefordshire Infrastructure Consortium on service level agreements for future years. Cabinet has noted that, over time, the consortium will take on responsibility for allocating funding to individual organisations.

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

7.1 Report on Decisions Taken

- (ii) **Integrated Performance Report** - The Council's Corporate Plan for 2005/08 sets out the Council's objectives, priorities and targets for the three years 2005/08. The Annual Operating Plan is the detailed action plan for the first of these years, 2005/06. Cabinet has received a report on performance for the operating year 2005/06 against the Annual Operating Plan 2005/06; the Best Value Performance Indicators and the capital budget position and corporate risks.

Cabinet has supported a number of actions being taken to improve performance. These include: clearer and simpler graphical templates; continuing to ensure that templates are completed to a high standard as the basis for monitoring during the year; and piloting a standardised agenda for the monthly performance improvement meetings between Cabinet Members and Directors.

A number of outturns for Best Value Performance Indicators (BVPIs) are awaiting closure of accounts before they can be reported. Given the high level of indicators that are not showing improvement an

action plan will be developed with the Heads of Service to ensure improvement in the future.

The Capital Programme outturn for 2005/06 totalled £31,8445,000 compared to an original budget forecast of £37,131,000 which represents a decrease of £5,286,000 or 14%.

In noting the report Cabinet has recognised that progress against the Annual Operating Plan has been reported against target and not against previous performance. The BVPIs show that 58% of the indicators have either improved or maintained performance compared to 57% last year; 36% of PIs have deteriorated in performance compared with 43% deterioration in 2005/05. This comparison has been made against last year's performance and not against the targets set.

7.2 Report on Items of Interest

- (i) **The Lyons Inquiry** – Cabinet has noted Sir Michael Lyons' latest report and the areas of particular interest to Herefordshire where representations to the Inquiry might be appropriate. The final report from Sir Michael is due in December 2006 and is widely seen as being hugely influential for the future shape, financing and functions of Local Government. There is an opportunity for the Council to provide some comments by responding to the interim report in advance of the Government White Paper and the final report of the Lyons Inquiry. Cabinet has also noted that Shropshire County Council is a link authority to the Inquiry. This could be beneficial to Herefordshire, as it is a similar rural authority.
- (ii) **Integrated Performance Report** – Cabinet has noted the Integrated Performance report to the end of May 2006 which measures performance against the Annual Operating Plan 2006-07, together with performance against corporate risks, and any remedial action to address areas of under performance. The report also covered the progress being made against the Council's Overall Improvement Programme, which includes the Joint Area Review (JAR) Action Plan, the Adult Social Care Improvement Plan, currently being developed, and the Herefordshire Connects Programme. Revenue and Capital monitoring will be included in the next Integrated Performance Report, which will report progress for the period April to July 2006. It was noted that this was the first Integrated Performance Report for the current operating year, using the new templates for each of the strategic performance indicators. Development of the templates will continue to ensure that baseline data and end of year performance for 2005/06 is included on the templates and will provide a sound basis for future two-monthly reports to Cabinet.
- (iii) **Pay and Workforce Development Strategy** - Cabinet has received an outturn report on the Council's Pay and Workforce Development Strategy operating plan for 2005/06. The Plan was based on five key themes from the Employers' Organisation for Local Government: Pay, Reward and Recognition; Resourcing; Developing Leadership Capacity; Developing the skills and capacity of the workforce; and

Organisation Development. It has noted a number of key achievements during 2005/06 and the Key Actions for 2006/07.

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

8.1 Report on Decisions Taken

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

**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) **Final Revenue Outturn 2005/06** - Cabinet has noted that the final outturn position for 2005/06 was an underspend of £3.7m on directorate Budgets and that each Directorate's final outturn budget was better than forecast. It has agreed the Corporate Management Board's proposals for carry forward of unspent budget into 2006/07 and the creation of new reserves and provisions in the 2005/06 Accounts. This includes £1,366,000 for Waste Management and £1,928,000 for Herefordshire Connects. It has recommended that an increase in the minimum level of general reserves be considered as part of the Council's Medium Term Financial Plan.

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

11.1 Report on Decisions Taken

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

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

12.1 Report on Decisions Taken

- (i) **Adult Social Care Budget** - Cabinet has received an exempt report and noted the budget position and progress to date in developing the Directorate's budget management plan for 2006/07 for Adult Social Care. It has approved a range of measures to help manage the Adult Social Care budget deficit.

12.2 Report on Items of Interest

- (i) **Homelessness Update** - In July 2005, Cabinet agreed a number of 'invest to save' initiatives to address the financial pressures created by the demand for homelessness services in Herefordshire. It is estimated that investment of £46,000 in homelessness' prevention payments has saved in excess of £1 million. In the past year other changes have been implemented, including the return in-house of homelessness and housing advice services from Herefordshire Housing Ltd, which have led to an improving position around homelessness prevention in Herefordshire.

During the final quarter of 2005/06, the Council took 94 homelessness applications, resulting in 45 acceptances. This compares to 44 applications in this first quarter of 2006/07 with 22 acceptances. The homelessness activity level is expected to settle at around this latest first quarter figure from now on. Targets set for 417 homeless acceptances for 2006/07 were met earlier than anticipated

Despite the substantial progress made in reducing homeless acceptance rates and the associated use of B&B, the budget for bed and breakfast accommodation in 2006/07 may not be adequate, even though additional budget has been allocated. The implications will be reported as part of the integrated performance report throughout the financial year, and every effort is being made to prevent an overspend occurring. Continued use of bed and breakfast accommodation for families could result in judicial review proceedings being taken against the Council by families accommodated in Bed and Breakfast for longer than six weeks contrary to the Homelessness (Suitability of Accommodation) Order (England) 2003. Further progress reports will be submitted to Cabinet on a quarterly basis for the remainder of the year.

Cabinet has congratulated the staff for the improvements realised over the past few months, while recognising that there is still a lot of work to do.

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