

The Cabinet met at the Shire Hall, Warwick on the 20th OCTOBER, 2005.

Present

Cabinet Members:

Councillor Alan Farnell (Chair) (Policy and Governance),
“ Alan Cockburn (Corporate Services),
“ Peter Fowler (Family Services),
“ Colin Hayfield (Adult and Community Services),
“ Richard Hobbs (Community Safety),
“ Martin Heatley (Environment),
“ Chris Saint (Economic Development),
“ Bob Stevens (Performance Management).

Non-Voting Invitees:

Councillor Tim Naylor, representing the Leader of the Labour Group,
“ Jerry Roodhouse, Leader of the Liberal Democrat Group.

Other Members:

Councillors Sarah Boad, David Booth, Ken Browne, Richard Chattaway, Anne Forwood, John Haynes, Mick Jones, Helen McCarthy, Raj Randev, Sid Tooth and John Whitehouse

Youth Parliament

Before the commencement of business the Chair welcomed Members of the Warwickshire Youth Parliament (MYPs) to the meeting. The Cabinet received a presentation about the ways in which the MYPs represented young people through consultations they had undertaken, forum meetings, select committees, regional meetings and events.

The MYPs then responded to several questions from members following which Members of the Cabinet expressed their appreciation for the views put forward in the presentation.

In particular members requested that :-

- Consideration should be given to inviting representatives of the Youth Parliament to meetings of all Area Committees.

- The Youth Parliament should be invited to give feedback on the development of the Council's strategy on the reduction of alcohol abuse
- The views of the Youth Parliament should be obtained on the development of the Local Transport Plan.

1. General

(1) Apologies for absence

were received from Councillors John Burton (Schools), Izzi Seccombe (Children's Services) and June Tandy.

(2) Members' Disclosures of Personal and Prejudicial Interests.

Councillor Chris Saint declared a personal interest in Agenda Item 8 – the Warwickshire Municipal Waste Management Strategy.

Councillors Richard Hobbs, Chris Saint and Bob Stevens declared prejudicial interests in Agenda Item 9 – The Distribution of the Waste Management Element of PSA1 Performance Reward Grant and personal Interests in the urgent Agenda Item relating to the Decriminalisation of Parking Enforcement and Park and Ride at Stratford on Avon, as members of the Stratford on Avon District Council.

Councillor Alan Cockburn declared a personal interest in Agenda Item 20 relating to the Nomination of a Director to CLASP.

Councillors Peter Fowler and Colin Hayfield declared personal interests in any matter involving the North Warwickshire Borough Council as members of that Council.

Councillor Jerry Roodhouse declared a personal interest in any matter involving the Rugby Borough Council as a member of that Council.

(3) Minutes of the meeting held on the 6th October 2005 and Matters Arising.

Resolved:-

That the Minutes of the Cabinet's 6th October 2005 meeting be approved.

There were no matters arising.

(4) Request for Discussion of En Bloc Item.

It was agreed that item 14 would be discussed before a decision was taken.

2. Review of the Warwickshire Strategic Partnership

The Cabinet considered the report of the Assistant Chief Executive and County Solicitor relating to proposals for the development of the Warwickshire Strategic Partnership.

The Cabinet's views would be used in discussions with partner agencies with the aim of creating an effective partnership to lead the development, delivery and performance manage the Warwickshire Strategic Partnership Plan, Warwickshire's Local Area Agreement and the Local Public Service Agreement.

Following introductory comments from Councillor Bob Stevens, members discussed several aspects of the proposed future arrangements for the Warwickshire Strategic Partnership and made the following observations:-

- Members need to have information on risk assessments.
- Consultation arrangements should be clarified.
- Action should be taken whenever possible to raise the awareness of the Partnership at local level. It was suggested that a briefing note should be prepared on the importance and impact of Local Area Agreements.

Resolved:-

That the Cabinet agrees to consultation on the future arrangements for the Warwickshire Strategic Partnership.

3. Strategic Development of Adult Social Care Services

The Cabinet considered the report of the Director of Social Care and Health which detailed a number of proposed developments in Adult Services following the publication of the Government Green Paper "Independence, Well being and Choice". This had been discussed at Adult and Community Overview & Scrutiny Committee on 6 September 2005 whose comments had been incorporated in the body of the report.

During his introduction of this item Councillor Colin Hayfield stressed the importance of delivering services to people on time. He suggested that an elected members reference group should be established to review, provide guidance and ensure informed decision making of the overall modernisation programme of Adult Services by elected members.

During the discussion the following points were noted:-

- The services would need to be closely integrated and every opportunity should be taken to ensure this is achieved.

- The need for flexibility to ensure the momentum is maintained with the development of the Strategy etc.
- The importance of elected member involvement in the development of the proposals particularly when setting the budget.

Resolved:-

That the Cabinet approves:

- (1) Proposals to establish a multi disciplinary Adult Services Project Team which will identify and project manage the strategic changes needed in Adult Social Care Services, following the publication of the Government's Green Paper, "Independence, Well-being and Choice".
- (2) Proposals to establish an Adult Services Strategic Partnership Board, and Steering Group.
- (3) Proposals to establish an Older People's Services Partnership Board and Member Reference Group.
- (4) Proposals to develop Joint Commissioning arrangements for both Learning Disability and Mental Health Services.
- (5) The establishment of an elected member reference group on a cross party basis (3-2-1) to review, provide guidance and ensure informed decision making of the overall modernisation programme of Adult Services by elected members.

4. Commissioning of Adult Mental Health and Learning Disability Services

The Cabinet considered the report of the Director of Social Care and Health which sought approval to move forward with joint commissioning arrangements for Mental Health and Learning Disabilities. Approval was sought to appoint two Commissioning Managers jointly funded by the PCT's and the County Council.

The report set out a work programme to align budgets by April 2006 and have in place pooled budgets by April 2007.

During his introduction of this item Councillor Colin Hayfield drew attention to the importance of the care pathway approach.

The following points were raised during the discussion:-

- A number of current vacancies would not be filled if the two new joint commissioning posts were agreed.

- There was a need for accountability in the new organisation and arrangements should be considered for the future scrutiny of proposals.
- There should be clarity in budget planning and, if possible, future budget reports should show where savings would be made and if they would be re-invested in the service
- Consideration should be given to the future employment arrangements for staff.
- There was a need to be proactive in the development of community trusts and in the treatment of health as a local authority service.
- Members noted that a further report would be submitted to the Cabinet dealing with detailed aspects of the future arrangements.

It was then Resolved:-

That the Cabinet :

- (1) Support the establishment of formal joint arrangements by Warwickshire County Council and Warwickshire PCT/s to commission adult mental health and learning disability services.
- (2) Approve the objectives against which formally integrated joint commissioning arrangements would be measured.
- (3) Approve the initial proposals for the governance, accountability and financial framework and endorse further work to refine these.
- (4) Endorse further detailed work with agreed milestones that will lead to the creation of pooled budgets for mental health and learning disability services, with a view to aligning the management and performance reporting of resources for the 2006/07 financial year with the introduction of formal pooled budget arrangements by April 2007.
- (5) Support the development of strategies for information management, ICT, human resources management (including workforce development) and support services to support these joint commissioning arrangements.
- (6) Authorise the appointment of two senior joint commissioning manager posts, one to lead on mental health and the second on learning disabilities, with adverts to be placed by agreement and in accordance with respective HR policies and taking into account any ring-fenced arrangements that may need to operate in this period of structural change in both the NHS and the County Council.

5. Youth Matters - A response to the Green Paper

The Cabinet considered the report of the Chair of the Children and Young People Overview and Scrutiny Committee which set out a response to the consultation on the Green Paper, Youth Matters.

The response had been compiled through a special meeting of a range of partners involved in the Strategic Review of Services for Young People and a single issue meeting of the Children and Young People Overview and Scrutiny Committee on 22 September 2005. The closing date of the consultation was the 4 November 2005.

Following introductory comments from Councillor Peter Fowler it was Resolved:-

That the Cabinet approve the response to the consultation on the Green Paper 'Youth Matters'

6. Changes in Adoption Legislation – Policy and Practice Implications

The Cabinet considered the report of the Director of Social Care and Health which provided an overview of changes required by Warwickshire County Council as an adoption agency in response to the implementation of the Adoption and Children Act 2002. Recommendations were made in respect of the elected members representation on Warwickshire County Council Adoption Panel, and the levy of fees in respect of individuals who are seeking to adopt from overseas (intercountry adoption).

Councillor Peter Fowler expressed concern that one councillor would be designated as a corporate parent whereas, under the Council's arrangements, three members acted in this role. He suggested that further representations should be made to the government on this point reiterating the benefits of the system in operation in Warwickshire.

Resolved:-

- (1) That the Cabinet agrees to adjust the membership of the Adoption Panel to comply with the new regulations.
- (2) That the Cabinet agrees the increased fee for intercountry adoption in line with the British Agencies for Adoption and Fostering (BAAF) recommended rates.
- (3) That a letter signed by the leaders of the three political groups be sent to the Government making further representations in respect of the designation of corporate parents.

7. Fast Track to Foundation Status for Primary Schools – DfES consultation

The Cabinet considered the report of the County Education Officer which suggested a response to the Government consultation on a fast track process for primary schools to achieve foundation status.

It was agreed that the response should be sent in the names of the leaders of the three political groups

Resolved:-

That the concerns outlined in paragraph 2 of the County Education Officer's report be forwarded to the Department for Education and Skills on behalf of the Council, signed by the leaders of the three political groups, in response to the consultation on proposals to extend the fast track route for schools to acquire foundation status to primary schools.

8. Warwickshire's Municipal Waste Management Strategy

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which summarised the key aspects of Warwickshire's Municipal Waste Management Strategy and detailed progress with the adoption of the Strategy by the District and Borough Councils.

Following introductory comments from Councillor Martin Heatley members discussed several aspects of the proposal and raised the following points:-

- There was a need for as much recyclable material as possible to be removed before incineration etc. The Rugby Borough Council had agreed to this.
- It was likely that an energy to waste facility would be proposed in the future. This would be on the basis of private funding contractual arrangements although there would be a need for investment by the Council possibly in the region of £16m. This would be offset against the future revenue costs from increased landfill tax. A further report would be submitted to a future meeting.
- Composting was carried out on mainly poor quality agricultural land and was a significant contributor in reducing material that would otherwise be disposed of at landfill sites.
- Home composting was encouraged but future estimates of quantities should have regard to potential difficulties with the use of the resultant composted material, owing to the trend in reduced garden size of new properties.
- The need for all parties to be involved in the consideration of any changes to the Strategy.

Resolved:-

- (1) That the Cabinet approves Warwickshire's Municipal Waste Management Strategy subject to the removal of most recyclables before incineration.
- (2) That the Cabinet authorises the Director to agree minor and uncontentious Clauses following consultations with the Portfolio Holder, the Chair of the Environment Overview and Scrutiny Committee and the Liberal Democrat spokesperson for Environment.

9. The Distribution of the Waste Management Element of PSA1 Performance Reward Grant

Councillors Richard Hobbs, Chris Saint and Bob Stevens left the room for this items.

The Environment Overview and Scrutiny Committee, on 27 September 2005, considered a report from the Director of Planning Transport and Economic Strategy which asked for the Committee's view on the options for using the £493,263 remaining from the waste management element of the PSA1 (Public Service Agreement) performance reward grant.

The Cabinet considered the recommendations of the Environment Overview and Scrutiny Committee.

Following comments from Councillor Martin Heatley, it was Resolved:-

- (1) That the Cabinet approves £493,263 from PSA1 performance reward being added to waste management budget, primarily to deliver the Waste Strategy;
- (4) That £100,000 be set aside in the waste management budget for a performance scheme for rewarding district/borough councils for improved recycling performance in 2006/07 compared to 2005/06.
- (5) That county and district/borough officers prepare and agree the details of the performance reward scheme.

10. Highway Maintenance Plan 2005/2006

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which provided information about the highway maintenance work proposed in 2005/06 and listed other sites where maintenance work would be required in the future.

During his introduction of this item Councillor Martin Heatley indicated that, with regard to the comments of Rugby Area Committee, he understood 85% of road markings were completed within 2 weeks, weather permitting.

It was the Resolved:-

That the Cabinet approves the Highway Maintenance Plan 2005/06.

11. Bringing the Benefits of London 2012 Olympics to Warwickshire

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

It was proposed to invest in a range of activities designed to ensure that Warwickshire, working in partnership, will benefit from the Olympic Games in London in 2012.

- There was a need to undertake preparatory work now rather than waiting until after the next Olympics.
- A risk assessment would be undertaken as part of the budget process and the funding could be met from general reserves
- The Regional Development Agency would be letting construction contracts and local firms must be treated fairly particularly in view of the West Midlands regions support for the UK hosting the games.
- The county had many facilities that would be attractive to the Games organisers but there was a need for a survey to be undertaken to identify all such facilities including the riding facilities at Moreton Morrell College
- The Birmingham City Council had now allocated £100,000 towards the costs of activities at the regional level.
- There was a need for all members to be made aware of the proposals etc.

It was then Resolved:-

That the Cabinet agrees:-

- (1) To recommend that Council allocates £50,000 in the current financial year and, subject to the budget for 2006/2007, a further £100,000 to work in partnership to support activities related to the London 2012 Olympics and Paralympics.
- (2) To recommend that Council reviews funding needs for the Olympics in the course of the normal budget setting process for the years up to 2012.
- (3) The Council lobbies Government to ensure that current levels of investment to Warwickshire are maintained rather than diverted to the South East.
- (4) That a further report be submitted on actions to be taken to use the prospect of the Olympics to generate a wider interest and participation in sport in the community and on the potential for the Council to promote high achievement in sport.
- (5) That a members seminar be arranged

12. 2005/2006 Annual Efficiency Statement

The report of the County Fire Officer was considered.

The report provided members with the opportunity to comment on the Fire and Rescue Service draft Annual Efficiency Statement for 2005/2006 to be submitted to the ODPM by 7th November 2005.

Following comments from Councillor Richard Hobbs it was Resolved:-

- (1) That the Cabinet note the requirements placed on the County Council as a result of the Government's efficiency agenda.
- (2) That the Cabinet endorse the draft 2005/2006 Annual Efficiency Statement.

13. Puffin Crossing at Shipston Road, Stratford-upon-Avon

The joint report of the County Treasurer and Director of Planning, Transport and Economic Strategy was considered.

The report sought the Cabinet's approval to add the project to the 2005/2006 capital programme.

Resolved:-

- (1) That the Puffin Crossing at Shipston Road, Stratford-upon-Avon be included in the 2005/2006 capital programme at an estimated cost of £126,000.
- (2) That members note this project replaces the Toucan Crossing at Shipston Road, Stratford-upon-Avon which was approved by Cabinet on 21 July 2005.

14. Minerals and Waste Development Framework: Statement of Community Involvement

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

The Cabinet was requested to approve the revised Statement of Community Involvement for a 6 week consultation period and submission to the Secretary of State.

Councillor Chris Saint advised members that the Office of the Deputy Prime Minister had indicated that the Statement could now be approved by the Cabinet rather than by the full Council. He moved and it was Resolved:-

- (1) That the Cabinet approves the Statement as amended (as contained in Appendix 1) and the accompanying statements (Appendix 2) for the purpose of their submission to the Secretary of State and further consultation in accordance with section 20 of The Planning and Compulsory Purchase Act 2004 and Regulation 28 of The Town and Country Planning (Local Development) (England) Regulations 2004.
- (2) That the Director of Planning, Transport and Economic Strategy be authorised to make consequential amendments to the documentation in consultation with the Portfolio Holder for Economic Development.

15. Any Other Items

The Chair indicated that he had agreed to the following items being considered as urgent items for the reasons indicated.

15(A) Review of Decriminalisation of Parking Enforcement in Stratford on Avon District and Stratford Park and Ride.

The Cabinet considered the report of the Chair of the Environment Overview and Scrutiny Committee as an urgent item because of the need for the timely introduction of the decriminalisation amendments and the park and ride scheme.

At its meeting on the 6th October, the Cabinet considered reports relating to a Review of Decriminalisation of Parking Enforcement in Stratford on Avon District and the Stratford Park and Ride scheme. Both decisions were called-in by the Chair of the Environment Overview and Scrutiny Committee and were considered at a special meeting of the Committee held on the 18 October 2005. The Cabinet considered the Committee's recommendations.

Councillor Martin Heatley moved the Overview and Scrutiny Committee's recommendations.

Resolved:-

That, subject to Standing Order 11.9 not being invoked in respect of these matters, the Cabinet agrees that -

- (1) Those streets in Stratford-upon-Avon with pay and display the 50 pence charge for 40 minutes and the free 20 minute period be abolished and replaced with a 30 minute period charged at 20 pence and that on-street charges on Sundays in Stratford-upon-Avon be abolished before 12 noon but only if Stratford-on-Avon District Council agree to a similar arrangement in their off-street car parks in keeping with the partnership agreement between Warwickshire County Council and Stratford-on-Avon District Council and the agreed principles underpinning decriminalisation of parking enforcement in Warwickshire;
- (2) The management of the Park and Ride car park and the provision of the Park and Ride bus services should be let as a combined contract to Johnsons (Henley) Ltd., adequate revenue support arising from the previous recommendation having been accepted by Cabinet.

15(B) Children's Centres Development – Increase in capital costs

The Cabinet considered the report of the County Education Officer as an urgent item in order to maximise grants for the centres.

The Cabinet's approval was sought to proceed immediately with work on Phase I of Children's Centres at the increased estimated costs outlined in the report. The Cabinet was advised that further delay would incur severe penalties and may result in further increases in costs, thus jeopardising the whole development programme.

Following introductory comments from Councillor Peter Fowler members were advised that the additional costs were the result of increased specifications of the buildings.

Resolved:-

- (1) That Cabinet notes that capital costs for Phase 1 of the Children's Centre development have increased as outlined in the County Education Officer's report and agrees to allow officers from Property Services Department to proceed with placing orders for work to be undertaken.
- (2) That the cost of the Children's Centre development projects included in the capital programme 2005/06 be increased as outlined at paragraph 2.2 of the report.

16. Reports Containing Confidential or Exempt Information

Resolved:-

That members of the public be excluded from the meeting for the following items 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'.

17. Exempt Minutes of the Meeting held on 6th October 2005 and Matters Arising.

Resolved:

That the exempt minutes of the meeting held on 6th October, 2005 be approved as a correct record and the minutes be signed by the Chair.

There were no matters arising.

18. Rugby: Shelford House Farm, Burton Hastings

The Cabinet considered the report of the Director of Property Services which related to certain land matters involving the farm which was identified in the Rural Asset Management Plan for eventual disposal.

The Cabinet agreed that the land concerned was surplus to requirements and should be sold.

19. Proposed Kingsbury Water Park Outdoor Education Centre

The Cabinet considered the report of the County Education Officer which related to a proposal for the development of an Outdoor Education Centre at Kingsbury Water Park, including the authorisation of negotiations and consideration of the earmarking of capital receipts.

Following comments from Councillor Alan Cockburn relating to the benefits of a site visit before a decision was taken, it was Resolved:-

That consideration of this item be deferred to enable a site visit to be held.

20. Consortium of Local Authority Special Projects (CLASP): Nomination of Director of Company

The report of the Director of Property Services was considered.

The Cabinet was asked to consider nominating a councillor as a Director of a public controlled company to be established by CLASP, with the Director of Property Services or his nominee representing County Council interests on the Management Committee of CLASP.

Resolved:-

(1) That Councillor A.J.L.Cockburn be nominated to represent the County Council as a director of a public controlled company to be established by the Consortium of Local Authority Special Projects (CLASP),

(2) That the Director of Property Services or his nominee be nominated to represent the interests of the County Council on the Management Committee of CLASP, and

(3) That the nominations in (1) and (2) above be subject to ratification at the Cabinet meeting on 17 November 2005, following consideration of a further

report based on discussions with the Development Director of CLASP on 13 October 2005.

21. Dunchurch and Wolston Estate

The Cabinet considered the report of the Director of Property Services relating to the possible promotion of the Council's land holding at Dunchurch and Wolston for inclusion in the newly emerging mineral plan.

During his introduction of this item Councillor Chris Saint drew attention to the work being undertaken by the Minerals and Waste Development Frameworks Policy Panel.

Following advice from the County Solicitor and Assistant Chief Executive concerning the need for clarification of the Council's roles as regulator and land owner, it was Resolved:-

That consideration of this item be deferred to enable a further report to be prepared.

22. Talisman Square Development, Kenilworth

The report of the County Solicitor and Assistant Chief Executive was considered.

The report updated members on the position relating to Talisman Square.

The Cabinet was advised that the information being sought from the developers had not yet been produced.

Resolved:-

That further consideration be deferred to the next meeting.

23. Warwick: Additional Shire Hall Car Parking Provision

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive.

On the 8th September the Cabinet considered a report seeking approval to the purchase of car park permits from Warwick District Council at a discounted cost, to ease the parking problems being experienced by County Council staff. The Cabinet decided to refer the matter to the Environment and the Corporate Services Overview and Scrutiny Committees for their views having regard to the implications of the Green Transport Plan. The Warwick Area Committee was also invited to comment on the proposal.

The views of the Environment Overview and Scrutiny Committee and the Warwick Area Committee were contained in the report. The Corporate Services Overview and Scrutiny Committee's views in support of the Area Committee's recommendation had been circulated before the meeting.

The Cabinet reconsidered the proposal having regard to the views of the three Committees and the aims and objectives of the Green Transport Plan.

During his introduction of the item Councillor Alan Cockburn expressed support for the Area Committee's recommendations.

Councillor Sarah Boad, Chair of the Area Committee, drew attention to several points made by the Area Committee including the need for a long term solution following the principles of the Green Transport Plan and for increased publicity of the Plan.

David Booth, Chair of the Corporate Services Overview and Scrutiny Committee, confirmed the Committee's support for the Area Committee's recommendations and encouraged members to make more progress in applying the Green Transport Plans principles

In response to comments from Councillor Ken Browne, Chair of the Environment Overview and Scrutiny Committee, relating to the need to open urgent negotiations with the trade unions, members were advised that the Joint Consultative Committee would consider the issues during the following week.

The Cabinet agreed to the acquisition of upto 100 permits for an initial period of 6 months and a maximum of 12 months.

Car park charges would be considered as part of the long-term resolution to this issue and a further report would be brought to Cabinet;

The Cabinet rose at 3.35 p.m.