

The Cabinet met at the Shire Hall, Warwick on the 8th September, 2005

Present

Cabinet Members:

Councillor Alan Farnell (Chair) (Policy and Governance),
“ John Burton (Schools),
“ Alan Cockburn (Corporate Services),
“ Peter Fowler (Family Services),
“ Colin Hayfield (Adult and Community Services),
“ Richard Hobbs (Community Safety),
“ Martin Heatley (Environmental Services),
“ Chris Saint (Economic Development),
“ Izzi Seccombe (Children’s Services),
“ Bob Stevens (Performance Management).

Non-Voting Invitees:

Councillor June Tandy, the Leader of the Labour Group,
“ Jill Dill-Russell, representing the Leader of the Liberal Democrat Group.

Other Members:

Councillors Ken Browne, Josie Compton, John Haynes, Mick Jones, Tim Naylor, Raj Randev, Sid Tooth and John Wells.

1. General

(1) Apologies

None.

(2) Members Declarations of Personal and Prejudicial Interests

Agenda Item 9 – Ofsted Inspection of the Youth Service

Councillor Jill Dill-Russell declared a personal interest as a trustee of a youth organisation.

Agenda Item 6 - Funding for the Setting Up of Decriminalisation of Parking Enforcement.

Councillor Josie Compton declared a personal interest as a member of the Warwick District Council

Agenda Item 13 – Planning for Housing and Draft Green Belt Direction

Councillors Alan Cockburn, Peter Fowler, Martin Heatley and Richard Hobbs declared personal interests, in view of their residence in the Green Belt.

Agenda items 14 - Proposed Changes in the NHS

Personal Interests were declared by:

Councillor Colin Hayfield as a member of the North Warwickshire Borough Council.

Councillor Richard Hobbs because a relative was employed by the National Health Service

Councillor Josie Compton as a member of the Warwick District Council.

Councillor Mick Jones declared a pecuniary interest in view of his employment by the National Health Service.

Agenda Item 16 – Treasury Management Outturn Report 2004/205

Councillor Josie Compton declared a personal interest as a member of the Warwick District Council

Agenda Item 17- Capital Programme Review

Councillors Jill Dill-Russell declared a personal interest as a Governor of Stratford on Avon High School.

Councillor Richard Hobbs declared a personal interest as a Governor of Haselor School.

Councillor Izzi Seccombe declared a personal interest as a Governor of Kineton High School.

Agenda Item 32 – Coleshill Fire Station, Police Station and Leisure Centre

Councillors Colin Hayfield and Peter Fowler declared personal interests as members of the North Warwickshire Borough Council.

(3) Minutes of the Meeting held on the 21st July, 2005 and Matters Arising.

(i) Minutes

Following comments about the need to correct the spelling of “points” in Minute 7 and the insertion of “to” after “needed” in the first bullet point of Minute 9, it was Resolved:-

That the Minutes of the Cabinet’s 21st July 2005 meeting be approved as amended.

(ii) Matters Arising.

None.

(4) Requests for Discussion of En Bloc Items.

It was agreed that item 19 would be discussed before a decision was taken.

2. Projected 2005/2006 Revenue Net Spend as at Quarter 1

The Cabinet considered the report of the County Treasurer which set out the projected 2005/06 revenue net spend position and the projected reserves at year-end. It also suggested management action to try to ensure that spending remains within budget and action relating to the use of reserves.

Following introductory comments from Councillor Alan Cockburn, Cabinet Member for Corporate Services, members discussed several aspects of the report and made the following points:-

- With regard to the predicted overspend in the Social Services Department, it was suggested that the Children and Young People and Adult and Community Services Overview and Scrutiny Committees should examine the situation, bearing in mind the points made in the report relating to the reasons for the likely overspend and the implications for the Council’s overall CPA rating.
- It was noted that in the future, there would not be the same level of flexibility in managing the Social Services Department’s budget.
- There was a need to consider carefully the impact of any increased funding for school transport
- The Groups would need to take into account the impact of fuel price increases when setting the budget, particularly next year’s budget.

Resolved:-

That Cabinet:

- (1) Notes the projected 2005/06 revenue net spend position and the projected reserves at year-end, and requests departments to take appropriate management action to try to ensure that spending remains within budget.
- (2) Approves the contributions to and use of reserves totalling a net use of £402,000 in 2005/06 as detailed in paragraph 3.2 of the report.

3. School Funding Consultation – An update

The Cabinet considered the joint report of the County Education Officer and County Treasurer.

The report summarised action taken since the last report to Cabinet on the 26th May 2005 on school funding and also highlighted some new issues arising from the DfES's second consultation document on School Funding Arrangements from 2006/07. The report also outlined a suggested framework for a response to the second consultation.

Following introductory comments from Councillor John Burton, Cabinet Member for Schools, members congratulated all who had been involved in the lobbying campaign.

Resolved:-

That Cabinet:

- (1) notes the success of the lobbying campaign on the Dedicated Schools Grant
- (2) approves a framework for responding to the DfES second consultation on the School Funding Arrangements (as outlined in section 7 of the Joint Report).

4. Forecast of Available Capital Resources 2006/07 to 2008/09

The Cabinet considered the report of the County Treasurer, which provided members with a forecast of the likely level of capital resources available for 2006/07 to 2008/09 that could be used as a basis for developing the capital programme.

Following introductory comments from Councillor Alan Cockburn, Cabinet Member for Corporate Services, it was Resolved:-

That Cabinet:

- (1) notes the likely level of capital resources available for 2006/07 to 2008/09,
- (2) refers the report to the political groups for consideration when preparing their budget resolutions for 2006/07, and
- (3) supports the issuing of guideline limits for bids for new capital schemes of £5 million a year for each department, in addition to the government guidelines.

5. Taking Forward the Customer Focus Agenda - WCC Customer Standards Charter

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive, which provided Cabinet with the revised Customer Standards Charter for their approval.

Resolved:-

That Cabinet:

- (1) Approves the revised Customer Standards Charter
- (2) Notes the proposals for promotion and customer care training

6. Funding for the Setting Up of Decriminalisation of Parking Enforcement.

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy. The report sought approval for self financing borrowing from the Warwickshire County Council 'Virtual Bank' to expend the necessary funding for the implementation of the Decriminalisation of Parking Enforcement in Nuneaton and Bedworth Borough and the initial costs in 2005/2006 for Rugby Borough and Warwick District.

Councillor Martin Heatley introduced the item and circulated amendments to the Director of Planning, Transport and Economic Strategy's recommendations.

Resolved:-

- (1) That Cabinet approves an allocation from the 'Virtual Bank' reserves to the Department of Planning, Transport and Economic Strategy of £1.04m in 2005/2006 to fund Decriminalisation of Parking Enforcement across the rest of the county.
- (2) That Cabinet agrees that the Virtual Bank loan be repaid in five equal instalments starting in 2006/2007 from surpluses.

7. Warwickshire Youth Offending Service

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive which introduced the objectives of the annual Youth Justice Plan, performance during 2004 and priorities/objectives for 2005/06. The Cabinet was asked to endorse Warwickshire's Youth Justice Plan 2005/06 and recommend that it be adopted by the Council at its meeting on the 20 September 2005.

During the discussion the following points were made:-

- Councillors Peter Fowler and Richard Hobbs had now replaced Councillor Richard Grant and former Councillor Martin Brassington on the Management Board and it should be clarified that the membership contained in the current Plan was prior to the May Elections 2005.
- The Plan should include references to the work being undertaken by the Fire and Rescue Service relating to the youth service.

Resolved:-

- (1) That the Cabinet endorses the Warwickshire Youth Justice Plan 2005/06 and, subject to the minor amendments mentioned, recommend it to Council for adoption.
- (2) That Diane Johnson and her team be congratulated for the work undertaken in preparing the Plan.

8. Modernisation and Development of Registration Services in Warwickshire

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive which summarised the impact of recent scheme changes in Warwickshire, the development of non-statutory services and the civil partnership services to be offered from December 2005.

During the discussion the following points were made:-

- The Council's Customer Contact Centres were not yet fully operational and therefore reliance on the centres for registration enquiries should be carefully considered particularly during the transient period.
- Good local publicity should be given to the proposed new arrangements for the outstations.
- The need for Contact Centre staff to be suitably trained to deal with enquiries from distressed people.

Resolved:-

- (1) That Cabinet notes the impact of the Registration Service Scheme change in May 2005.
- (2) That Cabinet notes and approve the plans for the introduction of Civil Partnerships in December 2005.
- (3) That subject to the matters raised during the debate being resolved, the Cabinet approves the plans to extend the range of non-statutory services offered by Registration Services in Warwickshire.

9. Ofsted Inspection of Youth Service

The Cabinet considered the report of the County Education Officer, which presented the Ofsted Report and recommended that the Children and Young People Overview and Scrutiny Committee should consider an Action Plan to address the recommendations contained within the Ofsted Report, before submission to the Cabinet.

Following introductory comments from Councillor Peter Fowler, Cabinet Member for Family Services, members made the following points:-

- This had been a successful inspection although there were some concerns about the funding analysis.
- Peter Hatcher, his Team and voluntary youth workers should be congratulated for the work being undertaken.
- The need for adequate funding to be allocated to move forward with the action plan
- The work undertaken by the Fire and Rescue Service, Libraries, Heritage and Trading Standards Department and the Police in relation to the youth should be acknowledged.

Resolved:-

- (1) That the Ofsted Inspection Report be noted and all staff in the service be thanked for their considerable input into the inspection process.
- (2) That an Action Plan addressing the recommendations contained within the Ofsted Inspection Report be presented to the Children and Young People Overview and Scrutiny Committee.

10. Education Capital Issues

The Cabinet considered the report of the County Education Officer which proposed the allocation of remaining Seed Challenge funding,

recommended the addition to the capital programme of a project at Myton School, and the declaration as surplus the old River House School building in Henley.

Resolved:-

- (1) That the Seed Challenge allocations recommended by the Capital Strategy Group sub-group be confirmed.
- (2) That a project to convert the gymnasium at Myton School, Warwick, estimated at £430,000 be added to the 2005/06 capital programme with finance being provided as detailed in the County Education Officer's report.
- (3) That the River House building in Henley-in-Arden be declared surplus to requirements, sold on terms acceptable to the County Education Officer, the Director of Property Services and the County Solicitor & Assistant Chief Executive, and the proceeds used towards SEN reorganisation projects in the Central Area.

11. Review of School Admission Arrangements

The report of the County Education Officer was considered.

The report set out the changes which had taken place in the arrangements for school admissions and the impact of those changes, and proposed changes for the future in light of the experience of the first year of operation.

Resolved:-

That Cabinet endorses the school admission arrangements for 2005.

12. Draft School Organisation Framework 2005/10

The Cabinet considered the report of the County Education Officer which sought approval to the publication of a draft School Organisation Framework 2005/10, and approval to consult key stakeholder organisations on the draft.

Resolved:-

- (1) That the draft School Organisation Framework 2005/10 be approved as a basis for consultation with key stakeholder organisations.
- (2) That the County Education Officer be authorised to consult key stakeholders on the draft document and subsequently report responses to the consultation to a future meeting of the Cabinet.

13. Government National Planning Policy Consultations: Planning for Housing and Draft Green Belt Direction 2005

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy.

The Government had canvassed views on changing its national policy on 'planning for housing', preferring a radical new approach that would shift the balance in favour of housing market considerations in the development and control systems. The parallel consultation, on a draft new Green Belt Direction was, in the context of this preferred approach to planning for housing, likely to generate more Government interventions, not less. The report advised that objections be made to Government and that the County Council engages in lobbying at a national level for more account to be taken of regional and local diversity.

Following introductory comments from Councillor Chris Saint outlining the main points of the report, it was Resolved:-

That the County Council:

- (1) Objects to the preferred approaches set out in the consultation documents published for comment in July 2005 by the Office of the Deputy Prime Minister (ODPM): Planning for Housing and Draft of the Town and Country Planning (Green Belt) Direction 2005, based on the assessment and conclusions set out in sections 4 and 5 of the Director's report, and that this view be conveyed to the ODPM,

the national Local Government Association (LGA), the West Midlands Regional Planning Body (WMRPB) and the Coventry, Solihull, Warwickshire Forum (CSWF).

- (2) Engages with the national LGA to press ODPM for an approach to national planning for housing policy that takes much greater account of regional and local variations in conditions and policy. This would be a preferable alternative to the 'one size fits all' approach currently being canvassed by Government, and urge like-minded Regional and Sub-Regional bodies to do the same.

14. Proposed Changes in the NHS

The Cabinet considered the report of the Director of Social Care & Health, which informed the Cabinet of forthcoming changes in the way the NHS was structured and organised, and also provided an opportunity to consider the strategic implications for the County Council and its partnerships.

Councillor Mick Jones left the room for this item

During his introduction of this item Councillor Bob Stevens, Cabinet Member for Performance Management, referred to a letter dated the 26th August from the Chief Executive of the West Midlands South Strategic Health Authority which had been circulated prior to the meeting. *A copy of the letter is attached to the published Cabinet minutes.* The Authority were seeking the Council's views on the range of options they were consulting on and on any issues which they should consider when drawing up the final options. He praised the Council's links with the NHS and suggested that the matter should be referred to the full Council on the 20th September for debate to enable all members to have an input.

Members discussed several aspects of the proposal and made various points, including:-

- With regard to the configuration of Primary Care Trust a single PCT for Warwickshire was suggested as the preferred option for PCT configuration.
- Concern that Local Area Agreements should be protected.
- There could be communications issues with a large organisation particularly relating to GP and local community issues.
- Noted that the NHS already commission some services.
- Meetings were being held with the NHS on the proposals and the Council was doing all it could to represent communities

Resolved:-

That having considered the implications of proposed changes in NHS organisations and the impact on the Council's partnership working, the Cabinet agrees:-

- (1) That relevant officers and members of the Council take an active role in the consultation processes regarding changes to local NHS arrangements.
- (2) That the report be referred to full council for debate on the 20th September.

15. Working with the Voluntary and Community Sector

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive which updated the Cabinet on the development of a strategy to guide the Council's working relationships with the Voluntary and Community Sector.

During his introduction of this item Councillor Colin Hayfield, Cabinet Member for Adult and Community Services, expressed support for the savings targets not to be passed on to the core grants to infrastructure organisations, as suggested in paragraph 3.5 of the report.

Resolved:-

- (1) That Cabinet notes progress on developing the Voluntary and Community Sector Strategy
- (2) That Cabinet agrees wider consultation based on the recommendations, made in appendices 1-3 of the report, with a view to producing a joint strategy with the voluntary and community sector
- (3) That Cabinet requests Leaders Liaison Group, in its capacity as the budget working group, to consider the policy in relation to requiring efficiency savings on core grants to Voluntary and Community Sector organisations, as raised in paragraph 3.5 of the report.

16. Treasury Management Outturn Report 2004/2005

The report of the County Treasurer, which set out the outturn of the treasury management process during 2004/2005, was considered.

Resolved:-

That the Cabinet notes the report.

17. Capital Programme Review

The report of the County Treasurer relating to changes to the capital programme since Council in February 2005 was considered.

Resolved:-

- (1) That Cabinet approves the additional projects at paragraph 6.2 of the report.
- (2) That the revised starts and payments totals for 2005/2006 identified at paragraph 6.5 and Tables 1 and 2 of the report be approved.
- (3) That Cabinet note the projections of spending and financing for future years.

18. Pride in Camp Hill - The Dingle/St Anne's Field Environmental Enhancement Scheme

The report of the Director of Planning, Transport and Economic Strategy which sought the Cabinet's approval to increase the 2005/06 Capital Programme for this project, was considered.

Resolved:-

That Cabinet approves an increase in the 2005/06 Capital Programme by £60,000 to carry out Phase 2 of an externally funded project to enhance The Dingle/St Anne's Field, Camp Hill, Nuneaton.

19. Developer Funded Minor Road Schemes

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which sought approval to add a programme of developer funded minor road schemes to the 2005-06 Transport Capital Programme.

During his introduction of the item, Councillor Martin Heatley, Cabinet member for the Environment, stated that the reference to £200,000 in the Director of Planning, Transport and Economic Strategy's report should be a reference to £400,000, as mentioned in the body of the report.

Resolved:-

That a programme of developer funded minor road schemes to a value of £400,000 be added to the 2005-06 Transport Capital Programme.

20. Developer Funded Major Roads Schemes

The joint report of the County Treasurer and Director of Planning, Transport and Economic Strategy which sought the Cabinet's approval to add the projects to the 2005/2006 capital programme, was considered.

Resolved:-

- (1) That the two capital projects identified in paragraphs 2 and 3 of the report be included in the 2005/2006 capital programme at an estimated cost of £359,000 subject to a Section 278 agreement being signed with the developer.
- (2) That the scheme at High Street, Alcester referred to in paragraph 4 of the report be included in the 2005/2006 capital programme at a cost of £40,000.

21. Fire and Rescue Services Act 2004: The core functions of Warwickshire County Council in its role as a Fire and Rescue Authority.

The Cabinet considered the report of the County Fire Officer which provided an assessment of how Warwickshire County Council in its role as a Fire and Rescue Authority discharged its core functions under the Fire and Rescue Service Act 2004. The report also outlined a vision for future development of the Integrated Risk Management Plan that will reflect the contribution to reducing the community safety risk profile made by all WCC Departments on behalf on the Fire and Rescue Authority.

Resolved:-

That the Cabinet notes the contents of the report and approves the approach outlined to developing the Integrated Risk Management Plan by the County Fire Officer.

22. Minerals and Waste Development Scheme

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy.

The report proposed that, subject to the agreement of the Secretary of State, the timetable for preparing Waste Local Development Documents set out in the Minerals and Waste Development Scheme be revised to allow time (six months) for essential information to be provided by the Regional Technical Advisory Board.

Resolved:-

That the Cabinet:

(1) endorses the submission of the proposed revision of the Minerals and Waste Development Scheme detailed in Appendix A of the report to the Secretary of State.

(2) agrees that the revision be brought into effect on 16th September 2005.

26. Adult Social Services Community and Voluntary Sector Project Plan.

This item was to be considered originally in the exempt items part of the meeting but the Cabinet decided to consider it in public.

The Cabinet considered the report of the Director of Social Care and Health.

Following Cabinet's endorsement of the emerging key themes from the adult social services community and voluntary service audit, the report proposed an action plan to be implemented in conjunction with the work already undertaken on the corporate strategy for the Council's relationship with the voluntary sector to propose strategies and changes to working practices.

Resolved:-

That Cabinet endorses the proposed action plan for implementation in conjunction with the work already being undertaken on the corporate strategy for the Council's relationship with the voluntary sector.

23. Any Other Items

The Chair indicated that an issue relating to the Talisman Square Development at Kenilworth would be considered as an urgent item in the exempt part of the meeting.

24. Reports Containing Confidential or Exempt Information

Resolved:-

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of confidential or exempt information as defined in paragraphs 7,8, 9 and 10 of the Local Government Act 1972.

25. Exempt Minutes of the Meeting held on 21st July 2005 and Matters Arising.

Resolved:

That the exempt minutes of the meeting held on 21st July, 2005 be approved as a correct record and the minutes be signed by the Chair.

26. Adult Social Services Community and Voluntary Sector Project Plan.

This item was considered in the public part of the meeting.

27. Corporate Property Strategy Framework

The Cabinet considered the report of the Director of Property Services which related to a revised Corporate Property Strategy Framework report to assist with the development of a new Corporate Property Strategy Framework for 2006 and beyond.

That, the Cabinet adopt the Corporate Property Strategy Framework 2005 at Appendix A to the report to assist in the development of a new Corporate Property Strategy for 2006 and beyond.

The Acting Chief Executive, in consultation with the Leaders Liaison Group, will decide on the Working Group arrangements to develop proposals in respect of the future of the Shire Hall.

28. Renewal of Waste Management Contracts

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy.

A number of waste management contracts were due for renewal from 1st December 2005 and needed to be replaced. The report gave the outcome of the tender process and made recommendations for placing new contracts.

The Cabinet awarded new waste management contracts.

29. Countywide Bus Shelter Advertising Agreement

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which proposed that a Countywide Bus Shelter Advertising agreement be let under competitive tender to permit advertising on bus shelters and other free-standing public information signs/plinths. In return for the advertising concession the successful tenderer would fund the cleaning and maintenance of the bus shelters with advertising and also other shelters without advertising.

That Cabinet authorised the Director of Planning, Transport and Economic Strategy to award a countywide contract for the maintenance, supply and advertising use of bus shelters and street furniture on terms satisfactory to the County Solicitor and Assistant Chief Executive.

30. Warwick: 2 Swan Street and 20/24 High Street - Lease Renewal of Suite 1

The Cabinet considered the joint report of the Director of Property Services and Director of Planning, Transport and Economic Strategy. The

Cabinet agreed the renewal of a lease of part of the accommodation at 2 Swan Street and 20/24 High Street, Warwick.

31. Electrical Reactive/Planned Maintenance and Minor Improvement Work at County Buildings

The Cabinet agreed arrangements for the Measured Term Contract for electrical reactive/planned maintenance and minor improvement work at county buildings.

32. Coleshill Fire Station, Police Station and Leisure Centre

The Cabinet considered the report of the Director of Property Services and agreed that the County Council take no further action regarding the relocation of Coleshill Fire Station.

33. Exhall Grange School site: Possible development by the Royal National Institute for the Blind

The Cabinet considered the report of the County Education Officer relating to a proposal to deliver a new special school and children's home on the site of the Exhall Grange School and agreed that negotiations should continue. The Cabinet also agreed future use of the capital receipt and that a further report should be submitted to the Cabinet and the Area Committee.

34. Warwick: Additional Shire Hall Car Parking Provision

The Cabinet considered the report of the Director of Property Services seeking approval to the purchase of up to 100 car park permits from the Warwick District Council at a discounted cost, to ease the parking problems being experienced by County Council staff.

The Cabinet agreed that consideration of the matter be deferred until the 20th October meeting to enable the views of the Corporate Services and the Environment Overview and Scrutiny Committees and the Warwick Area Committee to be obtained on the proposal.

URGENT ITEM

35. Any Other Exempt Items

Talisman Square Development, Kenilworth.

The Chair indicated that this item would be considered as an urgent item because of the need for a decision to be taken before the next meeting of the Cabinet.

The Cabinet was advised that officers of the County and Warwick District Council's were still in discussion on this matter and that the authority to the Acting Chief Executive should be extended to the 6th October.

The Cabinet authorised the Acting Chief Executive/ Chief Executive to make any decisions up to the 6th October, 2005 which he considers necessary relating to the Talisman Square Development and the approach from the District Council, in consultation with the Political Group Leaders, the Corporate Services Cabinet portfolio holder and the Chair of the Corporate Services Overview and Scrutiny Committee, on terms and conditions acceptable to the County Solicitor and Assistant Chief Executive, the County Treasurer and the Director of Property Services.

The Cabinet rose at 3.25 p.m.