

AT A MEETING of the CABINET of HAMPSHIRE COUNTY COUNCIL held at the Castle on 29 March 2010.

Chairman:
p Councillor T. K. Thornber, CBE

Councillors:

p C. Davidovitz	p D.A. Kirk
p Dr. R. J. Ellis	p K. Mans
p J. K. Glen	p R. Perry
p Felicity Hindson, MBE	a Mrs. M. D. Snaith-Tempia
p M.J. Kendal	

Also present with the agreement of the Chairman: Councillors C. Carter, K.G. Chapman, P.R. Edgar, K. Evans, Jane Frankum, Pamela Mutton, Marilyn Tucker, and Patricia West.

96. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Snaith-Tempia who was engaged on County Council business elsewhere.

97. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a personal or prejudicial interest in any matter considered at the meeting declared that interest at the time of the relevant debate and, having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, considered whether to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with paragraph 12 of the code.

98. CONFIRMATION OF MINUTES

The minutes of the meeting held on 22 February 2010 were confirmed as a correct record subject to a minor amendment to Appendix 1.

99. CHAIRMAN'S ANNOUNCEMENTS

- (a) The Leader confirmed that he intended to call forward Item 7 on the agenda – Proposed closure of Chineham Park Primary School – together with the associated Items 8 and 9 on the agenda.
- (b) In respect of Item 7, the Chairman confirmed that key decisions must be published five clear days in advance of the meeting.

Because the report on the proposed closure of Chineham Park Primary School was revised within the five clear days, it must now be considered as an urgent matter under Regulation 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000. Regulation 16 allows for a key decision to be made if the agreement of the relevant Select Committee (or the Chairman of the Council, if the Select Committee Chairman is unable to act) has been obtained confirming that the decision is urgent and cannot reasonably be deferred. The relevant agreement had been obtained from the Chairman of the Council. It was noted that call-in does not apply to decisions taken pursuant to Regulation 16.

100. **PROPOSED CLOSURE OF CHINEHAM PARK PRIMARY SCHOOL**

This item was called forward to be taken as the first item of business.

Councillor Edgar declared a personal interest as a member of the National Association of Head Teachers.

The Cabinet considered the report of the Director of Children's Services (Item 7 in the Minute Book) confirming the outcome of the publication of Public Notices, in accordance with Section 15 (1) of the Education and Inspection Act 2006, to discontinue Chineham Park Primary School with effect from 31 August 2010. A letter from the School Standards Group at the Department for Children, Schools and Families (DCSF) confirming the Secretary of State's concern about the school's inadequate progress since being placed in special measures in January 2009 was attached as Appendix 4 to the report. The Director of Children's Services reply to this letter setting out proposed action was attached as Appendix 5 to the report. One objection to the closure had been received from Andrew McCormick, Basingstoke and Deane Borough Councillor for the Popley East Ward and a Governor of Chineham Park Primary School from May 2002 until December 2009, which was attached as Appendix 6 to the report.

The Director of Children's Services expanded on the key points contained in the report and drew Members attention to the statutory process that must be undertaken by the Children's Services Authority. The Director stated that the proposed closure of a school was always difficult however this particular school had been placed in special measures in January 2009. Although an Ofsted inspection in July 2009 reported that the school had made satisfactory progress since being placed in special measures, a further Ofsted inspection in December 2009 found progress overall was inadequate. The Ofsted reports together with the exceptionally high level of surplus places within the school had led to concern being raised by the Secretary of State in a letter dated 12 January 2010 and made clear his view that "the case had become urgent".

The Chairman invited the Executive Lead Member for Children's Services to speak. The Executive Member clarified what is deemed as 'satisfactory' progress and also highlighted the letter in which the Secretary of State had made his concerns and intentions quite clear. The Executive Member confirmed that if the school closed the intention was for the building to be retained for future educational purposes. The Executive Member also confirmed that other schools in the immediate vicinity would be able to take pupils from Chineham Park Primary School and were in a good position to provide the level of education that the pupils deserved.

At the invitation of the Chairman, Councillor Frankum as the local County Councillor spoke on the matter. Councillor Frankum particularly highlighted the community activities that are currently held at the school and hoped that, if the school did close, these activities would be able to continue in support of the health and well being agenda. The Executive Lead Member confirmed that the necessary negotiations to continue community activities would be undertaken to explore alternative management arrangements should the school be closed.

A full debate ensued during which time the Cabinet's detailed questions were answered by the Director of Children's Services, the Head of School Organisation and the Executive Lead Member for Children's Services. The Cabinet noted that the standards in the school had been unsatisfactory for the best part of a decade. Although some disruption to pupils would be inevitable if the school closed, this was significantly outweighed by the unsatisfactory standards highlighted by Ofsted and the Secretary of State together with the overriding responsibility to provide good education for the children affected. Members noted that the school had received a substantial amount of support to help improve the standards. Unfortunately the school's standards had not improved to a satisfactory level and the outcome of the most recent inspection by Ofsted on 9 March 2010 found that progress since being placed in special measures remained inadequate.

The Cabinet, as the decision making body for a proposed school closure where an objection had been received, considered the substantial amount of evidence presented in the supporting report and its appendices, the inspection reports of Ofsted inspections in July and December 2009 and March 2010, together with evidence contained in an exempt appendix (Item 9 on the agenda) which had been classified as exempt pursuant to Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972. The Cabinet unanimously adopted the recommendations set out in the report and the decision record is attached to these Minutes as Appendix 1.

101. **HAMPSHIRE ACTION TEAMS: COMMUNITY BUDGETS AND PROCEDURES FOR AUTHORISATION OF EXPENDITURE AND MONITORING**

The Cabinet considered the report of the Chief Executive (Item 5 in the Minute Book) setting out the procedures for authorisation of expenditure from a community budget allocated to each Hampshire Action Team and associated monitoring arrangements.

The Chairman moved some urgent points of clarification to the report to give the HATs more flexibility in regard to the projects recommended for funding from the Community Budget, for which it would be necessary for the majority of members of a whole HAT to have agreed. The Cabinet agreed that they should be considered forthwith to ensure clarity and flexibility, as detailed above. The points of clarification are detailed below in *italics*:

Paragraph 2.3, opening sentence:

“It is proposed that the HAT’s Community Budget be allocated to each individual HAT for the financial year 2010/11 with no automatic roll over into the following financial year(s) as follows....”

Paragraph 4.1, the second sentence starting “It should be.....” to be replaced with the following:

“Authorised expenditure from the HAT’s Community Budget will be for one year only with no automatic commitment for continuation of that expenditure in future years.”

Fifth bullet point in paragraph 4.1:

“That discussions be undertaken with other Executive Members and departments relating to the proposed project as appropriate.”

Seventh bullet point in paragraph 4.1:

“The process undertaken by each HAT to reach a majority agreement of the whole HAT on the recommendation to the Executive Member for Communities or the Executive Member for Policy and Resources.”

It was noted that in regard to paragraph 3.1, the words in the last sentence “or officer under delegated powers” will not apply as decisions are to be taken by the Executive Member for Communities and the Executive Member for Policy and Resources only.

During the course of discussion, the Chairman confirmed that the commitment of expenditure from the Community Budget was an Executive Member function, therefore it was necessary to put an

appropriate Scheme of Authorisation in place to ensure compliance with the constitutional and legislative requirements.

The Cabinet adopted the recommendations set out in the report subject to some strengthening, together with some additional resolutions to reflect the points of clarification agreed above. The substantive decision record is attached to these Minutes as Appendix 2.

102. **THE WORKFOCE PLANNING PROCESS AND ITS INTEGRATION WITH OTHER PLANNING PROCESSES**

The Cabinet considered the report of the Director of Human Resources (Item 6 in the Minute Book) detailing refinements to the current workforce planning process which enables workforce requirements to be captured within departmental and corporate workforce plans. The Director of Human Resources expanded on the key points in the report and particularly highlighted paragraph 3.3 which proposed to strengthen partnership workforce planning such as those relating to statutory requirements, for example, Children's Trusts. It is also proposed to forge stronger links to the budget book by including commentary to support the high level workforce planning information to clarify what happened in practice compared with the areas identified in the budget book, together with information on other key workforce trends such as turnover and sickness absence.

During the course of the ensuing discussion, the Cabinet welcomed the proposals, particularly in regard to strengthening partnership workforce planning and commentary in the budget book, as detailed above. The Director answered the Cabinet's detailed questions.

In conclusion, the Cabinet adopted the recommendations set out in the report. The decision record is attached to these Minutes as Appendix 3.

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	29 March 2010
Title:	Proposed closure of Chineham Park Primary School
Reference:	1391
Report From:	John Coughlan – Director of Children’s Services

Contact name: Chris Holt, Head of School Organisation

Tel: 01962 845673 **Email:** Chris.holt@hants.gov.uk

1. The decision:

That approval be given to the following proposal, published by the Local Authority in accordance with Section 15 (1) of the Education and Inspections Act 2006 :

To discontinue Chineham Park Primary School, Basingstoke with effect from 31 August 2010.

2. Reason for the decision:

2.1. The Local Authority believes the proposal will lead to improvements in the standard and quality of educational provision for children, better preparing them for their next stage of education and for their future economic wellbeing.

3. Other options considered and rejected:

3.1. The school to remain open.

- a) The school has struggled to ensure its pupils have received a satisfactory standard of education for a number of years. During this time the school has failed Ofsted inspections on three separate occasions, the latest being January 2009.
- b) The latest monitoring inspection by Her Majesty’s Inspectorate judged that progress since the Ofsted inspection was inadequate.
- c) The Secretary of State has written to the Local Authority expressing concern about the failings of the school, reminding the LA of the reserved powers which he has to direct closure of the school, and seeking “clear

and compelling” evidence why these powers should not be used in the event of the LA not deciding to close the school.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker:

None

4.2. Conflicts of interest declared by other Executive Members consulted:

None

5. Dispensation granted by the Standards Committee: none.

6. Reason(s) for the matter being dealt with if urgent:

6.1. The matter is urgent and cannot reasonably be deferred in order that the Council’s position is not compromised or disadvantaged by any inability to act. To delay the decision to close the school would result in an inadequate school continuing for longer than necessary to provide an unsatisfactory standard of education.

7. Statement from the Decision Maker:

Approved by:	Date:
-----	29 March 2010
Chairman of the Cabinet Councillor T. K. Thornber, CBE	

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	29 March 2010
Title:	Hampshire Action Teams: Community Budgets and Procedures for Authorisation of Expenditure and Monitoring
Reference:	1443
Report From:	Chief Executive

Contact name: Barbara Beardwell - Head of Governance and Monitoring Officer

Tel: 01962 845967

Email: barbara.beardwell@hants.gov.uk

1. The decision:

- a) That the £700,000 allocated to the Hampshire Action Teams' (HATs) Community Budget in the annual budget for 2010-2011 be allocated to each HAT in the proportions set out in paragraph 2.3 of the supporting report and that there will be no automatic roll over of funds into the following financial year(s).
- b) That authorised expenditure from the HATs Community Budget will be for one year only with no automatic commitment for continuation of that expenditure in future years.
- c) That the Cabinet approves the process and recommendation requirements set out in the supporting report for administering the HATs Community Budget, specifically that:
 - i) discussions be undertaken with other Executive Members and departments relating to the proposed project as appropriate; and
 - ii) that the process undertaken by each HAT is to reach a majority agreement of the whole HAT on the recommendation to the Executive Member for Communities or the Executive Member for Policy and Resources only and as set out in decisions d) and e) below.
- d) That the Executive Member for Communities be responsible for authorising any single recommendation for expenditure from each HAT from their proportion of the Community Budget on projects up to an aggregate limit of £25,000 per HAT.
- e) That the Executive Member for Policy and Resources be responsible for authorising any single recommendation for expenditure from each HAT from their proportion of the Community Budget on projects over £25,000.

- f) That the Annual Report to Council on HATs should contain full details of all expenditure from the HATs Community Budget.
- g) That the arrangement and resource requirements for administering the HATs Community Budget set out in the supporting report be approved.

2. Reason(s) for the decision:

- 2.1. To confirm the individual budget allocations for each HAT from the Community Budget for the year 2010-11 only.
- 2.2. To establish a Scheme of Authorisation to facilitate the recommendation of expenditure by each whole HAT of their proportion of the Community Budget.

3. Other options considered and rejected:

- 3.1. Not to have a Community Budget. This option was rejected as the Community Budget supports projects that communities want to improve, for example, their quality of life and enhances partnership working.
- 3.2. HATs do not have delegated Executive Powers nor are they formally constituted as Committees of the County Council. As such, HATs are not able to make decisions or formally authorise expenditure on behalf of the County Council. The decision to approve expenditure must therefore be made by an Executive Member. Not to have an approved Scheme of Authorisation to facilitate expenditure from the Community Budget was therefore rejected.

4. Conflicts of interest:

- 4.1 Conflicts of interest declared by the decision-maker: None
- 4.2 Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Standards Committee: Not applicable.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the Decision Maker:

Approved by: -----	Date: 29 March 2010
Chairman of the Cabinet Councillor T K Thornber, CBE	

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	29 March 2010
Title:	The workforce planning process and its integration with other planning processes
Reference:	1442
Report From:	Director of Human Resources

Contact name: Gavin Wright

Tel: 01962 813840

Email: Gavin.wright@hants.gov.uk

1. The decision:

a) That Cabinet endorsed:

- the measures being taken to further strengthen the corporate workforce planning process and its alignment to the budget and service planning processes, and
- the timeline for establishing workforce reports each year.

2. Reason(s) for the decision:

2.1. To support much closer integration of the workforce, budget and service planning processes.

3. Other options considered and rejected:

3.1. Not applicable

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker:

None

4.2. Conflicts of interest declared by other Executive Members consulted:

None

5. Dispensation granted by the Standards Committee: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:	Date:
-----	29 March 2010
Chairman of the Cabinet Councillor T K Thornber, CBE	