

# Cabinet

## Agenda

23<sup>rd</sup> February 2006

The Cabinet will meet at the **SHIRE HALL, WARWICK** on **THURSDAY, 23<sup>RD</sup> FEBRUARY 2006** at **1.45 P.M.**

The agenda will be :

**1. General**

**(1) Apologies for absence.**

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

Members are reminded that they should disclose the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room unless one of the exceptions applies.

Personal interests relating to any item on the agenda arising by virtue of the members serving as District/Borough councillors and as members of the Warwickshire Police Authority are declared below:

Councillor Alan Cockburn, Member of Warwick District Council.

Councillor Peter Fowler, Member of North Warwickshire Borough Council.

Councillor Colin Hayfield, Member of North Warwickshire Borough Council.

Councillor Richard Hobbs, Member of Stratford on Avon District Council and the Warwickshire Police Authority.

Councillor Jerry Roodhouse, Member of Rugby Borough Council.

Councillor Chris Saint, Member of Stratford on Avon District Council.

Councillor Izzi Seccombe, Member of Stratford on Avon District Council and the Warwickshire Police Authority.

Councillor Bob Stevens, Member of Stratford on Avon District Council.

**(3) Minutes of the meeting held on the 2<sup>nd</sup> February 2006 and Matters Arising. (For exempt items see later on the agenda).**

**(4) Requests for Discussion of En Bloc Items.**

## **PART A - ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)**

### **2. Completion of the Local Public Service Agreement (LPSA2) 2006-2009**

Report of the Strategic Director of Performance and Development.

Cabinet deferred this matter on 2<sup>nd</sup> February 2006. Subsequently, excellent progress has been made and provisional agreement reached with the Office of the Deputy Prime Minister on the overall content of the LPSA2 agreement. However, we are yet to receive the final version of the draft agreement from the Office of the Deputy Prime Minister. A final report will be distributed as soon as the draft Agreement has been received and considered. The final report will describe the progress that has been made, and give detailed information on the targets that have been provisionally agreed with central government.

#### **Recommendations:**

- (1) That Cabinet supports and adopts the Local Public Service Agreement 2 (LPSA2) 2006-2009 on behalf of the County Council
- (2) That Cabinet delegates authority to the Chief Executive to finalise and enter into LPSA2 on behalf of the County Council

For further information please contact: Nick Gower Johnson, County Partnerships Manager. Tel: 01926 412053, e-mail [nickgower-johnson@warwickshire.gov.uk](mailto:nickgower-johnson@warwickshire.gov.uk) or Monica Fogarty, Head of Policy. Tel: 01926 412514, e-mail [monicafogarty@warwickshire.gov.uk](mailto:monicafogarty@warwickshire.gov.uk)

### **3. Response to Consultation on the Future of Local Strategic Partnerships.**

The report of the Strategic Director of Performance and Development.

This paper summarises the current ODPM Consultation on the future of Local Strategic Partnerships. The paper contains a draft County Council

response to the specific questions raised within it. The consultation is taking place at a highly relevant time and coincides with our early work on the development of the Local Area Agreement and the partnership and governance issues that this raises. The Cabinet is asked to consider and comment upon the draft response which will then, subject to any amendments, be forwarded to ODPM prior to the consultation deadline of 3rd March 2006.

**Recommendations:**

- (1) That the Cabinet authorise the Strategic Director for Performance and Development to forward the response to the Office of the Deputy Prime Minister and Warwickshire Members of Parliament
- (3) That the response be signed by the Cabinet portfolio holder and the other political group spokespersons.

For further information please contact: Nick Gower Johnson, Strategy Unit. Tel: 01926 418029, e-mail: [jeffmarlow@warwickshire.gov.uk](mailto:jeffmarlow@warwickshire.gov.uk)

**4. Fairer Charging – Care at Home Services**

The report of the Interim Director of Adult Social Care.

This report is in response to advice contained in the performance assessment report from CSCI and the 2004/05 Strategic Review of Older People and sets out a proposal for a revised charging policy options as a basis for consultation.

**Recommendations**

That Cabinet:

- (1) Notes the issues highlighted by the Commission for Social Care Inspection regarding the Council's existing approach to care at home charges.
- (2) Approves the proposed revised charging policy options as a basis for a statutory consultation exercise.
- (3) Notes that the feedback from the consultation exercise and a recommended revised charging policy will be reported to a future meeting of Cabinet.
- (4) Invites the relevant scrutiny committee to consider the consultation response and advise on further progression of the revised charging policy framework.

For further information please contact: Martin Jones, Head of Resources Management. Tel: 01926-412083, e-mail: [martinpjones@warwickshire.gov.uk](mailto:martinpjones@warwickshire.gov.uk)

## **5. Fair Access to Care Services (FACS) - A Well-Being Threshold**

The report of the Interim Director Adult Social Care.

The paper builds on earlier work considered through the scrutiny process and proposes that the eligibility threshold for Adult Social Services, as set out in the FACS Framework, should be modernised to embrace the well-being agenda being pursued by Government. The implementation would be project managed in line with available resources determined through the Council's corporate budget process.

### **Recommendations**

That the Cabinet:

- (1) Approves the proposed changes to Fair Access criteria as submitted to enable the Council to develop, in partnership where appropriate, a co-ordinated low intensity support service,[A Bit of Help] with special reference to older people,
- (2) Invites the Adult and Community Overview and Scrutiny Committee to monitor the development and implementation of new arrangements for low intensity support and advise Cabinet on progress as appropriate
- (3) Notes the financial implications of change and the ability to meet them within relevant approved budgets for 2006/07.

For further information please contact: Michael Hake, Interim Director of Adult Social Care. Tel –01926 412198, e-mail [michaelhake@warwickshire.gov.uk](mailto:michaelhake@warwickshire.gov.uk)

## **6. The County Council's Response to Government Consultation on Planning Gain Supplement.**

The report of the Strategic Director of Environment and Economy.

### **Recommendation**

That Cabinet supports the principle of planning-gain supplement and the proposed responses to consultation set out in this report.

For further information please contact: Jasbir Kaur, Manager  
Tel. 01926 412170, e-mail [jasbirkaur@warwickshire.gov.uk](mailto:jasbirkaur@warwickshire.gov.uk)

## **7. Rokeby Primary Schools**

The report of the Strategic Director for Children, Young People and Families.

Local members – Councillors Ian Smith and John Vereker .

This report seeks approval in principle to the proposal to amalgamate Rokeby Infant School and Rokeby Junior School and authorisation that further consultation be undertaken on a revised proposal.

**Recommendation:**

That the proposal to amalgamate Rokeby Infant School and Rokeby Junior School be approved in principle and that further consultation be authorised on a revised proposal to base the resultant primary school on the site of the existing infant building.

For further information please contact: Mark Gore, Assistant County  
Tel: 01926 412887, e-mail: [markgore@warwickshire.gov.uk](mailto:markgore@warwickshire.gov.uk)  
or: Phil Astle, Education Officer. Tel: 01926 412820, e-mail:  
[philastle@warwickshire.gov.uk](mailto:philastle@warwickshire.gov.uk)

**8. Warwickshire Local Transport Plan 2006**

The report of the Strategic Director of Environment and Economy

The County Council has a statutory responsibility to produce a Local Transport Plan (LTP). The LTP sets out the County's Transport Strategy, and provides the framework for how transport and accessibility will be improved across Warwickshire over the next five years. The County Council submitted a Provisional LTP to the Department for Transport in July 2005. A Final version of the Plan has been prepared following a public consultation held during Autumn 2005.

The Cabinet is invited to endorse the proposed response of the Authority to the concerns and issues raised by consultees, and endorse the Final Plan to the Council for formal adoption.

**Recommendations**

That the Cabinet:

- (1) Notes the results of the public consultation on the Provisional Local Transport Plan (LTP), and approves the proposed response of the County Council to the issues and comments raised in the consultation.
- (2) Recommends that Council adopts the Final LTP (including any minor modifications proposed to them by the Strategic Director of Environment and Economy).
- (3) Supports the inclusion of Virtual Bank and Prudential borrowing within the LTP Delivery Strategy as the proposed method of funding the introduction of Decriminalisation of Parking Enforcement (DPE) in Nuneaton and Bedworth, Rugby, Warwick and North Warwickshire Areas.

- (4) Supports the draft allocation of resources in the LTP Delivery Strategy subject to the inclusion in it of the additional statement in paragraph 6.5 of this report.

For further information please contact: Adrian Hart, Transport Planning  
Tel: 01926 735667, e-mail: [adrianhart@warwickshire.gov.uk](mailto:adrianhart@warwickshire.gov.uk)

## **PART B - ITEMS FOR EN BLOC DECISIONS (YELLOW PAPERS)**

### **9. Draft Regeneration and Competitiveness Strategy 2006-2010**

The report of the Strategic Director of Environment and Economy.

The vision of the Department's new Strategy is "to create a sustainable and vibrant local economy which promotes employment and prosperity for all". It is based on three strategic objectives:-

- To improve the competitiveness of the local economy.
- To provide clear leadership and influence.
- To build community capacity to reduce social exclusion and embed sustainable regeneration.

#### **Recommendation:**

That Cabinet agrees with the draft Regeneration and Competitiveness Strategy 2006–2010 and recommends its adoption.

For further information please contact: Jeff Marlow, Strategy Unit Tel: 01926 418029, e-mail: [jeffmarlow@warwickshire.gov.uk](mailto:jeffmarlow@warwickshire.gov.uk)

### **10. Adoption and Children Act 2002 – Special Guardianship**

The report of the Strategic Director for Children, Young People and Families.

This report outlines the introduction of Special Guardianship Orders being introduced from 30th December 2005 as part of the Adoption and Children Act 2002. It proposes that Special Guardianship Orders provide for some children an appropriate permanency option in addition to Adoption and Residence Orders. It also proposes a policy that support to carers applying for a Special Guardianship Order mirrors the current schemes for Adoption and Residence Orders.

#### **Recommendation:**

That Cabinet agrees a policy to introduce support, including financial assistance, for Special Guardianship Orders that complements the existing schemes for adoption allowances and Residence Order allowances to enable some children and young people to be secured in permanency placements with their carers.

For further information please contact: Chris Hallett, Head of Children's Services. Tel: 01926 412494, e-mail: [chrishallett@warwickshire.gov.uk](mailto:chrishallett@warwickshire.gov.uk)

## **11. Licensing Act 2003**

The report of the Director, Libraries, Heritage & Trading Standards.

The duty to enforce the provisions of the Licensing Act 1964 was previously delegated to the Trading Standards Service. As this legislation has now been revoked, to discharge the Council's duty efficiently, the responsibility for the enforcement of sections 146 and 147 of the Licensing Act 2003 should be delegated to an appropriate Head of Service/Chief Officer and the Council's constitution amended accordingly.

### **Recommendation**

That the Director of Libraries, Heritage and Trading Standards or his/her nominee be authorised to exercise the functions of the County Council in relation to offences concerning the sale of alcohol to children under the Licensing Act 2003 and that the Director of Performance and Development be requested accordingly to amend Paragraph 13 of Part 6, Section, Part 2 of the Constitution by replacing references to provisions of the Licensing Act 1964 with references to sections 146 and 147 of the 2003 Act.

For further information please contact: Adrian Levett, Head of Trading Standards. Tel: 01926 414059, e-mail: [adrianlevett@warwickshire.gov.uk](mailto:adrianlevett@warwickshire.gov.uk)

## **12. Food Standards Agency Audit Report**

The report of the Director, Libraries, Heritage & Trading Standards.

The Food Standards Agency has recently conducted an audit of the Food Standards work conducted by the Trading Standards Service. The report was complimentary about the broadly based work in Warwickshire that involved stakeholders at many stages. No improvement plan was necessary.

### **Recommendation**

- (1) That the Cabinet agree the Trading Standards Service aims and objectives for Food Standards remain current and appropriate.
- (2) That the Trading Standards Service and in particular those who have contributed to the Food Standards work are congratulated on the FSA audit result.

For further information please contact: Adrian Levett, Head of Trading Standards. Tel: 01926 414059, e-mail: [adrianlevett@warwickshire.gov.uk](mailto:adrianlevett@warwickshire.gov.uk)

### **13. Corporate Governance Audit 2005**

The joint report of the Strategic Director of Performance & Development and Strategic Director of Resources.

This report summarises the outcomes of the Corporate Governance Audit 2005 and makes recommendations about the action to be taken.

#### **Recommendation**

That the views of the Corporate Services Overview and Scrutiny Committee and the Standards Committee are endorsed and in particular:-

- (1) That Cabinet approves the areas for improvement set out in the Draft Action Plan attached as Appendix 1 to the report.
- (2) That each Strategic Director prepares a Directorate Action Plan to address the areas for improvement identified in the 2005 Audit to set targets for improvement and reports on progress to the Corporate Services Overview and Scrutiny Committee and Standards Committee in 12 months time.
- (3) That the Corporate Services Overview and Scrutiny Committee receives an update report on the action plans at its meeting in November 2006

For further information please contact: David Carter, Strategic Director of  
Tel: 01926 412564, e-mail: [davidcarter@warwickshire.gov.uk](mailto:davidcarter@warwickshire.gov.uk)  
or: Jane Pollard, Acting Head of Legal. Tel: 01926 412565, e-mail:  
[janepollard@warwickshire.gov.uk](mailto:janepollard@warwickshire.gov.uk)

### **14. Countryside Access and Rights of Way Improvement Plan**

The report of the Strategic Director of Environment and Economy

To report on the results of the consultation exercise on the Draft Countryside Access and Rights of Way Improvement Plan and the proposals to modify the Plan for publication in April 2006.

#### **Recommendation:**

That Cabinet adopts the Countryside Access and Rights of Way Improvement Plan 2006- 2016 with amendments proposed within this report.

For further information please contact: Martin Fry, Countryside Recreation. Tel. 01926 413431, e-mail [martinfry@warwickshire.gov.uk](mailto:martinfry@warwickshire.gov.uk)



**15. Birmingham International Airport Draft Master Plan: Towards 2030.**

The report of the Strategic Director of Environment and Economy

Following the Government's White Paper on the Future of Air Transport, which was published in December 2003, Birmingham International Airport (BIA) has published its consultation draft Airport Master Plan for 2030. This report sets out the County Council's proposed response to the consultation, particularly in terms of its implications for surface access to BIA.

Cabinet is invited to authorise that a formal response be made to the consultation based on these observations.

**Recommendation:**

That Cabinet authorises the Strategic Director of Environment and Economy to submit a response incorporating the points summarised in Section 5 of the report.

For further information please contact: Adrian Hart, Transport Planning  
Tel. (01926) 735667, e-mail [adrianhart@warwickshire.gov.uk](mailto:adrianhart@warwickshire.gov.uk)

**16. Review of Contract Standing Orders**

The report of the Strategic Director of Performance and Development

This report summarises the outcome of the phase 2 review of the Council's Contract Standing Orders and proposes amendments to be endorsed by Cabinet and to be approved by Council.

**Recommendation**

That Cabinet endorses the amendments proposed to Contract Standing Orders and Contract Standing Orders for Schools as set out in this report and recommends their approval by the County Council.

For further information please contact: Catherine Witham, Senior Solicitor  
Legal Services. Tel: 01926 418167, e-mail  
[catherinewitham@warwickshire.gov.uk](mailto:catherinewitham@warwickshire.gov.uk)

**17. Irrecoverable Debts**

The report of the Interim Director of Adult Social Care.

Authority is requested to write off 39 irrecoverable debts, which the County Solicitor has advised he is unable to pursue any further.

For further information please contact: Philip Lumley-Holmes, Financial Services. Tel: 01926 412443, e-mail: [philiplumley-holmes@warwickshire.gov.uk](mailto:philiplumley-holmes@warwickshire.gov.uk) or: Ravi Virk, Head of Debt Tel: 01926 418657, e-mail: [ravivirk@warwickshire.gov.uk](mailto:ravivirk@warwickshire.gov.uk)

## 18. Any Other Items

To consider any other items that the Chair decides are urgent.

## PART C - EXEMPT ITEMS (PURPLE PAPERS)

### 19. Reports Containing Confidential or Exempt Information

To consider passing the following resolution:

‘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 8 and 9 of the Local Government Act 1972’.

(NB. Copies of extracts describing exempt information are available in Warwickshire Libraries, the County Council Handbook and the Access to Information Register held in my office).

### 20. Exempt Minutes of the Meeting held on 12<sup>th</sup> January 2006 and Matters Arising.

### 21. Coleshill Parkway Transport Interchange - Approval to Enter Into a Partnership Agreement, Approval of the Scheme's Financial Aspects and Approval to Enter a Land Lease and Easement

The report of the Strategic Director of Environment and Economy.

***This report was not available in time for print with the agenda and will be circulated separately.***

Local member - Councillor Peter Fowler

Final approval of Central Government funding for Coleshill Parkway Transport Interchange is anticipated imminently from the Department for Transport. In order for construction to commence and the scheme to operate, a partnership agreement and a land lease will be required.

For further information please contact: Lee White, Transport Planning Tel: 01926 735671, e-mail: [leewhite@warwickshire.gov.uk](mailto:leewhite@warwickshire.gov.uk)

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

Report of the Strategic Director of Resources.

A report to discuss the further extension of the Measured Term Contract

For further information please contact: Steve Smith, Head of Property Management. Tel: (01926) 412352, e-mail [stevensmith@warwickshire.gov.uk](mailto:stevensmith@warwickshire.gov.uk) or Clive Field, Quantity Surveyor. Tel: (01926) 418636, e-mail [clivefield@warwickshire.gov.uk](mailto:clivefield@warwickshire.gov.uk)

**23. Southern Justice Centre Project / 1 and 2 Euston Square**

This joint report deals with the criminal justice centres and land issues affecting the County Council

For further information please contact: David Carter, Strategic Director of Performance & Development. Tel 01926 412045, e-mail [davidcarter@warwickshire.gov.uk](mailto:davidcarter@warwickshire.gov.uk) or Oliver Winters, Head of Finance, Resources Directorate. Tel: 01926 412441 ,e-mail [oliverwinters@warwickshire.gov.uk](mailto:oliverwinters@warwickshire.gov.uk)

**24. Rugby Western Relief Road**

The report of the Report of the Strategic Director of Environment and Economy.

Following the Public Inquiry into the Orders for the scheme this report sets out the recommendations from the Inspector's report and summarises the Secretary of State's decision on the Orders. It also highlights those issues where the Secretary of State is suggesting modifications to the scheme and is requesting further information from the County Council on these issues to enable him to make a final decision on the Orders. The report also proposes how the scheme should be progressed.

For further information please contact: Brian Follett Group Manager, Design Services. Tel. 01926 412094, e-mail [brianfollett@warwickshire.gov.uk](mailto:brianfollett@warwickshire.gov.uk)

**JIM GRAHAM,  
Chief Executive  
Shire Hall,  
Warwick  
February 2006**

## Cabinet Membership

Councillor Alan Farnell (**Leader of the Council and Chair of Cabinet**) (**Policy and Governance**),

[cllrfarnell@warwickshire.gov.uk](mailto:cllrfarnell@warwickshire.gov.uk)

Councillor John Burton (**Schools**),

[cllrburton@warwickshire.gov.uk](mailto:cllrburton@warwickshire.gov.uk)

Councillor Alan Cockburn (**Corporate Services**),

[cllrcockburn@warwickshire.gov.uk](mailto:cllrcockburn@warwickshire.gov.uk)

Councillor Peter Fowler (**Family Services**),

[cllrfowler@warwickshire.gov.uk](mailto:cllrfowler@warwickshire.gov.uk)

Councillor Colin Hayfield (**Adult and Community Services**),

[cllrhayfield@warwickshire.gov.uk](mailto:cllrhayfield@warwickshire.gov.uk)

Councillor Martin Heatley (**Environmental Services**),

[cllrheatley@warwickshire.gov.uk](mailto:cllrheatley@warwickshire.gov.uk)

Councillor Richard Hobbs (**Community Safety**),

[cllrhobbs@warwickshire.gov.uk](mailto:cllrhobbs@warwickshire.gov.uk)

Councillor Chris Saint (**Economic Development**),

[cllrsaint@warwickshire.gov.uk](mailto:cllrsaint@warwickshire.gov.uk)

Councillor Izzi Seccombe (**Children's Services**),

[cllrmsseccombe@warwickshire.gov.uk](mailto:cllrmsseccombe@warwickshire.gov.uk)

Councillor Bob Stevens (**Performance Management**),

[cllrstevens@warwickshire.gov.uk](mailto:cllrstevens@warwickshire.gov.uk)

Non-voting Invitees - Councillor June Tandy (**Leader of the Labour Group**) [cllmrstandy@warwickshire.gov.uk](mailto:cllmrstandy@warwickshire.gov.uk) and Councillor Jerry Roodhouse (**Leader of the Liberal Democrat Group**) [cllrroodhouse@warwickshire.gov.uk](mailto:cllrroodhouse@warwickshire.gov.uk), or their representatives.

**General Enquiries:** Please contact Pete Keeley, Member Services, Performance and Development Directorate Tel: 01926 412450 Email: [petekeeley@warwickshire.gov.uk](mailto:petekeeley@warwickshire.gov.uk)

**Enquiries about specific reports:** Please contact the officers named in the reports.