

To: All Members of the County Council
All Chief Officers

From COUNTY SECRETARY'S
DEPARTMENT

Ask for David Roberts
Ext. 25562
Minicom 26611
My Ref. DR/
Your Ref.

CABINET
15 MARCH 2004

MINUTES
ATTENDANCE

MEMBERS OF THE CABINET

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

Other Members present:

D E Billing, K F Emsall, P V Goggins, D W Hills, S E Jones, I H Laidlaw-Dickson, R
Mays, A Oaten, S J Pile, D T F Scudder, I Simpson, R H Smith, C White.

Upon consideration of the agenda for the Cabinet meeting on 15 March 2004 as
circulated, copy annexed, executive decisions were reached and are recorded below:

*Note: Declarations of interest were made in connection with the subjects considered in
Minutes 8 and 9 and are recorded therein.*

1. MINUTES

The minutes of the Cabinet held on 9 February 2004 were confirmed as a correct
record, subject to the amendment of Minute 5 (NEW NURSERY CLASS AT
FLAMSTEAD PRIMARY SCHOOL) to show the declaration of interest by David
Lloyd.

“David Lloyd declared an interest in relation to the matter under discussion arising
from his position as a parent of children at the school. He left the meeting room
during consideration of this item of business.”

**2. STEVENAGE COMMUNITY PLAN -
"Stevenage 2021, Our Town - Our Future"**
(Forward Plan Ref.A071/03)

Decision

1. Cabinet welcomes the draft Stevenage Community Plan, subject to replacement of the final Action Point on page 43 by:

'Give support to any new community that may emerge from the regional planning process.'
2. Cabinet authorises the Assistant Chief Executive, in consultation with the Executive Member, to endorse the final version of the Plan subject to the change above and after obtaining agreement on minor wording changes as requested by HCC.

Reasons for the decision

The Community Plan was designed to ensure a better quality of life for everyone in Stevenage. It had been developed by the Stevenage Partnership, in consultation with partner organisations and the wider community of Stevenage, and it aimed to reflect the main priorities of residents and communities.

Any alternative options considered and rejected

None

3. ANNUAL INTEGRATED HIGHWAY WORKS PROGRAMME 2004/2005
(Forward Plan Ref.A082/03)

Decision

That Cabinet welcomes the recommendations from the Transport Panel and approves the Integrated Works Programme for 2004/05 as detailed in Appendix A and E

Reasons for the decision

The Integrated Highway Works programme provided the Council with:

- An 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”; and
- A formal mechanism through which the County Council can declare, in its answers to land search enquiries, details of any planned proposals for minor road improvements in proximity to a property under purchase.

Any alternative options considered and rejected

None

4. COUNTY COUNCIL REVENUE AND CAPITAL BUDGET MONITOR

Decision

That the Monitor report be noted.

Reasons for the decision

The Monitor informed Cabinet of the forecast outturn for Revenue and Capital Budgets in respect of 2003/04, based on budget monitors to 31 December 2003,

Any alternative options considered and rejected

None

5. LEONARD CHESHIRE HOME CARE CONTRACT - duration
(Forward Plan Ref.A006/04)

Decision

That the contract with Leonard Cheshire be extended for two years, subject to:

1. Leonard Cheshire agreeing with Officers an Action Plan to implement an improved system of recording and reporting concerns and issues raised directly or indirectly by service users and their carers or local social work teams
2. Leonard Cheshire agreeing with Officers an Action Plan to address their non-compliance with the contract standard relating to length of stay
3. Leonard Cheshire developing a strategy to improve their ability to deliver services in the St. Albans area.

Reasons for the decision

Consideration of service quality and financial implications set out in the report.

Any alternative options considered and rejected

None

6. **HERTFORDSHIRE PARTNERSHIP NHS TRUST - proposals for the transfer of staff between the County Council (Adult Care Services and Children, Schools and Families) and the Trust**
(Forward Plan Ref.A070/03)

This item was considered under Part 2 of the agenda. (see below)

7. **PROPOSED CLOSURE OF FIVE OAKS PRIMARY AND NURSERY SCHOOL AND HAZEL GROVE PRIMARY SCHOOL, HATFIELD, AND THE OPENING OF A NEW TWO FORMS OF ENTRY SCHOOL ON THE FIVE OAKS SITE**
(Forward Plan Ref.A005/04)

Decision

1. That the Council publish statutory notices to close both Five Oaks Primary and Nursery School and Hazelgrove Primary School and open a new, two form of entry, primary school with 60 place nursery class on the Five Oaks site with effect from September 2004 in accordance with Option 2 but with transitional arrangements to be determined in discussion with the Headteacher designate and Interim Governing Body of the new school, and
2. That, in the event of there being no statutory objections to the proposals, the Director of Children, Schools and Families be authorised to confirm them .

Reasons for the decision

To ensure the educational and financial viability of the new school and provide an opportunity, with on-going support, to raise pupil attainment.

Any alternative options considered and rejected

None

8. CHILDREN SCHOOLS AND FAMILIES CAPITAL PROGRAMME - priorities for DfES capital funding in 2004/2005 and 2005/2006

Derrick Ashley, David Beatty and David Lloyd declared interests in relation to the matter under discussion arising from their positions as governors of schools mentioned in the report. They did not regard these as prejudicial interests.

Decision

1. That:
 - (a) the stated outcomes and the priority order in which the schemes are listed;
 - (b) the proposal to use 50% of the new modernisation and the primary new modernisation allocations for capital repairs and maintenance; and,
 - (c) the list of priority schemes for funding in 2004/2006; be approved.
2. That for the forward funding of the primary reviews mentioned in the report, once the surplus sites are sold, fullest consideration will be given to reimbursing the CSF capital programme for the forward funded sums within the context of high priority competing demands on the programme.
3. That funding for forthcoming primary reviews should be considered in future capital rounds and be prioritised along with other competing demands.

Reasons for the decision

To determine the priorities for allocating the DfES funding which is available for capital works in Hertfordshire in 2004/05 and 2005/06.

Any alternative options considered and rejected

None

9. LOCAL EDUCATION AUTHORITY CO-ORDINATED VOLUNTARY AIDED PROGRAMME (LC VAP) - funding for capital works in Voluntary Aided Schools 2004/2005

Robert Gordon declared an interest in relation to the matter under discussion arising from his position as a parent of children 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 2004/05 be approved.

Reasons for the decision

To prioritise of bids from VA schools for the LC VAP funding in 2004/05.

Any alternative options considered and rejected

None

10. SCHOOL ADMISSION RULES 2005/2006
(Forward Plan Ref.A004/04)

Decision

That Council be recommended to approve:

1. The proposed rules for community and voluntary controlled nursery, infant, junior and primary schools in Appendix 2.
2. The proposed rules for community and voluntary controlled secondary schools in Appendix 3.
3. The proposed arrangements for admission to community and voluntary controlled Sixth Forms in Appendix 4.
4. The proposed arrangements for the co-ordinated schemes for admission arrangements in Appendix 5.
5. The proposed Pupil Admission Numbers for each school in Appendix 6.

Reasons for the decision

Taking into account the results of consultation, set out in the report, to make appropriate recommendations to the County Council on 30 March 2004 for the determination of the admission rules for community schools and arrangements for a co-ordinated scheme for 2005/06.

Any alternative options considered and rejected

None

11. **HERTFORD - THE FORMER PINES SCHOOL SITE,
BENGEO - OFFICE SITE AT WARREN PARK ROAD,
WALTHAM CROSS - OFFICE SITE AT ELEANOR CROSS ROAD,
CSF SERVICE - EAST QUADRANT ACCOMMODATION,
WARE - ACS DAY CENTRE AT MARSH LANE.**
(Forward Plan Ref.A067/03)

Decision

That:

- 1) The Corporate Director (People and Property), in consultation with the Leader, the Executive Member for Resources and the Executive Member for ACS, be delegated authority to agree disposal or re-use of the former Pines School site once further work to secure re-provision of the Marsh Lane Day Centre has been completed.
- 2) An application be made for planning permission for residential development of the previously developed land part of the site of former Pines School site.
- 3) Offices be leased to provide accommodation for the CSF Service East Quadrant and revenue budget provision be made.
- 4) Disposal of the office properties at Warren Park Road, Hertford and Eleanor Cross Road, Waltham Cross for appropriate development be agreed.
- 5) A self-financing replacement asset scheme be agreed so that the costs of relocating the CSF Service staff be funded against the capital receipts from the sale of the offices at Warren Park Road Hertford and Eleanor Cross Road, Waltham Cross
- 6) The Corporate Director (People and Property), in consultation with the Executive Member for Resources, be authorised to agree an appropriate budget for the staff relocations and property modifications required to achieve the new office.
- 7) The new Quadrant office project, and the ongoing management of the facility, be the responsibility of the Central and Shared Office Service.

Reasons for the decision

The options for the use of the former school site and financial implications were set out in the report.

Any alternative options considered and rejected

As set out in the report.

12. BEST VALUE PERFORMANCE PLAN 2004/2005
(Forward Plan Ref.A063/03)

Decision

That the Council's promises for 2004/2005 be approved, subject to further consideration by Executive Members and final agreement by Cabinet and County Council in May.

Reasons for the decision

As set out in the report.

Any alternative options considered and rejected

None

13. PROPOSAL FOR AN URBAN DEVELOPMENT CORPORATION FOR THE LUTON/DUNSTABLE/HOUGHTON REGIS AREA
(Forward Plan Ref.A011/04)

Decision

1. The Cabinet expresses its concern that the imposition of Local Delivery Vehicles in the growth areas will lead to a further erosion of democratic accountability but strongly supports active participation in any LDV affecting Hertfordshire.
2. The Cabinet considers that no case has been substantiated for the inclusion of Cockernhoe in the growth area and therefore reiterates its opposition to the inclusion of this reserve site.
3. The Cabinet, in response to the request by the Secretary of State, accepts the proposal for an Urban Development Corporation for the Luton/Dunstable/Houghton Regis area subject to amendment of the Boundary of Operation as set out in Appendix 1 to read:

To include the whole of the growth area.

This is defined to include the whole of Luton, the whole of Dunstable and Houghton Regis, and, subject to the Public Examination outcome/Government decision on the currently unresolved planning issues, the growth areas and key reserve site in South Bedfordshire and North Hertfordshire. The necessary associated infrastructure should be accommodated within the defined growth area boundary. The boundary is to be defined having regard to planned growth to 2021.

4. The Cabinet authorises the submission of this amended proposal, as set out in resolution 3, as an annex to a joint local authorities letter to the Minister of

State for Regeneration and Regional Development

5. The Cabinet welcomes and endorses the draft comments of the Structure Plan and Regional Issues Panel specifically:
 - that the Urban Development Corporation should have local authority majority representation
 - that HCC should retain a seat on the UDC pending the outcome of the Public Examination/government decision
6. The Cabinet refers this matter to County Council for its consideration.

Reasons for the decision

As set out above.

Any alternative options considered and rejected

None

**14A. REGIONAL FIRE MANAGEMENT BOARD -
MEMBER REPRESENTATION AND DELEGATION ARRANGEMENTS**

Decision

That:

1. In order to facilitate agreement and to allow the establishment of the RMB within the timescale set by Government, each authority should have two representatives on the RMB with provision for a named substitute.
2. In order to enable the RMB to discharge its role the following functions, be delegated to the RMB:
 - (i) ensuring resilience to emergencies, especially potential chemical, biological, radiological or nuclear attack,
 - (ii) specialist common services, where appropriate, such as fire investigation,
 - (iii) establishing regional control rooms,
 - (iv) introducing regional-based procurement or procurement to national standards,
 - (v) developing regional training strategies and delivery,
 - (vi) introducing regional personnel management and human resources management functions.

3. Council be recommended to amend the Constitution accordingly.

Reasons for the decision

As set out in the decisions above.

Any alternative options considered and rejected

None

14B. FIRE AND RESCUE SERVICE - INTEGRATED RISK MANAGEMENT PLAN (IRMP)

(Forward Plan Ref.A009/04)

Decision

That the IRMP , as amended following the consultation period, and the Action Plan, be adopted.

Reasons for the decision

To take account of the results of consultation on the Draft Plan approved by Cabinet in November 2003.

Any alternative options considered and rejected

None

15. EXCLUSION OF PRESS AND PUBLIC

Decision

That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 11 of Part 1 of Schedule 12A to the said Act.

PART II (CLOSED) AGENDA

1. **HERTFORDSHIRE PARTNERSHIP NHS TRUST - proposals for the transfer of staff between the County Council (Adult Care Services and Children, Schools and Families) and the Trust**
(Forward Plan Ref.A070/03)

Decision

1. That the County Council proceeds with the transfer of mental health staff to Hertfordshire Partnership NHS Trust on 1 May 2004, under TUPE Regulations, excluding existing approved social workers and subject to expected changes in pension regulations coming into force prior to the date of transfer.
2. If pension regulations do not come into force in time, that the Directors of Adult Care Services and Children, Schools and Families, in consultation with the respective Executive Members, determine a revised date for the transfer.
3. That the transfer of learning disability staff from Hertfordshire Partnership NHS Trust to the County Council be agreed in principle, and the date for transfer be determined by the Director of Adult Care Services, in consultation with the Executive Member, once arrangements for pensions and mental health officer status are clear.

Reasons for the decision

As set out in the report.

Any alternative options considered and rejected

None

(Note: the above statement is the same as the statement set out in the separate Part II minutes.)