

The Cabinet met at the Shire Hall, Warwick on the 13 July 2006.

Present

Cabinet Members:

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

“ Bob Stevens (Deputy Leader),

“ Alan Cockburn (Resources),

“ John Burton (Schools),

“ Peter Fowler (Performance and Development),

“ Colin Hayfield (Adult, Health and Community),

“ Martin Heatley (Environment),

“ Richard Hobbs (Community Protection),

“ Chris Saint (Economic Development)

Non-Voting Invitees:

Councillor June Tandy, Leader of the Labour Group,

“ Sarah Boad, representing the Leader of the Liberal Democrat Group.

Other Members:

Councillors Ken Browne, Richard Chattaway, Josie Compton, Jill Dill-Russell, Marion Haywood, Bob Hicks, Mick Jones, Katherine King, Helen McCarthy and Tim Naylor.

1. General

(1) Apologies for absence

were received from Councillors Jerry Roodhouse and Izzi Seccombe (Children, Families and Young People).

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

Councillor Sarah Boad declared a personal interest in Agenda Item 26 – Vulnerable Adults – Internal Review Report and Recommendations, in view of her husband being the Warwick District Council's representative on the Supporting People Partnership Board.

Councillor Josie Compton declared a personal interest in any matters affecting the Warwick District Council, as a member of that Council.

(3) Minutes of the meeting held on the 27 June 2006 and Matters Arising.

Resolved:-

That the Minutes of the Cabinet's 27 June 2006 meeting be approved.

There were no matters arising.

Members noted that the visit to Exhall Grange School would be arranged early in the new academic year.

2. Composite Performance Report 2005/06 (April 2005 – March 2006) and Key Messages from Public Consultation.

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

The report provided an analysis of the Council's performance for the full year 2005/06 (the period 1st April 2005 to 31st March 2006) as part of the Performance Management Framework. It reported on performance against the key actions from the Corporate Business Plan, Corporate Headline Indicators (CHIs) and Key Messages from Public Consultation.

Following introductory comments from Councillor Bob Stevens, the Deputy Leader, it was Resolved:

- (1) That Cabinet notes that the full year reports from individual departments will be reported to the relevant Overview and Scrutiny Committee.
- (2) That Strategic Directors and Portfolio Holders be asked to review those areas where the information from this report, the Best Value Performance Report and any other data shows that the Council is not achieving its targets or there are concerns about performance.
- (3) That the Chief Executive be asked to report to Cabinet on 12 October 2006, bringing together the observations of the Overview and Scrutiny Committee, Strategic Directors and Portfolio Holders on these performance issues.
- (4) That Cabinet supports the review of the Council's planning and performance management framework.

3. A Medium Term Financial Planning and Budget Process

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

The report sought approval of a revised medium term financial planning strategy for recommendation to Council. In light of the strategy the report also sought approval to a medium term financial planning and budget process that will enable delivery of the strategy to be taken forward.

Following introductory comments from Councillor Alan Farnell, Leader of the Council, members discussed the proposal and made several points including:-

- o Performance Management was integral to the whole process and consideration should be given to showing the involvement of Performance Management in a different manner in diagram 2.
- o In diagram 1 the Corporate Vision would be more appropriately shown nearer to the centre of the diagram.

Resolved:

That the Cabinet approve:

- (1) The model of medium term financial planning outlined in paragraphs 2.2 and 2.3 of the report;
- (2) The medium term financial planning strategy outlined in paragraph 5.2 and its recommendation to Council for approval;
- (3) The medium term financial planning and annual budget process, as outlined in section 9 of the report;
- (4) The timetable for delivering this in time for setting the 2007/08 budget and 2007/08 to 2009/10 medium term financial plan shown in section 11;

Deleted: The terms of reference for the "Budget Group" as outlined in Appendix A of this report and their recommendation to Council for approval;¶

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4. Strategic Review of Services for Young People

The Cabinet considered the report of the Strategic Director for Children, Young People and Families which outlined the result of the consultation agreed by Cabinet on 17th November 2005.

Councillor John Burton introduced the report following which it was Resolved:

That the Cabinet supports the recommendations outlined in section 5 of the report as guiding principles when developing the services for young people in the county:

- o To develop and link relevant strategies around regular participation and consultations with both young people and parents/carers. To ensure willing volunteers are recruited to help with future consultations.

- To move to a position where we can clearly demonstrate the impact of consultation on services for young people.
- To continue to build on the strength of the partnerships that make significant contributions to the agenda in order to overcome some of the issues faced by young people who live in rural areas.
- To continue to offer both structured activities and places to meet informally.
- To have a focal point to collate and disseminate information about a range of services and support for all young people, i.e. interactive web mail.
- To consider how we develop the youth offer following the consultation, including the name of the service.

5. **Review of the Area Community Education Councils (ACECs) and Future Funding Arrangements**

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

The report sought the Cabinet's approval for the future arrangements for the funds which ACECs allocated. This was related to the Voluntary and Community Sector Strategy.

During his introduction of the item, Councillor Colin Hayfield, Cabinet Member for Adult Health and Community, stressed the importance of small groups being able to access small amounts of funding with the minimum of paper work.

During the discussion the following points were raised:

- A further report would be made to Area Chairs about easy access to small grants.
- With regard to seeking the Overview and Scrutiny Committee's views at this stage it was felt that the Committee could be asked to consider the issues after the Area Chairs had discussed matters and the report referred to in recommendation (5) had been submitted to the Cabinet.
- The report to the Cabinet should include proposals for the £257,000 commissioning fund.

It was then Resolved:

- (1) That the proposed funding arrangements following the review of the Area Community Education Councils be reviewed.
- (2) That the funds referred to in para. 2.4 of the report (£32,000) be allocated across the Area Committees using an appropriate formula.
- (3) That the details of the formula be determined in due course following further consultation with the Chairs of the Area Committees.

- (4) That further consideration be given by the Strategic Director of Performance and Development in consultation with the Chairs of the Area Committees to the development of a process to facilitate easy access to small grants by community groups.
- (5) That a further report be brought back to Cabinet by the Strategic Director of Performance and Development and the Strategic Director of Children, Young People and Families in the Autumn of 2006 including proposals for the commissioning fund.

6. The Proposed Closure of the Peugeot Assembly Plant at Ryton-on-Dunsmore

The Cabinet considered the report of Councillor Mick Jones, the Chair of the Economic Development Overview and Scrutiny Committee.

The Economic Development Overview and Scrutiny Committee at a special meeting on 6 June 2006 had scrutinised the implications of the redundancies and potential closure of the Peugeot plant at Ryton-on-Dunsmore.

The Committee had welcomed the initiatives that had been set up by the Peugeot Partnership to help the Peugeot employees who were facing redundancy, had recorded its concerns about the possibility of an early closure of the plant and the need to review the situation again in September/early October.

The Committee also considered that there was need for direction about the future use of the site and that any future discussions on this issue should include the County Council, Rugby Borough Council and Ryton Parish Council.

Following introductory comments from Councillor Chris Saint, Cabinet Member for Economic Development and Councillor Mick Jones, Chair of the Overview and Scrutiny Committee, Members noted that there were several important issues to be considered in the future including infrastructure and planning issues.

It was then Resolved:

That the Cabinet notes -

- (1) the outcome of the discussions of the Committee's special meeting held on 6 June 2006;
- (2) that the Committee will review the situation again in September or early October 2006;
- (3) that the Committee has thanked the officers and the Coventry, Warwickshire and Solihull Partnership for their work in providing support for the Peugeot employees facing redundancy.

7. Leamington Urban Mixed Priority (LUMP) Project Review

The Cabinet considered the report of Councillor Ken Browne, the Chair of the Environment Overview and Scrutiny Committee.

The Environment Overview and Scrutiny Committee, at its meeting on 8 June 2006, had considered the joint report of the Strategic Director for Environment and Economy, Strategic Director of Resources and the Strategic Director of Performance and Development, on the LUMP scheme which was referred from the Cabinet on 12 January 2006.

The Committee asked that the Cabinet be informed of its concerns with regard to the overspend on Phase 1 and of the re-assurances given by Officers with regard to Phase 2 keeping within budget. The Committee also asked for an immediate report in the event of any anticipated further overspend on Phase 2; a further report once the project is complete and the costs established; and a report to the September meeting with further information on utility services liability for unmapped services and potential liability in respect of HGVs parking on pavements.

The report was introduced by Councillor Martin Heatley, Cabinet Member for the Environment and Councillor Ken Browne, Chair of the Overview and Scrutiny Committee.

During the discussion several members expressed concern about the impact of broken paving slabs on the appearance of the work undertaken. Members noted that a further report would be submitted to the Overview and Scrutiny Committee and that this would include information about the liability for replacing broken slabs.

Resolved:

That the Cabinet notes the Environment Overview and Scrutiny Committee's:

- (1) concerns with regard to the overspend on Phase 1 of the Leamington Urban Mixed Priority Project, and the re-assurances given with regard to Phase 2 keeping within budget;
- (2) request for a report in September 2006 with further information on utility services liability for unmapped services and potential liability in respect of HGVs parking on pavements;
- (3) request for an immediate report in the event that there is any further anticipated overspend on Phase 2;
- (4) request for a further report regarding the overspend once the project is complete and the costs established.

8. World Class Stratford

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

The report sought approval for the Council to participate in the World Class Stratford Project and to enter into an agreement with the Stratford on Avon District Council regarding the delivery of the County based projects.

Councillor Chris Saint, Cabinet Member for Economic Development, introduced the main points of the report. He indicated that the foot and cycle bridge proposed under the scheme would be the subject of extensive consultation, leading to a further report to the Cabinet. He suggested that any commitment to detailed implementation or to the procurement of the County Council projects should be the subject of further reports to the Cabinet.

During the debate members were advised that the report and recommendations before the Cabinet related to procedural matters and that other issues including those surrounding the proposed bridge would be dealt with in a further report to the Cabinet. The consultations on the proposal would include the wide distribution of a consultation leaflet

Resolved:

- (1) That the Cabinet approves and authorises the Council to participate in the 'World Class' Stratford scheme in particular with the development and delivery of the WCC projects ie the Proposed Foot and Cycle Bridge and the Waterside and Southern Lane pedestrian priority schemes.
- (2) That the Cabinet approves and authorises the Council to negotiate and enter into a funding agreement in partnership with the Stratford on Avon District Council to deliver the County based projects on terms and conditions acceptable to the Strategic Director of Performance and Development, the Strategic Director of Resources and the Strategic Director for Environment and Economy.
- (3) That a further report detailing the implementation plans for the Projects, including proposals for any procurement of the Projects, be presented to the Cabinet within six months.
- (4) Any commitment to detailed implementation or to the procurement of the Warwickshire County Council projects will be the subject of further reports to the Cabinet that should include the results of consultation and the proposed detailed funding arrangements.

9. Change to the Indicated Admission Number of Nathaniel Newton Infant School

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

The report asked the Cabinet to note the feedback from the consultation to increase the Indicated Admission Number of Nathaniel Newton Infant School and to decide on the way forward.

Resolved:

- (1) That the feedback from the consultation to reduce the admission number of Nathaniel Newton Infant School be noted.
- (2) That in the light of this feedback, the Cabinet agrees the reduction in the admission number of Nathaniel Newton Infant School for September 2007 admissions and then undertakes a review of priority areas based on this new admission number,

10. Using User & Carer Feedback to Help Shape Adult Social Care

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

The report provided an overview of user and carer involvement and feedback, including the outcomes of the most recent Customer First Conference and identifies issues to be considered within the adult social care service planning process for 2006/07.

Resolved:

That the Cabinet notes the main feedback themes identified in the report and endorses the intention to utilise them in service planning and development in 2006/07.

11. Coventry City Council Local Development Framework Core Strategy - Issues and Options

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

The document was the first stage in the production of the Core Strategy for the City's Local Development Framework. The Issues and Options set out alternative scenarios as to how the city could grow over the next 20 years. There was a six week consultation process where Stakeholders were able to comment on the issues and options.

Resolved:

That the Cabinet endorses the conclusions of paragraph 4.1 of the Director's report and that Coventry City Council be advised accordingly.

12. Chiltern Railways – Proposed December 2006 Timetable

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

Chiltern Railways proposed some significant changes to its services. The report outlined these and described the impact on passengers in Warwickshire. The Cabinet considered a response that the County Council was not willing to support the changes to services proposed in the Chiltern December 2006 Timetable. The Cabinet also considered making representations to the Department for Transport.

The Cabinet was advised of the views of the Warwick Area Committee and that the Committee supported the recommendations in the report but suggested the addition of the following words to the end of the second recommendation "that in the event of any reduction being permitted in those services supported by public subsidy, the subsidy be reviewed and reduced accordingly".

Following comments about the low usage of the Claverdon and Bearley Stations and the reasons for encouraging greater use of trains generally, it was Resolved with no member voting against:-

That the Cabinet authorises:

- (1) A response be made to Chiltern Railways in the terms of the draft in Appendix B of the Strategic Director of Environment and Economy's report, to the effect that the County Council is not willing to support the changes to services proposed in the Chiltern December 2006 Timetable.
- (2) A representation be made to the Department for Transport (DfT) setting out the views of the County Council and requesting that it should not approve the changes to the terms of the Chiltern Railways Franchise Agreement which would reduce the current contracted levels of services and station calls that in the event of any reduction being permitted in those services supported by public subsidy, the subsidy be reviewed and reduced accordingly.

13. South West Warwick Priority Junction

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

The report sought the Cabinet's approval to add the project to the 2006/2007 capital programme.

Resolved:

That the scheme to construct a priority junction on the A429, Stratford Road, Warwick, be included in the 2006/2007 capital programme at an estimated cost of £466,000 subject to a S.278 agreement being signed with the developer.

14. Value for Money Strategy

The report of the Strategic Director of Resources was considered.

The report sought the Cabinet's approval for the updated Value for Money Strategy.

Resolved:

That the Cabinet approves the Value for Money Strategy attached at Appendix A of the report.

15. Treasury Management Outturn Report 2005/06

The report of the Strategic Director of Resources was considered.

The report provided the Cabinet with details of the outturn of the annual treasury management activity for the Council during 2005/06, as required by the Chartered Institute of Public Finance and Accountancy's (CIPFA's) Code .

Resolved:

That the Cabinet note the report.

16. Constitution of a Temporary Governing Body for the Proposed New Rokeby Community Primary School

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

The Council needed to establish a temporary governing body for the proposed new Community Primary School, following the publication of notice of its proposal to close Rokeby Infant School and Rokeby Junior School.

Resolved:

That the Cabinet approves the arrangement described in the report for the constitution of a temporary governing body for the proposed new Rokeby Community Primary School.

17. Irrecoverable Debts

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

Authority was requested to write off one irrecoverable debt. The Strategic Director of Performance and Development had advised that the debt cannot be pursued further or that it would be uneconomical to do so.

Resolved:

That the debt outlined in the report of the Strategic Director for Children, Young People and Families amounting to £1,086.75 be written off as irrecoverable.

18. Bishop Wulstan Catholic School

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

The report informed the Cabinet that the proposal to establish a 3-16 Catholic Academy in Rugby had been turned down by the DfES and proposed a further report to the Cabinet in the Autumn on Catholic provision in the town.

Resolved:

- (1) That the report be noted.
- (2) That a further report on Catholic provision in Rugby be presented to the Area Committee and the Cabinet by the end of October 2006.

19. Highway Maintenance Plan 2006/2007 and Five Year List of Structural Maintenance Schemes

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

The report provided information about the highway maintenance work proposed in 2006/07 and listed other sites where maintenance work would be required in the future. It also included information about changes to the Capital Programme which required the Cabinet's approval.

Resolved:

- (1) That the Cabinet approves the Highway Maintenance Plan 2006/07.
- (2) That the revised 2006-07 Capital Programme for the Structural Maintenance of Roads, detailed in Table 6.1 of the report, is approved.

20. North Warwickshire Quality Bus Initiative – Purchase of Buses

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

It was proposed to purchase a new fleet of “County-links” buses for the routes serving the Coleshill Parkway Transport Interchange and North Warwickshire. Tenders for the purchase has been returned. The report outlines the results of this tendering process and sought approval for the purchase of seven new vehicles.

Resolved:

- (1) That the Cabinet approves the purchase of seven new high quality, low emission buses for the North Warwickshire Quality Bus Initiative at a total cost of £935,620.
- (2) That the Capital Programme for Transport be amended accordingly with the increased cost of £155,620 being found from savings elsewhere in the integrated transport budget for 2006/7 .

21. Minerals Development Framework Core Strategy - Issues and Options

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

The report summarised the Minerals Development Plan Core Strategy Key Issues and Options which had been produced for informal consultation with stakeholders. Stakeholders comments had been incorporated into the refined Issues and Options paper prior to the formal six weeks consultation process in July, whereby Preferred Options would be chosen.

Resolved:

That the Cabinet approves the Minerals Development Framework Core Strategy (Issues and Options) for a six week period of consultation commencing in July 2006.

22. Minerals and Waste Development Framework: Waste Core Strategy - Preferred Options and Proposals Consultation

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

The Waste Core Strategy - Preferred Options and Proposals paper set out the issues and a range of options for dealing with the scale and broad location of waste disposal facilities. It was due to go out for a six week period of consultation between August and October 2006 to give consultees an opportunity to comment on the Council's preferred options.

Resolved:

That the Cabinet:

- (1) Approves the document "Waste Core Strategy - Preferred Options and Proposals", incorporating the amendments recommended in Appendix A of the report, as the proposals of the County Council for the Waste Core Strategy for the purpose of public participation in accordance with Regulation 26 of The Town and Country Planning (Local Development) (England) Regulations 2004;
- (2) Authorises the Strategic Director for Environment and Economy to prepare related documents and carry out any other steps required by Regulation 26 or which he considers desirable to facilitate public participation in respect of those proposals.

23. Consultation on the 'New Cross Country' and 'West Midlands' Rail Franchises

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

The Department for Transport had published the consultation on the 'New Cross Country' and 'West Midlands' rail franchises. The consultation set out the proposed time-table, route and service specifications for the two franchises that future short-listed bidders would be asked to price. It was recommended that the Cabinet notes the contents of the report and approves the proposed response of the County Council.

Resolved:

That the Cabinet approves the proposed response to the Department for Transport's consultation on the 'New Cross Country' and 'West Midlands' rail franchises.

24. Any Other Items

The Chair indicated that the following item was to be considered as an urgent item because of the need for a response to be made to the Police consultation before the next meeting.

Safer Neighbourhood Policing Areas

The Cabinet considered the Joint Report of the Strategic Director, Performance & Development and Strategic Director, Community Protection.

The paper set out Warwickshire Police's proposals to reconfigure the deployment of their local teams in new areas. The County Council, the five local Crime and Disorder Reduction Partnerships and the local councils have been consulted upon the proposals.

The views of the Warwick Area Committee were circulated before the meeting.

Councillor Richard Hobbs, Cabinet Member for Community Protection introduced the report.

During the discussion the following points were made

- o Some areas don't dovetail with electoral divisions and in one example a division involved three Policing Areas.
- o The proposals raised local expectations and police responses must meet these expectations.
- o The need to see outcomes and the possibility of the O and S Committee examining how the new arrangements were bedding in.
- o The need for easily contactable police officers.
- o Views of other Area Committees still to meet would be forwarded to the Police.

Resolved:

That Cabinet:

- (1) Notes the proposals put forward by Warwickshire Police for operational deployment of their resources on a neighbourhood area basis; and
- (2) Responds to the Police that whilst these are not appropriate structures for locality working for the County Council, we will continue dialogue with the Police and the Police Authority as to how we can make our locality approaches effective together.

25. 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 1,2 and 3 of the Local Government Act 1972.

26. Vulnerable Adults – Internal Review Report and Recommendations

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

The Cabinet considered the key findings from an internal review, recommendations for the strengthening of arrangements for the protection of vulnerable adults and management action consistent with statutory guidance on the responsibilities of Directors of Adult Social Services issued in March 2000

and May 2006.

Resolved:

That the Cabinet :

- (1) Note the outcome of the internal review conducted in response to a request for information from the Commission for Social Care Inspection [CSCI].
- (2) Endorse the decisions of the Strategic Director designed to ensure robust organisational arrangements continue to be in place for the management of risk, maintenance of probity and the commitment to the continued development of policy and practice designed to ensure multi-agency vigilance against the possibility of adult abuse.
- (3) Receive a review report, in due course, on the operation of policies and procedures for the protection of vulnerable adults in Warwickshire consistent with "No Secrets" Guidance issued in 2001 and as submitted in the report.

27. Rugby Western Relief Road – Shortfall in Funding

The report of the Strategic Director for Environment and Economy.

There was a potential shortfall in allocated funding for the scheme. The Cabinet gave authority to negotiate with the Department for Transport (DfT) over funding.

The Cabinet rose at 3.45 p.m.