

**The Cabinet met at the Shire Hall, Warwick on the 12 October 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),

**Non-Voting Invitees:**

Councillor June Tandy, Leader of the Labour Group,

“ Jerry Roodhouse, Leader of the Liberal Democrat Group.

**Other Members:**

Councillors John Appleton, Sarah Boad, David Booth, Richard Chattaway, Marion Haywood, Bob Hicks, Mick Jones, Helen McCarthy, Raj Randev and John Vereker.

Before the commencement of business Councillor Alan Farnell reported the death of former Councillor Fred Watson, O.B.E., M.M., It was agreed that it would be appropriate for tributes to be made at the County Council meeting on the 31 October.

**1. General**

**(1) An Apology for absence**

was received from Councillor 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 Josie Compton, Member of the Warwick District Council.

#### Other Declarations

Councillor Colin Hayfield declared a personal interest as a member of the Board of the Warwickshire Primary Care Trust

Agenda Item 5 – Developing Partnership Commissioning in Adult, Health and Social Care Services.

Councillor David Booth declared a personal interest as a governor of Lighthorne Heath Primary Care Trust

Councillor Sarah Boad declared a personal interest as a member of Leamington Sure Start Service and also in view of her husbands membership of the Supporting People Member Group.

Councillor Jerry Roodhouse declared a personal interest as a governor of Eastlands Primary School.

Councillor Mick Jones declared a personal interest as an employee of the Warwickshire Primary Care Trust.

### **(3) Minutes of the meeting held on the 7 September 2006 and Matters Arising.**

#### **(i) Minutes**

Resolved:-

That the Minutes of the Cabinet's 7 September 2006 meeting be approved.

#### **(ii) Matters Arising**

##### **Minute 9 – Post 16 Transport**

Members were advised that the Chief Executive had written to the DfES expressing the Council's concern regarding the ambiguities surrounding the funding for home to college transport.

With regard to the abolition of the £40 surcharge for payment by instalments, members were advised that that resources had been identified that would enable the surcharge to be waived for the current year. Future resourcing would need to be considered under the budget process.

#### **(4) Requests for the Discussion of En Bloc Items**

It was agreed that items 10, 14 and 16 would be discussed before decisions were taken.

#### **2. Programme of Items for Future Consideration**

The Cabinet considered the amended report of the Strategic Director of Performance and Development which had been circulated before the meeting.

The report contained details of all items programmed for consideration by the Cabinet on the 2 and 23 November, 2006.

Resolved:

That the Cabinet notes the programme.

#### **3. Development of the Warwickshire Local Area Agreement (LAA)**

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

The report followed on from the 7 September 2006 report by giving a summary of progress to date and submitting the Draft LAA that was submitted to Government Office on 29 September 2006.

Following introductory comments from Councillor Peter Fowler, Cabinet Member for Performance and Development, it was Resolved:

- (1) That the Cabinet notes the current position in relation to the development of the Warwickshire LAA.
- (2) That the Cabinet endorses the Draft LAA as submitted to Government Office on 29th September 2006.
- (3) That a Members Seminar be held during late November.

#### **4. Developing Adult, Health & Community Services – Proposals on Structures**

The Cabinet considered the report of the Strategic Director of Adult, Health and Community Services which set out the revised structures for Adult, Health & Community Services.

Following introductory comments from Councillor Colin Hayfield, Cabinet Member for Adult and Community Services, Graham Betts indicated that he would confirm with Councillor Raj Randev the future arrangements for a team responsible for services for the sighted and partially sighted.

Resolved:

That the Cabinet agrees the revised structure of the new Directorate.

**5. Developing Partnership Commissioning in Adult, Health and Social Care Services**

Councillor Colin Hayfield, Cabinet Member for Adult, Health and Community Services introduced the report of the Strategic Director which proposed a programme of work to develop Partnership Commissioning in Adult Health and Social Care. It gave the national policy and local context for partnership commissioning in Warwickshire and described the current state of partnership commissioning in the county.

During the discussion Councillor Bob Stevens stressed the importance of partnership working between the Council and the new Warwickshire Primary Care Trust. He moved and it was Resolved:-

- (1) That the Cabinet agrees the proposals for the programme of work to develop Partnership Commissioning in Adult, Health and Social Care Services.
- (2) That the Chief Executive writes to the Warwickshire Primary Care Trust stressing the County Council's commitment to partnership working.

**6. Stratford and Warwick Crime and Disorder Reduction Partnerships - Proposed New Working Arrangements**

The Cabinet considered the report of the Strategic Director of Community Protection and County Fire Officer.

A formal submission to merge the two existing Stratford on Avon and Warwick Crime and Disorder Reduction Partnerships (CDRPs) into a single South Warwickshire CDRP is being prepared. This report sets out the case for a merger.

During his introduction of the item Councillor Richard Hobbs, Cabinet Member for Community Protection, indicated that the Cabinet was being asked to agree the principle of the proposal. The final detail, including such matters as membership structure and reporting lines, would be submitted through the Area Committees.

Resolved:

- (1) That the proposal to develop a formal submission to merge the two existing Stratford on Avon and Warwick District Crime and Disorder Reduction Partnerships (CDRPs) into a new, single South Warwickshire CDRP be endorsed by the Cabinet.
- (2) That the draft submission be brought to the Cabinet, before it is submitted to the Home Secretary and following consultation with the Warwick and Stratford Area Committees.

## **7. Bishop Wulstan Catholic School**

Councillor John Burton presented the report of the Strategic Director of Children, Young People and Families which informed the Cabinet of progress to date on alternative proposals for Catholic provision in the Rugby. The report also proposed further reports to the Area Committee and to the Cabinet in due course, in response to consultation on the future of Catholic provision in Rugby by the governors of the schools concerned and the Diocesan Schools Commission of the Archdiocese of Birmingham.

Councillor June Tandy stressed that provision should be made for community use of the sports hall at the Bishop Wulstan School and the sports halls at the Hartshill and Harris Schools which were referred to later on the agenda. She urged that legal agreements with the schools concerned should incorporate suitable clauses.

Marion Davis, Strategic Director of Adult, Health and Community Services, confirmed that this would be feed back into the negotiations with the schools concerned.

It was then Resolved:

- (1) That the Cabinet notes the report and welcomes the work the Diocesan Schools Commission and the Catholic schools are undertaking to assess the support of the Catholic community for the proposals
- (2) That a response to the consultation document be prepared for the meeting of the Cabinet on 2 November
- (3) That the Cabinet considers the final proposals of the DSC and the governing bodies of the Catholic schools in Rugby and the outcome of the consultation exercise at its meeting on 23 November.

## **8. Modernisation of Registration Services: development of service level agreement type relationship with Registrar General.**

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

The report outlined the development of a new relationship with the Registrar General's Office, moving away from a rigid scheme assessment to a service level agreement arrangement with a national Code of Practice. The Cabinet was recommended to approve the adoption of the new arrangement at the earliest opportunity after April 2007 and agree to the use of some capital resources to improve the delivery of Registration services to the public in Warwickshire North and East.

Resolved:

That the Cabinet approve:

- (1) the acceptance of a new scheme assessment for Registration Services based on the Registrar General's model Scheme and Code of Practice as soon as possible after April;
- (2) the inclusion of a move to local pay agreements for Registration Service staff as part of the new scheme, to facilitate the implementation of the County Council's Pay and Conditions Review and a more flexible, multi-skilled workforce; and
- (3) the utilisation of capital underspend to the amount of £26,992 from the Stratford Register Office move to support the upgrading of Register Offices at Nuneaton and Rugby.

## **9. Rugby: Harris School**

The joint report of the Strategic Directors of Resources and Children, Young People & Families was considered .

The report updated Members on developments on the scheme since December 2005 when approval was given to the project to be financed from the sale of surplus land at the school. The Cabinet's approval was sought to the acceptance of the most economically advantageous tender, the increased project cost in the capital programme and revised funding arrangements for the project.

Under Agenda Item 7 Members had been advised that consideration would be given to community use of the school's sports hall being provided for in a legal agreement with the school.

Resolved:

- (1) That approval be given for the acceptance of the lowest tender submitted by GAJ Construction Ltd in the sum of £2,286,198, subject to terms & conditions agreed by the Strategic Directors of Resources and Performance & Development.
- (2) That the capital cost of the project in the 2006/07 capital programme be increased from £2.330 million to £2.744 million.
- (3) That approval be given for the use of £0.308 million unallocated resources available from the Children, Young People & Families Directorate Capital Programme, to fund the shortfall on the project.

## **10. A Strategic Approach to Employment and Skills in Warwickshire**

Councillor Chris Saint, Cabinet Member for Economic Development, presented the report of the Strategic Director for Environment and Economy which related to the review of employment and skills by the Economic Development Overview and Scrutiny Committee. The Cabinet was asked to

approve the preparation of a strategy for the County's role in addressing future employment and skills needs.

Councillor Mick Jones, Chair of the Overview and Scrutiny Committee, referred to paragraph 3.2 and stressed the need for priority to be given to focussing on (a) Employability skills at entry level and (b) Young people and schools for inclusion in the County Strategic portfolio of services for skills development and improvement of future employment rate.

He also highlighted the importance of joint working with partners.

Councillor Chris Saint endorsed these views and highlighted the opportunities presented for working with the Overview and Scrutiny Committee.

He drew attention to the established ways of dealing with young people and schools through organisations such as Connexions and to the Regional Development Agency's review of the regional economic strategy.

Marion Davis, Strategic Director of Children, Young People and Families, indicated that the 14 – 19 Strategy Group was bringing together various threads. She reminded members that the Government White Paper on Further Education would be released shortly.

John Scouller, Head of Skills, Tourism and Economy, reported that work was being undertaken with Job centres and other organisations to reduce the number of unemployed young people.

Resolved:

That the Cabinet:-

- (1) Welcomes the conclusions from the Economic Development Overview and Scrutiny Committee seminar on Employment and Skills.
- (2) Agrees to them being used as a basis for the development of an Employment and Skills Strategy for the county.

#### **11. Warwickshire's Social Care Complaints and Representations Policy and Procedures for Adults and Children Young People and Families**

The report of the Strategic Directors of Adult Health & Community Services, Children, Young People & Families, and Performance and Development was considered.

The policy and procedures update and develop the previous social services complaints and representations procedures. They are designed to comply with new Regulations and Section 7 Guidance from DoH and DfES, and to support the Council's commitments under the Customer service and Access Strategy 2006/9.

Resolved:

- (1) The Cabinet endorses the draft policy and procedures.
- (2) The Cabinet notes that an Equality Impact Assessment has been undertaken and the recommendations from this have been considered

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## 12. Review of Financial Standing Orders

The report of the Strategic Director of Resources was considered.

The report summarised the outcome of a review of the Council's Financial Standing Orders and proposed amendments which are to be recommended to full Council for approval.

Resolved:

That the Cabinet recommends that the amendments proposed to Financial Standing Orders are reported to the Council for approval.

## 13. Establishment of a Shadow Governing Body for Hartshill School

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

The County Council needed to establish a shadow governing body for Hartshill School to work alongside the Interim Executive Board.

Under Agenda Item 7 Members had been advised that consideration would be given to community use of the school's sports hall being provided for in a legal agreement with the school.

legal agreement incorporating the use of agreed that

Resolved:

That the Cabinet approves the arrangement described in this report for the establishment of a shadow governing body for Hartshill School.

## 14. The Recycling of Plastics at Recycling Centres

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

The report detailed options for recycling plastics. It proposed that the recycling plastics bottles should continue. If other plastics were separated out then, for these to be recycled, they were likely to require export outside Europe. In the UK the other plastics would be used as a fuel.

Councillor Jerry Roodhouse expressed concern at the proposal to export waste plastics to China for recycling. He considered that before a decision was taken, the Cabinet should be presented with a formal business case and a risk assessment. He also indicated that there should be some comment on

climate change aspects of the proposal. He suggested that the Cabinet should refer the issues to the Environment Overview and Scrutiny Committee.

During the discussion the following points were made:-

- It was estimated that approximately 120 tonnes of plastics per annum from Warwickshire would be included in the plastics exported to China.
- The proposal would achieve high standards and would provide an audit trail.
- The Overview and Scrutiny Committee could examine the issues if it so wished.
- There was a need for the Cabinet need to take a decisions today because of the waste plastic that had been stockpiled and needed to be disposed of.
- There was public pressure to recycle plastics and any delay in taking a decision would result in waste plastic not being collected and possibly attract public criticism.
- A break clause could be incorporated into any contract thereby avoiding the need to renegotiate.
- Members' comments expressed at the meeting would influence the contract negotiations.

Councillor Martin Heatley moved and it was Resolved:

- (1) That the Council continues to collect plastic bottles High Density Polyethylene (HDPE ) and Polyethylene Terephthalate (PET) at Warwickshire's nine Household Waste Recycling Centres for recycling.
- (2) That where the cost of handling other grades of household plastics are similar to those for plastic bottles, that these are exported to China for recycling.
- (3) That the Council review the options for recycling all plastic polymers in 12 months time.

**15. Government Consultations on Planning Delivery Grant: 'Allocations Criteria for 2007/8' and 'Housing and Planning Delivery Grant'**

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

The report concluded that the response to these consultations should emphasise the unfair nature of the proposed Planning Delivery Grant 'Allocations Criteria for 2007/8' and the need for it to be revised to reward consistent high performance, including meeting the latest agreed targets and milestones. On the proposed replacement grant, the 'Housing and Planning Delivery Grant', the report concluded that proposed direct payments to councils runs the risk of replacing the 'plan-led' with a 'money-led' planning system. Instead, incentives should be geared to providing more support for plan-making.

Resolved:

That the report be endorsed and the response to these consultations emphasise the following:-

- (1) The proposed Planning Delivery Grant 'Allocations Criteria for 2007/8' would be unfair on councils such as Warwickshire County Council. It should be revised to reward consistent high performance, including meeting the latest agreed targets and milestones.
- (2) The proposed 'Housing and Planning Delivery Grant' direct payments to councils runs the risk of replacing the 'plan-led' with a 'money-led' planning system. If incentives are to be used then they should be geared to housing levels set out in adopted development plan documents with allocation of grant providing more support for plan-making.

#### **16. Warwickshire Quality Rail Partnership - Bedworth Railway Station Upgrade**

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

The report set out a proposal to allocate £164,000 of Public Transport Minor Works funding to the upgrade of Bedworth railway station as part of the Warwickshire Quality Rail Partnership.

Members were concerned that local members had not been consulted directly about the report. John Deegan, Strategic Director of Environment and Economy apologised for the oversight.

It was noted that Members now have access to the Council's Forward Planning System which contains details of all reports to member meeting.

Resolved:-

That the scheme to upgrade Bedworth Railway Station be included in the 2006-7 Transport Capital Programme at the increased cost of £164,000.

#### **17. Minerals and Waste Development Scheme**

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

The report proposed that the timetable for preparing the Minerals Local Development Documents set out in the Minerals Local Development Scheme be revised to allow additional time for preparing the Preferred Options Paper subject to agreement with the Secretary of State.

Resolved:

That the Cabinet endorses the submission of the proposed revision of the Minerals and Waste Development Scheme detailed in Appendix A of the report subject to agreement with the Secretary of State.

**18. Any Other Items**

There were no urgent items to consider.

**19. Report Containing Confidential or Exempt Information**

Resolved:

That members of the public be excluded from the meeting for the item mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraphs 1, 3 and 4 of the Local Government Act 1972.

**20. Road Adoption and Highway Development Control Agency Arrangements with Nuneaton and Bedworth Borough Council and Rugby Borough Council.**

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

The current arrangements for the Agency for S38 (Road Adoptions) with Nuneaton and Bedworth Borough Council and Rugby Borough Council could potentially be improved.

The Cabinet authorised the Strategic Director of Environment and Economy and the Strategic Director of Performance and Development, in consultation with the Portfolio Holder for Environment, to negotiate and report on proposals to modify the highway agency arrangements with Nuneaton and Bedworth Borough Council and Rugby Borough Council.

The Cabinet rose at 2.40 p.m.

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Chair of Cabinet