

## CABINET

26 MARCH 2009

PRESENT: Councillors Burbage (Chairman), Hilton (Deputy Chairman and Finance), Mrs Quick (Children's Services), Dudley (Adult and Community Services), Rayner (Highways and Streetcare), Mrs Bateson (Community Partnerships and Consultation) and Bicknell (Chief Whip and Public Protection).

Non-Members: Councillors Baskerville, J Evans, Mrs Proctor, Werner and D. Wilson.

Also Present: Elizabeth Hale (Audit Commission) and Neil Harris (KPMG).

Officers: Andrew Brooker, Allan Brown, Deborah Clark, Chris Donnelly, Nicola Davidson, Nigel Davis, Jim Gould, Terry Gould, Peter Herlinger, Rhidian Jones, Shauna Hichens, Harjit Hunjan, Daniel Lucas, David Oram, David Scott, Mark Taylor, Cliff Turner, Andre Walker, Neil Walter and Karen Williams.

### **PART I**

#### INTERIM DIRECTOR OF ADULT AND COMMUNITY SERVICES

Members were informed that this would be the last Cabinet meeting attended by Jim Gould, Interim Director of Adult and Community Services, as he was shortly due to retire. The Chairman remarked on Mr Gould's illustrious career with the Royal Borough, particularly during times of transition. On behalf of the Cabinet, the Chairman thanked Mr Gould for all his work for the Borough.

#### CLEAN TOWN AWARDS

The Lead Member for Highways and Streetcare reported on the recent awards received by the Council from the British Cleaning Council. Windsor and Eton had won a five star Gold award and Bray had won a four star Silver Award. The Lead Member thanked the Senior Streetcare Officer and his team for all the work they undertook on a regular basis to keep the Borough clean, and congratulated the team on the awards received. It was noted that Bray Parish Council would be presented with the plaque for the Bray award; the plaque for Windsor and Eton would be displayed in the Guildhall, Windsor.

Councillor Werner echoed the Lead Member's congratulations to the Streetcare Team and asked what actions would be taken to improve the ranking of Maidenhead in subsequent years. The Chairman agreed that it was important that all areas of the Borough were cleaned to the highest standard.

#### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Knight (Planning and Development) and Maxwell (Policy and Performance) and Ian Trenholm.

## DECLARATIONS OF INTEREST

Councillor Mrs Bateson declared Personal Interests in the item 'Admissions to School, September 2010 – Charters School, Ascot' and the Part II item Charters School – Tender Acceptance' as she was an LEA appointed Governor of Charters School.

Councillor Bicknell declared a Personal Interest in the Part II item 'Award of Leisure Management Contract – Thames Valley Athletic Centre' as he had previously done business with the potential management company.

Councillor J Evans declared a Personal Interest in all education items as he was an LEA appointed Governor at Hilltop First School.

Councillor D, Wilson declared a Personal Interest in the item 'Building Schools for the Future' as he was an LEA appointed Governor at Desborough School.

## MINUTES

of the meeting of Cabinet held on 26 February 2009 were approved.

## ORDER OF BUSINESS

**RESOLVED: That the order of business be amended.**

## FORWARD PLAN – APRIL 2009 TO JULY 2009

The Panel considered the contents of the draft Forward Plan for the next four months and noted the changes that had been made to the plan since the last meeting. In addition it was noted that:

- A Part II item entitled 'Asset Management Plan – Property Review Update' would be presented to Cabinet in June 2009.
- An item in relation to Speed Cameras would be presented to Cabinet in July 2009.

Councillor Werner asked whether a report on the Bus Review, and in particular in relation to route 6, would be brought to Cabinet in future. The Lead Member for Highways and Streetcare agreed to check whether a further Cabinet decision would be required.

## CABINET MEMBERS' REPORTS

### Deputy Chairman and Finance Annual Audit and Inspection Letter

Cabinet considered the Annual Audit and Inspection Letter (AAIL). It was noted that the letter provided an overall summary of the Audit Commission's assessment of the Council and drew on the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2007/08 and from inspections undertaken since the last Annual Audit and Inspection Letter. The overall judgement was that the Royal Borough of Windsor and Maidenhead was

'improving well' and was classified as a three star authority in its current level of performance under the CPA.

Members were addressed by Elizabeth Hale, Relationship Manager from the Audit Commission in relation to the Annual Audit and Inspection Letter 2008. Ms Hale stated that the AAIL provided a high level overview of a number of different workstreams undertaken by the Council. Audits of the use of resources and data quality were undertaken by the Borough's auditors KPMG. The Audit Commission reported on the Direction of Travel up to the end of 2008 and the Benefits Inspection that had taken place in the Borough in November 2008. The AAIL also drew together other inspections including those by the Commission for Social Care Inspection (CSCI) and Ofsted. The AAIL was produced for public consumption and was available on the Audit Commission website. A copy had also been provided to each Member of the Council.

Ms Hale identified the key messages included in the AAIL. The Royal Borough was a high performing Council with over 40% of indicators in the top quartile, which was higher than average. The Borough had retained its three star rating and its direction of travel had moved from 'improving adequately' to 'improving well'. This reflected an increase in the rate of improvement, from a low base. There had been a significant period of change during the study, which was helping to build momentum.

Ms Hale highlighted that the Sustainable Community Strategy had yet to be fully revised and both the Strategic Plan and the Local Strategic Partnership were both still under review. All three would be very significant to the new assessment regime. CSCI had noted an improvement in a number of areas, however the progress in relation to the benefits service was mixed and prospects for progress were therefore deemed uncertain.

Ms Hale stated that the Royal Borough had a clear focus on value for money and therefore a number of savings targets had been achieved. Significant developments, for example in relation to ICT, were both providing savings and reducing carbon emissions. Performance Management continued to improve, particularly in relation to the use of a balanced scorecard and project management arrangements. Further work would be required to improve data quality. The desire for change was evident and it was clear that step change rather than incremental change was the aim.

Ms Hale advised Members of the new assessment framework which would come into operation on 1 April 2009. The first assessments would be published in November 2009 and would comprise an Organisational Assessment for the Council only and an Area Assessment which looked at work the Council undertook in conjunction with its partners in the Local Strategic Partnership to improve outcomes for residents. Both assessments would be more focussed on outcomes and achievements rather than processes and systems. All documents would also be written to enable the public to fully understand. A key purpose of the new assessment framework was to reduce costs to the inspectorates and also reduce the burden assessments created on public bodies. Ms Hale concluded by thanking the Council and its staff for their cooperation during the inspection.

The Chairman thanked Ms Hale for her comments and asked for further guidance in relation to the direction of travel and data quality. Ms Hale recognised that with 40% of indicators in the top quartile, the scope for the Borough to improve was more

limited than for the average Council. However, in the last twelve months the Borough's rate of improvement had moved much closer to the average.

Mr Harris confirmed that in relation to data quality, concerns related to a number of strategies and developments that had been developed but not implemented because of staff changes. Now that key staff members were in post, it was anticipated that implementation should occur.

The Lead Member for Community Partnerships stated that she was pleased that the future assessment reports would be produced in a way that was accessible to all. In relation to the Local Area Agreement she referred to the deadlines the Council were required to meet, despite delays from central government, for example the recent delay in the publication of Local Spending Reports.

The Lead Member for Finance thanked Ms Hale and Mr Harris for attending the meeting. He was pleased to note that for the majority of indicators on the CPA Scorecard, the Borough had achieved three stars out of four. In relation to the rating for benefits, he was pleased that three stars had been achieved, following the audit by the Audit Commission Inspection Team in November 2008.

**RESOLVED: That the Annual Audit and Inspection Letter be received and noted.**

#### Highways and Streetcare Persistent Evaders Policy

Cabinet considered the introduction of a Persistent Evaders policy. It was noted that, following the implementation of Decriminalised Parking Enforcement (DPE) in January 2008, the Council had undertaken the enforcement of parking restrictions across the Borough. During this period the Traffic Management Act 2004 (TMA 04) was introduced nationally. TMA 04 gave additional powers to Local Authorities that had DPE powers. These new powers included the ability to remove vehicles used by persistent evaders in order to recover outstanding monies from previous Penalty Charge Notices (PCN's).

Members were advised that there were currently 226 persistent evading vehicles on the Council's parking system that represented over 2100 Penalty Charge Notices with a value of over £105,000. When parked in contravention, a persistent evaders vehicle should be subject to the strongest possible enforcement following the issuing of a PCN and the confirmation of persistent evader status. It was likely that this would involve the removal of the vehicle. The benefit of removal was that it required proof of ownership and a registered address before release of the vehicle. This was a national problem, which also involved overseas registered vehicles whose details the Borough (along with other Councils) were unable to obtain as there was no international agreement between DVLA and its overseas equivalents. The proposed procedure would formalise the arrangements to be followed in accordance with the guidance set out by the Department for Transport in compliance with the Borough's TROs. A proposed RBWM policy had been written based on the policy currently in use in The City of Cambridge. Members noted that other Authorities currently using the new powers included Cambridge, Oxford City, Rushmoor, Watford and Wirral.

The Lead Member for Finance questioned whether storing vehicles before disposal would lead to excess costs for the Council. It was confirmed that at present, it was believed that the Council did not have the legal right to sell on vehicles, however various pieces of legislation were being studied to ensure that this was the case. It was unlikely that vehicles would be stored by the Council for any length of time owing to the costs involved. The Parking Manager was unaware of any other Council that was currently selling vehicles that it had seized.

Councillor Werner asked whether there had been any developments in the creation of European-wide DVLA style agency. It was confirmed that a government group was currently looking at legislation to enable sharing of DVLA type information across Europe but no significant progress had been made as yet. Councils did not currently have powers to pursue evaders outside the UK.

Councillor Mrs Proctor questioned where a vehicle pound was likely to be sited as it could be a possible hotspot for tension. The Lead Member for Highways and Streetcare responded that he noted her concerns however the siting would be dependent on the contractor employed to run the service.

The Lead Member for Highways and streetcare confirmed that it would take between three and six months to set the process up with a contractor, in the meantime work would continue with the Council's bailiffs to pursue persistent evaders.

**RESOLVED: That:**

- i) The Persistent Evaders Policy be approved and authority to progress be given.**
- ii) Delegated authority be given to the Director of the Environment in conjunction with the Lead Member for Highways and Streetcare to finalise the details of the policy.**
- iii) Permission be given to seek interested parties for the supply of a persistent evader recovery and enforcement service. Delegated authority be given to the Director of the Environment in conjunction with the Lead Member for Highways and Streetcare to implement the service.**

Community Partnerships and Consultation  
Local Area Refresh 2008/09

Cabinet considered approval of the selected Improvement Indicators within the Royal Borough's Local Area Agreement (LAA), as updated through the Annual Refresh process and for the submission of the refreshed LAA to the Government Office of the South East (GOSE) for ministerial approval by 27 March 2009. Members noted that, as set out in the White Paper '*Strong and Prosperous Communities*' and within the subsequent *LAA Operational Guidance*, each LAA was subject to an annual review. The review provided an opportunity to refresh, by exception a limited number of targets to reflect changes in local circumstance or national priorities. However, for this first year (08/09), the review was different because of an additional need to deal with those target related issues that that could not be resolved during the LAA negotiations conducted in 2008. Members were advised that the target levels agreed as part of the 08/09 refreshed LAA would also be used as the benchmark for calculating the Royal Borough's future entitlement to Performance Reward Grant. In

summary the amendments applied to 18 indicators within the current LAA and were detailed as:

- 17 indicators amended due to the availability of new data,
- 1 indicator reclassified from a 'local target' to an 'Improvement target'.

The Lead Member for Finance thanked the Lead Member for Community Partnerships and the Business and Community Partnerships Manager for renegotiating the targets, in particular NI 181 in relation to the time taken to process housing benefits. Negotiations had increased the time from 12 days to 15 days. He was pleased to report that the process was currently taking 14 days.

**RESOLVED: That:**

- i) The details of the LAA Refresh process be noted.**
- ii) The targets as negotiated as part of the 08/09 Refresh process be agreed**
- iii) The submission of the refreshed LAA to GOSE be approved.**

Adult and Community Services  
Safeguarding Adults

Cabinet considered increasing the profile of adult safeguarding in light of an increasing national emphasis. It was noted that the Council had a responsibility to ensure that there were effective multi-arrangements in place to safeguard and protect vulnerable adults from all forms of abuse including being deprived of their liberty within a care home, and to intervene when concerns of possible abuse and deprivation of liberties were raised.

The East Berkshire Safeguarding Adults Partnership Board, a multi-agency group currently chaired by Bracknell's Chief Officer for Adults' Services was responsible for setting the strategic direction and securing senior management engagement across the area. The Board provided leadership in developing policy and standards to deliver improved practice in addressing adult safeguarding issues. The Board currently oversaw the work of the Royal Borough to safeguard vulnerable adults from abuse. Members were advised that, given the focus on Transforming Social Care which would lead to vulnerable people being able to purchase their own care, it was of vital importance that safeguarding became a central activity within all adult services. Therefore the following developments were proposed:

- Ensure that Safeguarding Adults work within the Royal Borough adhered to national guidance and best practice.
- Establishment of a Safeguarding Adults Partnership Board (SAPB) within the Royal Borough.
- Appointment an Independent Chair of the SAPB.
- Establishment of a Safeguarding Vulnerable Adults Manager within Adult Social Services who would also be the responsible officer for carrying out the co-ordination of DOL's (Deprivation of Liberty) work.
- Improved knowledge and practice of safeguarding of adults across all partners and care providers/givers.

- Extensive publicity and training within the Royal Borough and with partner agencies in the independent and voluntary sector.

The Lead Member for Adult and Community Services thanked the officers for the work undertaken so far on safeguarding adults.

Councillor Mrs Proctor welcomed the report, as she felt it was appropriate that safeguarding adults was approached in the same way as work already undertaken on safeguarding children. The Adult, Community Services and Health Overview and Scrutiny Panel had requested that the Safeguarding Vulnerable Adults Manager and Independent Chair of the Safeguarding Board positions be filled as soon as possible. The Lead Member for Adult and Community Services confirmed that both would be advertised on 9 April 2009. The Lead Member for Finance highlighted that money had been allocated in the budget process to cover both posts.

**RESOLVED: That:**

- i) The multi-agency work led by Adult Services to safeguard vulnerable adults be noted.**
- ii) The establishment of a Safeguarding Board for Adults within the Royal Borough be supported.**
- iii) The Strategic Director for Adult and Community Services and the Lead Member for Adult and Community Services be authorised to appoint an Independent Chair of the Safeguarding Board in cooperation with key partners on a sessional basis for 2 years.**
- iv) The establishment of a Safeguarding Vulnerable Adults Manager within Adult Social Services who will also be the responsible officer for the co-ordination of DOL's (Deprivation of Liberty) work be approved.**

Children's Services  
Best Kept School Competition

Cabinet considered the introduction of a Best Kept School competition as part of the commitment to provide the best possible learning environments for young people in the Borough. It was well known that children and young people learned best when their surroundings are clean and well maintained. The proposed competition would encourage staff, pupils and families to identify any problems with litter, graffiti and vandalism on their school site, and work together to make improvements

Cabinet considered the proposal that the Director of Children's Services in conjunction with Headteachers, would work to develop criteria for judging the competition, the first phase of which would be for secondary and middle schools and would take place in academic year 2008/09. The winning school would attract positive media interest, and would receive a visit from the Leader of the Council. Members were advised that if the competition was a success, it could be extended to include primary schools.

Councillor Werner welcomed the proposal and suggested that during the second phase, schools could be expected to also maintain the area outside the school gates, which was visible to local residents.

Councillor J Evans, as Chairman of the Children's Services Overview and Scrutiny Panel advised that the Panel had endorsed the proposal but suggested that the

competition should be referred to as the 'Best Kept Secondary School', until it was rolled out to primary schools in the following year. The Lead Member for Children's Services responded that this could not be done as both middle and secondary schools would be involved in this academic year's competition. She also stated that a press release about the competition clearly stated that the area outside a school would also be assessed as part of the competition. All schools would be formally visited for assessment purposes and the results of the competition be made public. The Lead Member for Community Partnerships confirmed that all schools would also be approached to become involved in the Adopt-a-Street Scheme

**RESOLVED: That the Director of Children's Services be asked to liaise with Headteachers of middle and secondary schools to establish criteria and timescales for the Best Kept School competition, to be completed within the academic year 2008/09.**

#### Communication and Interaction Review: Developing Provision for Children with Speech and Language Difficulties and Autism

Members recalled the decision of Cabinet in March 2008 to undertake a public consultation on the outline of a service to replace current arrangements in the authority's schools for children with difficulties in communication and interaction (i.e. speech and language difficulties, autism and related difficulties).

Members were advised that the *Special Educational Needs Code of Practice* (2001) categorised various special educational needs, and applied the term 'communication and interaction' to difficulties and disorders such as autism and speech & language. The experience of the Royal Borough and many authorities was that such difficulties, together with related difficulties, had similarities with each other; that there was an overlap of agencies whose specialisms were appropriate for the children involved; and indeed that there were similarities of approach to many of the children with such difficulties. At present, children with such difficulties were assisted by a number of different agencies within the Royal Borough.

Members noted the feedback received as a result of the consultation that took place in the summer of 2008. The Lead Member for Children's Services highlighted that a pattern of responses was clear, dependent on the category of respondent (parent, teacher, member of the public etc.).

**RESOLVED: That the results of the public consultation on the Communication and Interaction Review, as set out in the two appendices to the report, be noted**

#### Building Schools for the Future

Cabinet considered the new national timetable for Building Schools for the Future (BSF) and the implications for the Royal Borough. It was noted that the main BSF programme for the Borough was thought to be still some way off, but in Spring 2008 the Government had reviewed the delivery of BSF and concluded that many local authorities simply did not have the capacity to implement projects involving large numbers of secondary schools at a time. Local authorities were invited, therefore, to submit revised 'submissions of interest' based on smaller groupings of schools by the end of November 2008. This was considered by the Cabinet on 23 October 2008

and it was recommended that a revised expression of interest be submitted, and that it should initially be focused on the five Maidenhead secondary schools. The expression of interest also identified a follow-on project for the Ascot/Windsor schools that start later on.

The DCSF wrote to all local authorities on 2 March 2009 with their indicative prioritisation of the revised national programme for BSF. In this letter the DCSF emphasised that the lists were preliminary and that the actual order in which projects would be started in BSF would take into account a range of other factors. The most crucial would be where authorities were unable to demonstrate readiness to deliver, and so requested a delay to their start. It was anticipated that 40 authorities from the DCSF list would be invited to submit 'readiness to deliver' documentation this year, and a similar number next year. Members were advised that the Royal Borough should expect to be invited to enter the programme, but proving readiness to deliver, early in 2011. It was noted that a start in 2011 would allow greater time for planning of the programme, but would also delay implementation.

The Lead Member for Children's services highlighted the support available to the Borough from 4ps, a Local Government Authority body, in particular with regard to finances. It was noted that the likely cost for the first year of the project was £200,000 to reach the next stage of the bidding process. The Lead Member referred to the comments of the Children's Services and Overview and Scrutiny Panel, which had conceded that there should be some degree of caution, but that BSF was an opportunity which should not be missed.

Councillor D Wilson stated his support for the BSF programme and highlighted the need for significant works at Maidenhead secondary schools including refurbishment, and in some cases demolition and rebuild. Councillor Werner also welcomed the report and agreed a bid should be made for funding. He asked how the 10% to cover the affordability gap would be phased.

The Lead Member for Children's Services stated that the financial details were as yet unclear, but would be looked at as part of the preparatory work. The Lead Member for Adult and Community Services stated that the process clearly demonstrated the Council's desire for step change as described in the AAIL. The Lead Member for Finance agreed that BSF was an opportunity not to be missed.

**RESOLVED: That:**

- i) **The Royal Borough commits to the necessary initial preparatory work to allow the authority, if so invited, to submit Readiness to Deliver documentation in early 2010.**
- ii) **The financing of the initial preparatory work to be agreed by the Leader, the Lead Member for Children's Services, the Lead Member for Finance, the Corporate Director for Children's Services and the Head of Finance.**
- iii) **The Royal Borough commits to developing specific proposals for achieving educational transformation through the BSF programme in the Borough's secondary, middle and upper schools. The responses to the consultation will play a key role in the development of those proposals.**

## Determination of School Admission Arrangements (Admission of Rising 5s) September 2010

Cabinet considered the proposal to admit 'rising 5s' to Borough schools. Members noted that local authorities were required to consult annually upon, and then to determine, their school admission arrangements. Following the resolutions of Cabinet in May and December 2008, the most recent consultation included the principle of admitting children aged 5 full-time to mainstream schools twice a year ('rising 5s'). Members noted the responses received to the consultation, the majority of whom were supportive of the proposal to admit rising 5s. Members were advised that, as a result of comments received, a sentence had been inserted to clarify that provision be made to ensure that pupils born between 1 May 2005 and 31 August 2005 would not be disadvantaged by the proposal to introduce 'rising 5s'.

The Lead Member for Children's Services stated that, although desirable, it had not been possible to implement the change to admission of rising 5s for September 2009 as the process for changing admission criteria was lengthy. Parental concern for children who reached the age of 4 years late in the academic year had been addressed by allowing more than one point of entry. She confirmed that no family would lose a place at the school of their choice if they decided to defer entry until their child reached the age of 5.

Councillor Werner welcomed the proposal, particularly for summer-born children. The Lead Member for Finance confirmed that capital costs would come from the Primary School Strategy, but revenue costs would need to be found from Council funds.

**RESOLVED: That the proposal to admit children as 'rising 5s' to school be adopted for September 2010.**

## Determination of School Admission Arrangements (Changes to Maidenhead Secondary School Designated Areas) September 2010

Cabinet considered a proposal to change the designated areas for secondary schools in Maidenhead. Members noted that consultation had taken place on three possibilities. Option 1: to retain most of the current boundaries but to introduce different tiers of designated area; Option 2: to extend the designated areas of three of the schools to cover the whole of Maidenhead with the other two schools taking the areas north and south of the A4 respectively; and to retain the status quo. However, in the course of the consultation a further option emerged, referred to in the report as Option 3, which was to make all five schools share the whole of Maidenhead as one designated area. The Lead Member for Children's Services confirmed that Option 2 was the preferred option. She believed that the third option suggested during the consultation could be disadvantageous if one of the two schools in the north or south received an excellent Ofsted report or exam results compared to the other.

Members noted the results of the consultation: Amongst those connected with Maidenhead schools, 26% were in favour of Option 1, and 39% were in favour of Option 2. The proportion favouring the status quo was 12%. 6% suggested an alternative, while the remaining 17% were either 'don't know' or not indicated. The level of support varied widely from school to school. The proportion favouring the status quo or Option 1 (which was a refined version of the status quo) was roughly comparable to those supporting Option 2. Additionally, the message from the three Maidenhead secondary schools that responded was that more detailed modelling

work would need to be undertaken before change could be effected. A number of respondents suggest that Option 2 would be fairer or simpler, but many suggested that the five Maidenhead schools should share one designated area covering the whole of Maidenhead.

Councillor J Evans, as Chairman of the Children's Services Overview and Scrutiny Panel, advised Members that the Panel had received submissions from two Maidenhead secondary headteachers at the meeting who strongly advocated Option 3. The Head of Furze Platt Senior School had submitted a letter to the Panel detailing her concerns that parents may not have realised the significance of the section of the consultation relating to designated areas, as it was included at the back of the consultation document. The majority of the Panel agreed with the views of the two headteachers and suggested that the changes should be deferred for one year to enable further consultation and modelling to be done.

Councillor D. Wilson stated that he supported Option 2 which he believed would provide the best choice for all, particularly those who wished their children to attend a single-sex school. Councillor Werner urged that the changes should be deferred for one year until the implications of the BSF programme had become clear. The Chairman pointed out that the BSF programme would take 5-10 years to implement. The Lead Member for Adult and Community Services agreed that the changes should be implemented as soon as possible, rather than delaying benefits to residents.

**RESOLVED: That the Designated Area Option 2 as shown on the map attached to the report be adopted with effect from September 2010.**

#### Admissions to School, September 2010 – Charters School, Ascot

Cabinet considered the admission criteria for Charters School in Ascot. At the time of the Borough's most recent public consultation, it was thought that Charters School in Ascot held Trust status and was therefore responsible for formulating its own criteria and carrying out its own consultation, which it had done. However, it now appeared that Charters School did not hold this status, and so determination of its admissions criteria and procedures reverted to RBWM.

The public consultation undertaken by Charters School had elevated Sports Status to a higher position than had been the case when the criteria were a matter for determination by RBWM. The report proposed to place Sports Status in its former position. However it was now felt that, as Charters would be likely to attain Trust Status the following year, this amendment should be allowed and Sports Status should be listed as category C. It was however proposed that in accordance with other RBWM secondary schools, presence of an elder sibling in the sixth form should not be a qualification for sibling status with regard to a younger sibling.

**RESOLVED: That the Admissions Criteria as attached to the report be adopted as Charters' School's Admissions Criteria for entry in September 2010 and made subject to the Royal Borough's admission procedures, subject to the amendment that Sports Status be listed as category C in the admission criteria.**

## Determination of School Admission Arrangements (Criteria and Procedures) September 2010

Cabinet considered the results of the annual consultation on general admission arrangements, and in particular the criteria and procedures. As a result of the public and other comments received, the following principal changes were proposed:

- A feeder infant to junior school criterion to be added;
- For the secondary voluntary controlled school, the new denominational criterion to be moved from above to beneath the feeder school criterion.
- In addition, provision be made to ensure that pupils born between 1 May 2005 and 31 August 2005 were not disadvantaged by the proposal to introduce 'rising 5s', which was subject to an report considered earlier in the agenda.

Members noted that the majority of responses had been in relation to the issue of 'rising 5s'. However, a few comments were received on the criteria: in particular these warned of the importance of allowing deferred entry, as was already set out in the admission arrangements.

Councillor J Evans, as Chairman of the Children's Services Overview and Scrutiny Panel, referred to the Panel's comment that references to 'as the crow flies' should be replaced with a more exact form of wording. The Lead Member for Children's Services agreed to consider this suggestion.

### **RESOLVED: That:**

- i) The proposed school admission arrangements including the admissions criteria be adopted for September 2010**
- ii) Authority be delegated to the Director of Children's Services, in conjunction with the Lead Member for Children's Services, to make final amendments to the Admissions Criteria document in relation to Charters Trust Status and references to 'as the crow flies'.**

## Deputy Chairman and Finance Service Monitoring

Cabinet considered the current Council performance in relation to the revenue and capital outturn projections and the slippage in capital schemes for inclusion in a revised capital programme for 2008/09. The Lead Member updated Cabinet on the current position in relation to the service areas, and also reported on the current position in relation to slippages in the Capital Programme

The Lead Member for Finance reported that Services were currently projecting expenditure of £86,448k (up £118k since last month's £86,330k). The approved estimate was £86,303k (up £206k from last month's £86,097k). The expected overspend was therefore £145k (last month: £233k. General balances at year-end were projected to be £4.676m (last month £5.949m). The approved capital programme had increased by £1.344m since last month to £27.713m, which was funded by grants and contributions.

The Lead Member for Finance reported an overspend in Children Services (up to £468,000) as a result of Home to School Transport, however this was offset by an underspend in Adult Services which had risen to £400,000. The Community Services budget overspend totalled £95,000, mainly as a result of lower than expected parking income. Corporate Services had reported an underspend of £3,000. Council tax collection rates had reduced and were now 0.36% behind last year and 0.66% below target. Business collection rates were holding up. Members noted that the Council had received provisional notification that ACAS had recommended an additional 0.3% pay award for 2008-09 for non-teaching staff which was estimated would cost an additional £200,000 for which a supplementary estimate was recommended.

The Lead Member for Finance referred to a suggestion that Council budgets should be set to cope with the worst-case scenario, for example in relation to potholes. He highlighted that such a decision would lead to higher Council tax for residents and possible spending by departments with excess funding on issues other than Council priorities. He stated that for this reason, the Council would manage the impact of the recession outside of the budget process, as detailed in recommendation iv). This policy would ensure funding was focussed where needed and had enabled the Council to set the lowest Council Tax aside of nine London Boroughs.

The Lead Member for Finance advised that CSC performance was good; call-answering targets had been met and call-handling times had improved. There was now no problem with staff retention which had helped to improve the overall level of service and cut training costs.

**RESOLVED: That:**

- i) The provisional revenue and capital outturn figures be noted.**
- ii) The budget variations contained in section 3.4 be approved.**
- iii) The provision for additional staffing costs of £200k per section 3.8 be approved.**
- iv) The transfer of £1.2m of funds to an “economic contingency reserve” per the budget report to Council on 24<sup>th</sup> February 2009 be noted.**
- v) The capital programme variances and slippage identified in Appendix C be approved.**

Mobile Library Service Review

Although this item was discussed in Part II of the meeting due to the disclosure of exempt information as defined in Paragraph 2 of Part I of Schedule 12A of the Local Government Act 1972, it was agreed that part of the decision taken should be minuted in Part I.

Cabinet considered changes to the Borough's mobile library service.

**RESOLVED: That:**

- i) All routes be reviewed, and Public and Homes Services be combined into one three-weekly service.**
- ii) MLS vehicle be made 'live' on the SPYDUS computer based Library Management system.**

LOCAL GOVERNMENT ACT 1972 – EXCLUSION OF THE PUBLIC

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 8 and 9 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.