

**The Cabinet met at the Shire Hall, Warwick on the
7 September 2006.**

Present

Cabinet Members:

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

- “ Bob Stevens (Deputy Leader),
- “ John Burton (Schools),
- “ Alan Cockburn (Resources),
- “ Peter Fowler (Performance and Development),
- “ Colin Hayfield (Adult, Health and Community),
- “ Martin Heatley (Environment),
- “ Richard Hobbs (Community Protection),
- “ Chris Saint (Economic Development),
- “ Izzi Seccombe (Children, Families and Young People).

Non-Voting Invitees:

Councillor June Tandy, Leader of the Labour Group,
“ Sarah Boad, representing the Leader of the Liberal Democrat Group.

Other Members:

Councillors David Booth, Ken Browne, Richard Chattaway, Josie Compton, Chris Davis, Jill Dill-Russell, Anne Forwood, Richard Grant, Marion Haywood, Bob Hicks, Mick Jones, Katherine King, Helen McCarthy, Raj Randev, Jerry Roodhouse (for part of the meeting) and Tim Naylor.

1. General

(1) Apologies for absence

None

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

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 were 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 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.

Councillor Josie Compton, Member of the Warwick District Council.

Councillor Grant declared a personal interest in Agenda Item 9 relating to Post - 16 Transport.

All councillors present at the meeting who were also school governors declared personal interests in Agenda Item 5 relating to Review of the Local Schools Funding Formula in view of their governorships.

Councillor Bob Stevens declared a personal interest in Agenda Item 7 - Delivering the Customer Service & Access Strategy, in view of his membership of Vision4Southam.

(3) Minutes of the meeting held on the 13 July 2006 and Matters Arising.

(i) Minutes

Resolved:-

That the Minutes of the Cabinet's 13 July 2006 meeting be approved.

(ii) Matters Arising

Minute 7 – Leamington Urban Mixed Priority Project Review (LUMP)

Councillor Martin Heatley drew attention to the successful completion of this project and congratulated the officers for the works undertaken. He also drew attention to the successful bid for government funding for the Leamington and Warwick Integrated Public Transport Improvements (SPARK) scheme.

Following comments from Councillor Ken Browne in support of the Councillor Martin Heatley's views, it was agreed that the officers concerned be advised of the Cabinet's appreciation for the work undertaken.

(4) Requests for the Discussion of En Bloc Items

It was agreed that items 12 and 16 would be discussed before decisions were taken.

2. Development of the Warwickshire Local Area Agreement (LAA)

The Cabinet considered the report of the Strategic Director of Performance and Development which summarised progress made to date in relation to the development of the Warwickshire LAA. The first draft LAA had been distributed prior to the Cabinet meeting.

During his introduction of this item Councillor Peter Fowler, Cabinet Member for Performance and Development, indicated that any further comments from the Group Leaders or Cabinet Members should be submitted to Nick Gower-Johnson by the 21 September.

Members noted that the preparation of the LAA had been a combined effort involving the voluntary and community sector and expressed their appreciation for the work undertaken by the LAA Block Leaders and Theme Groups.

It was then Resolved:

That the Cabinet notes the current position in relation to the development of the Warwickshire LAA.

3. Projected 2006/07 Revenue Net Spend as at Quarter 1

The Cabinet considered the report of the Strategic Director of Resources which informed members of the projected net spend for 2006/07 based on information known at the end of the first quarter.

Following introductory comments from Councillor Alan Cockburn, Cabinet Member for Resources, it was Resolved:

That the Cabinet:

- (1) Notes the projected 2006/07 revenue net spend position and the projected reserves at year-end, and requests directorates 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 £651,000 in 2006/07 as detailed in paragraph 3.2 of the report.

4. 2006/07 to 2008/09 Capital Programme – Update as at Quarter 1

The Cabinet considered the report of the Strategic Director of Resources which sought members' approval to the changes to the capital programme since Council in February 2006.

Following introductory comments from Councillor Alan Cockburn, Cabinet Member for Resources, it was Resolved:

- (1) That the Cabinet approves the additional projects at paragraph 6.2 of the report.
- (2) That the revised starts and payments totals for 2006/07 identified at paragraph 6.1 and in Tables 1 and 2 be approved.
- (3) That the Cabinet notes the projections of spending and financing for future years.

Members noted that the Council's Saltisford Office accommodation was now occupied following a successful move of staff. Members were welcome to visit the new premises.

5. Review of the Local Schools Funding Formula

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

The report outlined a suggested process for reviewing the Authority's local schools funding formula. It also sought the Cabinet's approval to the process and asked for suggestions of any other areas of the formula that the Cabinet may want to be reviewed.

During his introduction of the item, Councillor John Burton, Cabinet Member for Schools, suggested that the indicators to be used in the distribution of resources should include languages. He suggested the addition of the following bullet point in paragraph 2.5 to cover this:

- The needs of children for whom English is an additional language.

It was the Resolved:-

That the Cabinet:

- (1) approves the suggested process for analysing and reviewing the Authority's local school formula;
- (2) agrees to the addition of the bullet point suggested by Councillor Burton; and
- (3) remits the monitoring of progress on the review to the Children, Young People and Families Overview and Scrutiny Committee.

6. Community Protection Directorate Efficiency Saving Option

The report of the Chair, Community Protection Overview and Scrutiny Committee.

The Community Protection Overview and Scrutiny Committee, at its meeting on 25 July 2006 considered a report outlining the Efficiency Saving Option prepared by the Fire and Rescue Service. The Cabinet was asked to note that the report identified the necessary level of budget reduction of 2.5% for the Community

Protection Directorate as part of the County Council's annual efficiency statement. The Committee had endorsed the Strategic Directors recommendations contained in the report and had proposed that the Committee form a Working Party to identify savings for future years.

During his introduction of this item Councillor Richard Chattaway outlined the history of the matter and the issues which had been considered by the Overview and Scrutiny Committee as detailed in the report. He added that the Committee's recommendations were agreed on a majority vote and that the Cabinet should now take a decision on the issues.

Councillor Richard Hobbs expressed his appreciation to the Overview and Scrutiny Committee for its consideration of the issues. He advised the Cabinet that:

- It would be more appropriate for the Cabinet to come forward with means of examining the issues and for the O and S Committee to scrutinize any decisions, rather than for the Committee to establish a working party.
- The representations of the Fire Brigade Unions had been circulated to all members and the issues had been vigorously considered at the Overview and Scrutiny Committee. The questions raised by the Union had been adequately answered by officers at the Committee.
- With regard to the use of hybrid vehicles, such vehicles were being used successfully in other Brigades and he expected that the vast majority of Brigades would use similar vehicles in the future.

Councillor June Tandy, Leader of the Labour Group advised members that the majority decision of the Overview and Scrutiny Committee had not been supported by the Labour Group. She indicated that she was not in support of a cross party working party and that the Cabinet would need to take the decisions on the issues.

It was then Resolved, with no member voting against:-

That the Cabinet adopts the recommendations of the Community Protection Overview and Scrutiny Committee, as detailed in the report (but not including the establishment of a working party by the Committee) for the coming year.

7. Delivering the Customer Service & Access Strategy – Progress report and Direction of Travel

The Cabinet considered the report of the Strategic Director of Performance and Development.

The report set out the progress made against the Customer Service & Access Strategy following its approval on 27th June, 2006 and outlines the direction of travel over the next six months.

Councillor Bob Stevens declared a personal interest in this item in view of his membership of Vision4Southam.

Councillor Peter Fowler, Cabinet Member for Performance and Development, introduced the report.

In response to comments from Councillor Tim Naylor about the original pilot scheme and use of information gained from the pilot, David Carter, Strategic Director of Performance and Development, confirmed that there had been a full evaluation of the pilot scheme. With regard to the history of the project, the Cabinet had previously agreed the current scheme which did not include the project at Lillington because of delays that were being experienced with its implementation.

During the discussion members noted that there were several lessons to be learnt from the pilot schemes including the style and appearance of premises used.

It was then Resolved:

That the Cabinet:

- (1) Endorses progress made with development of the:
 - o One Stop Shop pilots
 - o Business Cases for the One Stop Shop pilots
 - o Business Process Re-engineering activity
 - o Warwickshire County Council/Warwick District Council Joint Customer Service Centre.
- (2) Endorses the current Direction of Travel to deliver the Customer Service & Access Strategy.
- (3) Approves the making of £27,000 capital grant in 2006/07 to fund the extension to be occupied by the Police at the planned One Stop Shop in Whitnash.
- (4) Approves Warwickshire County Council's participation with North Warwickshire Borough Council in a joint One Stop Shop and a further report being submitted to Cabinet on the 2nd November 2006 to consider options for funding.

8. Rokeby Primary Schools

The Cabinet considered the report of the Strategic Director of Children, Young People and Families which sought formal approval for the amalgamation of Rokeby Infant School and Rokeby Junior School.

Following introductory comments from Councillor John Burton, Cabinet Member for Schools, it was Resolved:-

- (1) That the Cabinet confirms its decision to close Rokeby Infant School and Rokeby Junior School and establish a 4-11 community primary school with effect from September 2007.
- (2) That the new primary school continue to use the existing buildings of both schools to facilitate the transition to a one-form-entry school and allow for further exploration of the demand for extended school services in the Rokeby area.

9. Post-16 transport

The Cabinet considered the report of the of the Strategic Director of Children, Young People and Families asking Members to consider the future of supported post-16 transport for students.

During his introduction of the item Councillor John Burton, Cabinet Member for Schools, drew attention to the Council's budget decisions and the potential impact on students if supported transport was phased out.

He recommended the Cabinet to agree to the introduction of an increased charge of £275. He suggested that areas of financial assistance towards the charge should be explored, including the possibility of colleges offering assistance and publicity being given to assistance available under the Education Maintenance Grant.

During the debate it was suggested that consideration should be given to abolishing the £40 surcharge for payment by instalments.

It was then **Resolved**:

- (1) **That Members** agree to **the introduction of an increased** charge of £275 paid by students for post-16 transport from September 2007 in order to meet the funding gap arising from the decision taken during the Authority's 2006/07 budget process not to fund forecast cost increases,
- (2) That the local LSC and Connexions be asked to publicise the Education Maintenance Grant to all students as there appears to be only a 60% take-up of EMA.
- (3) That the Chief Executive writes to the DfES expressing the Council concern regarding the ambiguities surrounding the funding for home to college transport and that this letter be circulated to the Warwickshire MPs.
- (4) That a further report be submitted about the assistance that was available to students in paying the charge and the abolition of the surcharge for payment by instalments,

Deleted: to £225 per annum from September 2006 and £275

10. Corporate Asset Management Plan Performance Indicator Report

The report of the Strategic Director of Resources was considered.

The Cabinet was asked to approve the Asset Management Plan Property Performance Indicators, subject to any necessary last-minute amendments the Head of Property might deem necessary in consultation with the Resources Portfolio Holder. The views of the Resources, Performance and Development Overview and Scrutiny Committee had been included in the report.

Resolved:-

That the Cabinet:

- (1) approves the Corporate AMP Performance Indicator Report at Appendix A to the report; and
- (2) agrees that in the event of any last-minute amendments being necessary, they be made by the Head of Property in consultation with the Resources Portfolio Holder.

11. Public Consultation on the 2007/08 Budget

The report of the Strategic Director of Resources was considered

The report sought the Cabinet's approval to the planned public consultation process on the 2007/08 budget.

Resolved:-

That the Cabinet:

- (1) agrees the proposals for public consultation on the 2007/08 Budget and Council Tax outlined in Section 3 of the report; and
- (2) supports the recommendation, from Resources, Performance and Development Overview and Scrutiny Committee, that District/Borough Councils and the Police Authority are invited to participate in the discussions and presentations at the Area Committees.

12. A Stronger Local Voice – New Arrangements for NHS Accountability

The Cabinet considered the joint report of the Strategic Directors of Performance and Development, Adult, Health and Community Services.

Patient and Public Involvement Forums will be replaced by Local Involvement Networks (LINKs). Local support for LINKs will be the responsibility of local authorities with social services responsibilities. Also the new commissioning

guidance published at the same time has proposals for community action, both may have implications for WCC. The report provided a summary of the proposals being made and questions for comment. Comments for LINKs needed to be made by the 7 September 2006 and the new commissioning arrangements by 6 Oct 2006.

Councillor Bob Stevens, the Deputy Leader of the Council, suggested that the Health Overview and Scrutiny Committee should give consideration to the responses and, having regard to governments consultation deadlines, the responses should be made, subject to any views from the Committee.

Members expressed concern over the short timetable for responses to this and other consultations from the government.

It was also suggested that the Patient and Public Involvement Forums should be given an opportunity to have an input to the Overview and Scrutiny Committee.

It was then Resolved:

That the Cabinet approves the responses to the questions in the letters attached to the report being sent as holding responses to the consultations pending consideration by the Health Overview and Scrutiny Committee.

13. Savings from the Restructuring of the County Council

The report of the Chief Executive and Strategic Director, Resources was considered.

The report informed members of the progress in identifying the savings resulting from the restructuring of County Council Directorates.

Resolved:

That the Cabinet:

- (1) notes the savings of £671,000 in 2006/07 and a further £21,000 in 2007/08, identified as a result of the restructuring of County Council Directorates: and
- (2) approves the allocation of the savings identified to the Modernisation Fund, in the first instance, in accordance with the Council resolution.

14. A425 Banbury Road, Turnbolls Garden, Warwick - Right Turning Lane Priority Junction

The joint report of the Strategic Director of Resources and Strategic Director for Environment & Economy was considered.

The report sought the Cabinet's approval to add the project to the 2006/07 capital

programme.

Resolved:

That the scheme to construct a right turn lane priority junction at Turnbills Garden on the A425 Banbury Road, Warwick be included in the 2006/07 capital programme at an estimated cost of £340,000.

15. Government Consultation on Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions

The report of the Strategic Director for Environment and Economy was considered.

The Government had issued a consultation paper about implementing the parking provisions in Part 6 of the Traffic Management Act 2004. The report recommended how the Council should respond.

Resolved:

That the Cabinet notes the contents of the Department for Transport's consultation paper on Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions and endorses a response as outlined in the report.

16. The Delegation of Powers for Determining Contested Minor Traffic Regulation Orders

The report of the Strategic Director for Environment and Economy was considered.

The report proposed delegation to the Strategic Director for Environment and Economy of the power to determine minor Traffic Regulation Orders where objections had been received.

Resolved:

That the functions set out in Appendix A to the report be delegated to the Strategic Director for Environment and Economy and the Strategic Director of Performance and Development respectively subject to the local member confirming in writing that he or she does not object to the proposed making of the order concerned.

17. Department for Transport Consultation on Draft Guidance on Intervention Criteria

The report of the Strategic Director for Environment and Economy was considered.

The Traffic Management Act 2004 included the concept of intervention by Government if local authorities fail to perform relating to the maintenance and improvement of the highway network. It also imposed a Network Management Duty, which required local traffic authorities to manage the network effectively to keep traffic moving.

The report discussed the Governments current consultation on the draft intervention criteria and recommended how the Council should respond to the consultation.

Resolved:-

That a response to the consultation by the Department for Transport on the Draft Guidance on Intervention Criteria be submitted in accordance with paragraph 4.1 of the report.

18. Any Other Items

The following item was considered as an urgent item in order to meet the 3 October 2006 deadline for bids efficiently and effectively.

The matter was the subject of an urgency notice and in the circumstances the decision had immediate effect.

Department of Health Extra Care Housing Fund Bid 2007-08

The Cabinet considered the report of the Strategic Director of Adult Health & Community Services.

The report sought approval for the Adult, Health & Community Services Directorate to bid for funding from the £40 million Department of Health (DoH) Extra Care Housing Fund for 2007 –2008 in partnership with a number of key stakeholders, including South Warwickshire Primary Care Trust (PCT), in order to meet the 3 October 2006 deadline for bids efficiently and effectively.

Resolved:

- (1) That the Cabinet approves Adult, Health & Community Services (AH&CS) bid for funding from the £40 million Department of Health (DoH) Extra Care Housing Fund for 2007 –2008 in partnership with a number of key stakeholders, including South Warwickshire Primary Care Trust (PCT), in order to meet the 3 October 2006 deadline for submission bids efficiently and effectively.

- (2) That the Cabinet approves the Council entering into any contractual arrangements in relation to this bid on terms and conditions approved by the Strategic Directors of Performance and Development, Resources and AH&CS.

19. Report Containing Confidential or Exempt Information

Resolved:-

That members of the public be excluded from the meeting for the following item on the grounds that their presence would involve the disclosure of confidential or exempt information as defined in paragraphs 1, 2 & 3 the Local Government Act 1972'.

20. Exempt Minutes of the Meeting held on 13 July 2006 and Matters Arising.

Resolved:-

That the exempt minutes of the meeting held on 13 July 2006 be approved as a correct record and the minutes be signed by the Chair.

There were no matters arising.

The Cabinet rose at 2.55 p.m.

.....
Chair of Cabinet