

To: All Members of the County Council  
All Chief Officers

From COUNTY SECRETARY'S  
DEPARTMENT

Ask for David Roberts  
Ext. 25562  
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My Ref. DR/  
Your Ref.

CABINET  
24 MARCH 2003

MINUTES  
ATTENDANCE

**MEMBERS OF THE CABINET**

D A Ashley, D Beatty, R J M Ellis (Chairman), G D Game, R I N Gordon, M H T Janes,  
D B Lloyd, J M Pitman, I E M Tarry.

Other Members present:

T I Ambrose, D E Billing, G R Churchard, E M Clarke, M D Colne, G Cook,  
P V Goggins, T G M Kent, I H Laidlaw-Dickson, R Mays, I Simpson, B A York.

Upon consideration of the agenda for the Cabinet meeting on 24 March 2003 as  
circulated, copy annexed, executive decisions were reached and are recorded  
below:

*Note: No conflicts of interest were declared by any member of the Cabinet in  
relation to the matters on which decisions were made at this meeting and set out  
below, which the exception of the declaration made by Robert Gordon (Minute  
10 refers)*

**1. MINUTES**

The minutes of the Cabinet held on 10 February 2003 were confirmed as a correct  
record.

**2. COUNTY COUNCIL REVENUE AND CAPITAL BUDGET MONITOR**  
(Forward Plan Ref. A018/03)

**Decision**

1. That the budget monitor report be noted.

2. That the following virement, over £75,000 within services, be approved:

Service: Corporate Services (Corporate Information Systems)

To: Corporate Services (Corporate ICT Infrastructure)

Amount: £120,000

Reason: Staff were transferred from Corporate Information Systems to Corporate ICT Infrastructure during 2001/02, and this further budget adjustment reflects operational experience of the cost of running the two departments. It is intended that a corresponding permanent budget adjustment will be made in 2003/04.

**Reasons for the decision**

As set out in the report.

**Any alternative options considered and rejected**

None

3. **ADULT CARE SERVICES ELIGIBILITY CRITERIA**  
(Forward Plan Ref. A005/03)

**Decision**

To maintain the current threshold for access to services and adopt the new eligibility criteria.

**Reasons for the decision**

To meet the requirements of Department of Health policy guidance called "Fair Access to Care Services" aimed at achieving greater fairness and consistency across the country when assessing eligibility for care services and improve people's ability to access adult social care help.

The Eligibility Panel had considered the implications of the guidance and reviewed the existing Eligibility Criteria and recommended revised Eligibility Criteria to Cabinet.

The Panel had also given some consideration to the threshold which should be applied to determining eligibility for services. The framework was banded into four parts and defined when risk to independence or other consequences was either low, moderate, substantial or critical. In the light of the existing policy and looking at how the new definition should be applied, the Panel recommended that the threshold of services should be when there was a substantial risk to independence or other consequences if needs were not addressed.

**Any alternative options considered and rejected**

None

**4. TRADING STANDARDS SERVICE DELIVERY AND FOOD LAW ENFORCEMENT PLANS 2003/2004**

(Forward Plan Ref. A017/03)

**Decision**

Council be recommended that the Trading Standards Service Delivery Plan and Food Law Enforcement Plan for 2003/2004 be adopted.

**Reasons for the decision**

To enable the Plans to be presented to Council and then submitted to the Department of Trade and Industry and Food Standards Agency as required by Government. The Plans will drive much of the Council's service delivery in these areas in the coming year.

**Any alternative options considered and rejected**

None

**5. LOCAL PUBLIC SERVICE AGREEMENT**

Corrections to Targets 2 and 3 circulated at the meeting were noted.

**Decision**

That the proposal be endorsed and the Chief Executive, in consultation with the Leader of the Council, be authorised to finalise the Agreement, subject to any detailed amendments in discussions with the Office of the Deputy Prime Minister.

**Reasons for the decision**

To work towards obtaining Performance Reward Grant from the Government through performance against targets, in line with the Council's priorities, as part of a Local Public Service Agreement.

**Any alternative options considered and rejected**

None

**6. INTEGRATED WORKS PROGRAMME (HIGHWAYS)**

(Forward Plan Ref. A13/03)

The Executive Member reported the following minor amendments to descriptions in the list of projects:

- Page 34: South West Herts Transport Plan
  - 6<sup>th</sup> line - amend to read "Nascot Traffic Calming"
  - 11<sup>th</sup> line - amend to read "St Albans Road / Bushey Mill Lane Safety Scheme"
  - 12<sup>th</sup> line - amend to read "St Albans Road / Penn Road junction improvement"

### **Decision**

1. That the Integrated Highway Works Programme for 2003/2004 shown in Appendix C, to the report, be approved as the basis for implementing projects to deliver the County Council Transportation objectives in respect of:
  - (a) refurbishment of carriageway and footways;
  - (b) reconstruction of bridges;
  - (c) investigating and addressing accident problem sites;
  - (d) sustainable transport measures;
2. That the reserve schemes listed within Appendix C be approved as the basis for programme adjustment if necessary.

### **Reasons for the decision**

An annual Integrated Highway Works Programme provided:

- A formal mechanism for giving the required notice of significant key decisions, which the County Council is obliged to publish in the Forward Plan
- Enhanced opportunity to pre-programme multiple activities on a particular section of road, or geographical locality, in order to minimise disruption to the travelling public and affected communities, whilst at the same time maximising the effectiveness of resources in achieving the various policy, or service objectives;
- A ready means of monitoring and demonstrating the effectiveness of the way in which the County Council is using its financial resources in order to meet its strategic objectives. This is particularly relevant with the advent of the "single capital pot"

The annual IWP would also be used as the definitive database from which land searches will be answered.

### **Any alternative options considered and rejected**

None

**7. ADMISSION RULES AND CO-ORDINATED SCHEME FOR COMMUNITY AND VOLUNTARY CONTROLLED NURSERY, INFANT, JUNIOR AND PRIMARY SCHOOLS - 2004/2005**  
(Forward Plan Ref. A009/03)

**Decision**

That Council be recommended to approve the following rules for community and voluntary controlled schools and the co-ordinated scheme attached at Annex A to the report:

Rule 1: Children who have a Statement of Special Educational Needs which names the school

Rule 2: Children who can prove that they have a particular medical or social reason why they must go to the school, and those who are in public care.

Rule 3: In the case of junior schools, children who attend the linked infant school at the time of their application.

Rule 4: Children who have a brother or sister on the roll of the school, or linked school in the nursery through to Year 5 at the time of application.

Rule 5: Children for whom the school is their nearest Hertfordshire community or voluntary controlled school.

Rule 6: Children who live nearest to the school.

**Reasons for the decision**

To make proposals for admission rules for the academic year beginning September 2004 in the light of the results of statutory consultation, the views of the Resources Panel and the Children, Schools and Families Scrutiny Committee.

**Any alternative options considered and rejected**

None

**8. ADMISSION RULES AND CO-ORDINATED SCHEME FOR COMMUNITY AND VOLUNTARY CONTROLLED SECONDARY SCHOOLS - 2004/2005**  
(Forward Plan Ref. A010/03)

**Decision**

That Council be recommended to approve:

1. the following rules for community and voluntary controlled co-educational schools (except Tring):
  - (a) Children who have a Statement of Special Educational Needs which names the school.
  - (b) Children who can prove they have a particular medical or social reason for attending the school, and those who are in public care.
  - (c) Children who have a brother or sister at the school at the time of application.
  - (d) Children of staff permanently employed at the school where the Local Authority has determined, having regard to the wishes of the Governing Body, that this is necessary to reduce recruitment and/or retention difficulties.
  - (e) Children who live in the priority area for the school and who demonstrate an aptitude in the area of the school's specialism (with those demonstrating the greatest aptitude being given priority). This rule applies to 10% of places in those schools determined by the LEA having regard to the wishes of their Governing Bodies. This rule will not be applied to any community or voluntary controlled school this year.
  - (f) Children who live in the priority area and for whom it is their nearest Hertfordshire maintained non-faith co-educational school. Where more children qualify under this rule than there are places available, places will be allocated to those who live nearest to the school.
  - (g) Children who live in the priority area who live closest to the school.
  - (h) Children who live outside the priority area and for whom it is their nearest Hertfordshire maintained non-faith co-educational school. Where more children qualify under this rule than there are places available, places will be allocated to those who live nearest the school.
  - (i) Children living outside the priority area who live closest to the school.

These rules are applied in the order they are printed above. If more

children qualify under a particular rule than there are places available, then a tiebreak is used for those children.

2. the following rules for community single sex schools.
  - a) Children who have a Statement of Special Educational Needs naming the school.
  - b) Children who can prove they have a particular medical or social reason for attending the school and those who are in public care.
  - c) Children who have a brother or sister at the school at the time of application.
  - d) Children of staff permanently employed at the school where the Local Authority has determined, having regard to the wishes of the Governing Body, that this is necessary to reduce recruitment and/or retention difficulties.
  - e) Children who live in the priority area for the school and who demonstrate an aptitude in the area of the school's specialism (with those demonstrating the greatest aptitude being given priority). This rule applies to 10% of places in those schools determined by the LEA having regard to the wishes of their Governing Bodies.
  - f) Children who live in the priority area. Places will be allocated to each parish or town in proportion to the number of applications made. In the event of there being more applications than places available to a particular parish or town, places will be allocated in the following order:
    - (i) those who would have further to travel to another non-faith maintained school than the one applied
    - (ii) those living closest to the school
  - g) Children living outside of the priority area who live closest to the school.
3. the following rules for Tring VC School.
  - (a) Children who must go to Tring School because they have a statement of special educational needs under the 1996 Education Act which names the school.
  - (b) Children who can prove that they have a particular medical or social reason why they must go to the school and those in public care.
  - (c) Up to a maximum 10 places will be available for children who can prove that they have specific religious reasons for attending Tring School.

## MEMORANDUM

Date: 27 March 2003

Priority will be given to children whose parents have been active Church attendees (e.g. at least once a month) over a period of time. Applications must be supported by a letter from a Priest or Minister. If there are more than ten applications which meet this criteria, priority will be given to those who live nearest the school.

- (d) Children who have an elder brother or sister at the school at the time of application.
- (e) Children who live in the parishes of Tring, Tring Rural, Aldbury, Wigginton and Little Gaddesden.

If there are more children living in these parishes than there are places then priority will be given to those who live nearest to the school.

- (f) Children who live nearest to Tring School.
4. the co-ordinated scheme for secondary admissions attached at Annex A to the report.
  5. the following definition of the shortest designated route for primary and secondary rules:

"the shortest public route with a proper surface (for example tarmac or concrete) and adopted national cycle routes".

### **Reasons for the decision**

To make proposals for admission rules for the academic year beginning September 2004 in the light of the results of statutory consultation, the views of the Resources Panel and the Children, Schools and Families Scrutiny Committee.

### **Any alternative options considered and rejected**

None

## **9. SEED CHALLENGE PROGRAMME 2003/2004 - bids from schools for capital funding**

### **Decision**

That the list of schemes for "Seed Challenge" funding for schools in 2003/04 be approved.

### **Reasons for the decision**

All the bids which met the Government criteria were given a higher priority. There

are 78 bids in this category. However these bids amount to £1,760,694 which was more than could be funded in 2003/04.

The 78 bids were further prioritised using the criteria based on asset management information (particularly condition and sufficiency data) and the top 60 schemes were selected for funding in 2003/04. The 60 schemes were shown in the first two pages of Appendix 2 to the report.

**Any alternative options considered and rejected**

See above

**10. LOCAL EDUCATION AUTHORITY VOLUNTARY AIDED PROGRAMME 2003/2004 - funding for capital works for Voluntary Aided schools**

Robert Gordon declared a prejudicial interest in relation to the matter under discussion arising from his position as a parent of a child at one of the schools concerned. He left the meeting room during consideration of this item of business.

**Decision**

That the list of schemes for Capital works in Voluntary Aided Schools in 2003/04 be approved.

**Reasons for the decision**

According to DfES guidelines all Voluntary Aided schools were invited to bid for a share of funding from the 2003/04 programme

The buildings officers from the St Albans Diocese and the Archdiocese of Westminster, prioritised the bids from their respective schools (C of E and RC) using Asset Management information.

There followed a joint meeting with them and a representative from each of the other Voluntary Aided schools not attached to a diocese.

Priorities were agreed using the Asset Management information on condition sufficiency and suitability. The share of funding for each of the different VA Authorities was also a factor in the process.

**Any alternative options considered and rejected**

None

**11. ROUND DIAMOND SCHOOL, STEVENAGE - school transport**

**Decision**

1. That the intention of the resolution of the Education Committee in April 2000, regarding free transport following the relocation of Round Diamond School, be confirmed.
2. That, for the purpose of clarification, the arrangements for free transport shall not extend to those children who live beyond statutory walking distance from the 'old' school site and whose transport costs are currently met by their parents, nor to the younger siblings of such children.

**Reasons for the decision**

As set out above.

**Any alternative options considered and rejected**

None

**12. DIRECT PAYMENTS POLICY (for disabled children and their families)**  
(Forward Plan Ref. A008/03)

**Decision**

That the Direct Payments Policy, for payments to those with a parental responsibility for a disabled child and young disabled people, be approved and implemented from 1 April 2003.

**Reasons for the decision**

To present for approval the Direct Payments Policy (Appendix 1) which outlines the commitment that the County Council will make to those with a parental responsibility for a disabled child and young disabled people ages 16/17 following the implementation of the Carers and Disabled Children Act 2000.

**Any alternative options considered and rejected**

None

**13. IMPLICATIONS OF CABINET CHANGES****Decision**

1. County Council be invited to amend the constitution of Scrutiny Committees in the light of the changes in order that they reflect the new Executive Portfolios by:
  - (a) Renaming Community Information and Protection Scrutiny Committee as Community Services Scrutiny Committee;
  - (b) Moving crime & disorder reduction from Resources, Prosperity, Partnership & Consultation Scrutiny Committee to Community Services Scrutiny Committee;
  - (c) Moving securing unified access to services from Community Services Scrutiny to Resources, Prosperity, Partnership & Consultation Scrutiny Committee; and
  - (d) (for simplicity) rename Resources, Prosperity, Partnership and Consultation Scrutiny Committee as Resources Scrutiny Committee.
2. That the following changes to Cabinet Panels be agreed:

**Children, Schools and Families**

- (a) Replace Strategy Panel with Children and Families Panel - Chairman, Nigel Brook
- (b) Replace Resources Panel with Schools' Resources Panel - Chairman, David Lloyd

**Environment**

- (c) Structure Plan Panel - Chairman, Bill Storey
- (d) Transport Panel - Chairman, Roy Clements
- (e) Waste Planning Panel - Chairman, Seamus Quilty - other members: Stan Mills, Tony Dodd, and two vacancies for Opposition Members.

**Resources**

- (f) Property Panel - Chairman, Bernard Lloyd
- (g) Recruitment and Retention Panel - Chairman, John Morton

**Efficiencies and IT**

- (h) E-government Panel - Chairman, Seamus Quilty.

Other Panels continue unchanged.

**Reasons for the decision**

As set out above

**Any alternative options considered and rejected**

None

**14. TRING: DUNSLEY BUNGALOW, COW LANE**  
(Forward Plan Ref. A027/03)

**Decision**

That the sale of Dunsley Bungalow, Cow Lane, Tring be approved and the Corporate Director (People and Property), in consultation with the Executive Member (Resources), be authorised to complete the sale.

**Reasons for the decision**

As set out in the report.

**Any alternative options considered and rejected**

None