

COUNCIL AGENDA

To:- The Members of the Staffordshire County Council

Notice is given that the meeting of the Staffordshire County Council will be held in the Council Chamber, County Buildings, Stafford at 10.00 am on Friday, 15 March 2013 to deal with the matters set out on the agenda.

Nick Bell
Chief Executive
7 March 2013

AGENDA

(Note: The meeting will begin with prayers)

PART ONE

General Housekeeping and Declaring an Interest

1. **Apologies for absence (if any)**
2. **Declarations of Interest under Standing Order 16**
3. **Confirmation of the minutes of the Council meeting held on 15 February 2013**
(Pages 5 - 24)

4. **Chairman's Correspondence**

The Chairman will mention a range of recent items of news which may be of interest to Members

5. **Statement of the Leader of the Council** (Pages 25 - 28)

The Leader will inform the Council about his work and his plans for the Council, and will give an overview of decisions taken by the Cabinet (and Portfolio Holders) since the previous meeting of the Council

6. **Questions**

Questions to be asked by Members of the County Council of the Leader of the Council, a Cabinet Member, or a Chairman of a non-Scrutiny Committee. The question will be answered by the relevant Member and the Member asking the question may then ask a follow up question which will also be answered

7. **Recommendations of the Council** (Pages 29 - 44)

8. **Proposed Changes to the Constitution - Transfer of Public Health to the County Council and Establishment of the Health and Wellbeing Board** (Pages 45 - 68)

Report of the Director of Democracy, Law and Transformation

9. **Report of the Chairman of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority** (Pages 69 - 70)

10. **Report of the Chairman of the Staffordshire Police and Crime Panel (report to follow)**

11. **Petitions**

An opportunity for Members to present and speak on petitions submitted by their constituents

12. **Exclusion of the Public**

The Chairman of the Council will move the following motion so that the County Council can consider confidential business in private:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below”.

PART TWO

(All reports in this section are on pink paper)

Nil

NOTICES FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

2. Attendance Record

Please sign the Attendance Record Book, which will be located at the top of the main staircase. Please ensure that the book is signed again in the afternoon if you are attending the adjourned Council meeting.

3. Mobile Phones

Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

Refreshments will be available from 9.30 am.

5. Questions

Questions must be addressed to the Chairman, or to the Leader of the Council or to a Portfolio Holder or to the Chairman of a Committee. Notice in writing of any question must be delivered to the office of the Chief Executive by no later than 1:00 pm on the third working day preceding the Council Meeting i.e. **by not later than 1:00 pm on Tuesday, 12 March 2013**. All questions and answers will be circulated around the Chamber before the commencement of the meeting. The questioner will be invited to read out his/her question. Similarly, the person responding will read out the reply. The Chairman will then permit the questioner to ask one supplementary question on each question/answer. Only the first 15 questions received by the Director of Law and Democracy before the deadline will be dealt with at the Council meeting. Further information on Questions can be found in Paragraph 8 of Section 11 of the Constitution.

NB. Questions for the County Council meeting on 16 May 2013 must reach the Chief Executive by not later than 1:00 pm on Monday, 13 May 2013.

6. Notices of Motion

A Notice of Motion must reach the Chief Executive nine clear days before the relevant Meeting of the Council, i.e. **by not later than midnight on Tuesday, 5 March 2013**. Further information on Notices of Motion can be found in Paragraph 11 of Section 11 of the Constitution.

NB. Under the new arrangements approved by the Council on 20 May 2010, Notices of Motion for the County Council meeting on 16 May 2013 must reach the Chief Executive by not later than midnight on Monday, 6 May 2013.

GUIDANCE ON DECLARING DISCLOSABLE PECUNIARY INTERESTS AT MEETINGS - WHAT SHOULD YOU SAY

DEFINITION OF WHAT IS A DISCLOSABLE PECUNIARY INTEREST

A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner, ie your spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners, (but only where you are aware that your partner has the interest) within the following descriptions:

SUBJECT	DESCRIPTION
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from Staffordshire County Council) made or provided within the relevant period in respect of any expenses incurred by you or your partner in connection with you carrying out duties as a member or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and Staffordshire County Council- (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of Staffordshire County Council
Licences	Any licence (alone or jointly with others) to occupy land in the area of Staffordshire County Council for a month or longer
Corporate Tenancies	Any tenancy where (to your knowledge) (a) the landlord is Staffordshire County Council and (b) the tenant is a body in which you or your partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where- (a) that body (to your knowledge) has a place of business or land in the area of Staffordshire County Council; and (b) either- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class

WHAT SHOULD YOU SAY?

If you also have a Disclosable Pecuniary Interest you must notify the Chairman of that interest and withdraw from the room when the matter is being discussed.

An example of what you should say

"I have a disclosable pecuniary interest in item number..... on the agenda. The interest is I shall leave the room when that matter is being discussed"

DECLARING INTERESTS AT FULL COUNCIL

The Code of Conduct only requires that disclosable pecuniary interests are declared where the matter to which the interest relates is being considered. Some items will be mentioned in the papers for Full Council but are not actually being considered by Full Council. In particular, some items are mentioned in the Leader's Statement as having been dealt with in Cabinet but are not actually mentioned or discussed at full Council. In such circumstances the Monitoring Officer's advice to members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the member has an interest is specifically mentioned or discussed at the Council meeting.

Minutes of the County Council Meeting held on 15 February 2013

Present:

Attendance		
Ben Adams	Veronica Downes	Mary Maxfield
Paul Atkins	Janet Eagland	Geoff Morrison
Philip Atkins	Ray Easton	David Nixon
Ray Barron	Terry Finn	Jeremy Oates
Erica Bayliss	John Francis	Michael Oates
John Bernard	Bob Fraser	Ian Parry
Len Bloomer	Gill Heath	Kath Perry
Henry Butter	Mark Heenan	John Rowley
Frank Chapman	Derrick Huckfield	Liz Staples
Ron Clarke	Christina Jebb	Stephen Sweeney
John Cooper	Phil Jones	Simon Tagg
Tim Corbett	Philip Jones	Steve Tranter
Pat Corfield	Mike Lawrence	Alan White
Dylis Cornes	Ian Lawson (Chairman)	Mark Winnington
Peter Davies	Geoff Locke	Mike Worthington
Derek Davis, OBE	Robert Marshall	
William Day	Geoffrey Martin	

Apologies for absence: Lee Bates, Brian Edwards, Matthew Ellis, Kathy Lamb, Frank Lewis, MBE, Mike Maryon, Robert Reade and Rex Roberts, OBE

PART ONE

41. Confirmation of the minutes of the Council meeting held on 13 December 2012

RESOLVED – That the minutes of the meeting of the Council held on 13 December 2012 be confirmed.

42. Chairman's Correspondence

County Councillor Brian Beale

The Chairman informed the Council of the death, on 26 December 2012, of County Councillor Brian Beale.

Mr Beale was elected to the County Council in 2009 and represented the Stoneydelph (Tamworth) County Electoral Division. He served on the Social Care Scrutiny Committee, Pensions Committee, Assets and Budget Scrutiny Committee, Corporate Parenting Panel and the South East Local Member Focus Event.

Members paid tribute to the contribution made by Mr Beale and observed a one minute silence in his memory.

Queen's New Year's Honours List

Members were informed that Michael Cunningham, the Chief Constable for Staffordshire, had been awarded a Queen's Police Medal for Distinguished Service in the New Year's Honours List 2013. In addition, Constable Andrew Whitehall was awarded a MBE for services to young people in Stone, Staffordshire.

Olympian Anna Watkins from Leek, who won a gold medal with rowing partner Katherine Granger in the double sculls rowing final, was also awarded a MBE.

German War Graves Exchange Visit to Bremen

The Chairman informed the Council that between 24 and 26 January 2013, he, together with two other Members of the Authority, had the honour of representing the Council at the 49th "Music Show of the Nations" in Bremen, Germany. The Music Show was held annually in aid of the German War Graves Commission.

County Council Elections – Information for Prospective Candidates

The Council were informed that, at their meeting on 12 February, the Members' Services Development Panel considered a draft document "So You Want to be a Staffordshire County Councillor", which was intended to help prospective candidates understand a little more about the role of a frontline councillor and how the council works. The Panel felt that this was a very helpful and informative document, and requested that all members be given a copy which they may wish to pass on to anyone expressing an interest in the work of a County Councillor. The booklet would also be included in the packs provided to candidates by the District/Borough Councils and made available on-line.

Catherine Raines

The Chairman informed the Council that on 15 February 2013 Catherine Raines, the Council's Deputy Chief Executive and Director for Place was to leave the Authority to take up a role with the UK Government in China.

Members paid tribute to the valuable contribution made by Dr Raines during the time she had been with the County Council and wished her well in her new role.

43. Strategic Plan 2013 - 2018

The Leader presented to the Council the Strategic Plan 2013-2018.

Members noted that the Strategic Plan was a high level plan, setting out the County Council's priorities and aims for the next five years. The Plan provided a focus for the organisation and ensured that the Council's resources were directed towards the delivery of the following cross-cutting outcomes:

- Staffordshire's people have the knowledge, skills, aspirations and qualifications to prosper and meet needs of the modern economy;

- Staffordshire is a place where people can live safely - increasingly free from crime, the causes of crime and the fear of crime;
- In Staffordshire's communities people are able to live independent and safe lives, supported where this is required;
- Staffordshire is a place where people live longer, healthier and fulfilling lives;
- Staffordshire's children and young people can get the best start in life and receive a good education so that they can make a positive contribution to their communities;
- Staffordshire is a place where people can easily and safely access everyday facilities and activities through the highways and transport networks;
- Staffordshire's communities can access, enjoy and benefit from a range of learning, recreational and cultural activities;
- Staffordshire's people are involved in shaping their quality of life;
- Staffordshire's communities proactively tackle climate change, gaining financial benefit and reducing carbon emissions.

These outcomes were underpinned by the Council's 'Core Values' of:

- Customer and citizen focus
- Listening and responding to local needs
- Encouraging personal responsibility while protecting those who need us
- Prepared to be bold and to show leadership, and
- Provide efficiency and economy through innovation

In addition to the above, the County Council was committed to ensuring that management and support services were provided in the most cost effective manner.

The Strategic Plan would be delivered through, and underpinned by, the Council's planning framework which set out detailed measures, targets and activities that would help to deliver the priorities contained within the Strategic Plan.

Mr Marshall outlined the ways in which the Council was working to reduce crime levels and to improve the health of Staffordshire residents.

Mr Philip E. Jones spoke about the need for the Council to use its financial resources wisely and stressed that it was less about how much money was available and more about the way in which it was used.

Mrs Jebb welcomed the clarity in the Strategic Plan.

Mr Atkins responded by thanking Members for their comments.

RESOLVED – (a) That the Strategic Plan 2013-2018 be adopted.

(b) That the Chief Executive, in consultation with the Leader of the County Council, be authorised to make any minor amendments to the Strategic Plan 2013-2018.

44. Medium Term Financial Strategy 2013/18 and 2013/14 Budget and Council Tax

The Council received a joint report by the Leader of the Council and the Cabinet Member for Education, Finance and Transformation on the Medium Term Financial Strategy (MTFS) 2013/18 and 2013/14 Budget and Council Tax proposals.

Mr Atkins expressed his thanks to those members of staff who had assisted in the development of the MTFS and also in finding new and innovative ways of working. He also expressed his thanks to the Chairman and Members of the Assets and Budget Select Committee for the robust manner in which they had challenged and questioned Cabinet Members during their scrutiny of the MTFS/budget proposals.

Mrs Jebb moved, and Mr Day seconded, the following amendment:

“That the recommendations set out in paragraph 1 of the report be amended as follows:

(b) (ii) revised planning forecasts for 2014/15 to 2017/18 as set out in the revised Appendix 13 (attached).”

Mrs Jebb indicated that the proposal was not a comprehensive alternative budget; rather, it was a specific proposal to make an investment into highways in rural areas to improve accessibility for both businesses and individuals. This would not only improve economic prosperity but would also increase independence for more vulnerable residents in rural areas. The proposal provided for a further £10m investment in highways in rural areas. The funding would be carefully targeted to focus on rural areas whilst generating savings in future years. Therefore the proposal was to invest £5m a year for the first two years of the MTFS on an “invest to save” basis.

The investment would be funded from borrowing initially and the savings generated would fund the costs of borrowing.

In responding to the proposed amendment, several members indicated the proposals should have been raised during the scrutiny of the MTFS in order that they could receive proper consideration. Mr White also referred to the significant investment that had been made in highway maintenance in recent years. Mrs Jebb responded that expenditure on highway maintenance was largely targeted at urban areas and that the proposals set out in her proposed amendment to the budget would go some way to addressing the deteriorating condition of rural roads and to put right the damage caused by the recent adverse weather.

Members debated the amendment and, following a vote, the Chairman declared the amendment lost.

RESOLVED – (a) That the following be approved:

- (i) a net revenue budget of £521.569m for 2013/14 as set out in Appendix 13;
- (ii) planning forecasts for 2014/15 to 2017/18 as set out in Appendix 13;
- (iii) a contingency provision of £2m for 2013/14;
- (iv) a net contribution from general reserves of £10.267m for 2013/14;
- (v) a budget requirement of £507.818m for 2013/14;
- (vi) a council tax requirement of £266.448m for 2013/14;
- (vii) a council tax at Band D of £1,027.25 for 2013/14 which is a reduction of 0.1% when compared to 2012/13. This results in council tax for each category of dwelling as set out in the table below:

Category of dwelling	Council Tax rate £
Band A	684.83
Band B	798.97
Band C	913.11
Band D	1,027.25
Band E	1,255.53
Band F	1,483.81
Band G	1,712.08
Band H	2,054.50

- (viii) that the Director of Finance and Resources be authorised to sign precept notices on the billing authorities respectively liable for the total precept payable and that each notice state the total precept payable and the council tax in relation to each category of dwelling as calculated in accordance with statutory requirements;
- (ix) the Capital Programme set out in Appendix 10;
- (x) the Prudential Indicators set out in Appendix 11;
- (xi) the Authorised Limit for external debt determined for 2013/14 as detailed in Appendix 11 referred to above will be the statutory limit determined under Section 3(1) of the Local Government Act 2003;
- (xii) the Financial Health Indicators set out in Appendix 16;
- (xiii) that we continue to develop the Strategic Plan and the Medium Term Financial Strategy on the basis of a 2% increase in council tax in 2014/15 and future years and that services continue to develop their medium term plans on the basis of the planning forecasts set out in Appendix 13 of the report.

(b) That the Director of Finance and Resources' comments in respect of the adequacy of reserves and robustness of the budget set out in the report be noted.

(c) That the Director of Finance and Resources be authorised to adjust the contingency provision to reflect any grant changes announced in the final 2013/14 Local Government Finance Settlement.

(d) That it be noted that Cabinet have requested the Innovation and Efficiency Board to continue its work to identify further savings in 2014/15 and 2015/16.

45. Statement of the Leader of the Council

The Leader of the Council presented a Statement outlining his recent work and an overview of decisions taken by the Cabinet (and Portfolio Holders) since the previous meeting of the Council.

Building a Beautiful Staffordshire

(Paragraph 1.2 of the Statement)

Members welcomed the proposed approach to enhance the built county, through both the Manual for Streets and Railway Station projects. Several Members commented on the need for the Council to use its influence to secure improvements to several railway stations in the County so as to enable all platforms to be accessible by disabled persons, particularly those confined to a wheelchair. Mrs Maxfield also praised the work of the volunteers who had carried out work to increase the attractiveness of Kidsgrove Railway Station.

Staffordshire Rural Declaration

(Paragraph 1.3 of the Statement)

Several members spoke in support of the Council's commitment to work with others to create thriving rural communities. Mr Winnington thanked Members for their comments and undertook to keep them informed of the progress in relation to the roll-out of Superfast Broadband across Staffordshire.

Staffordshire Hoard

(Paragraph 1.4 of the Statement)

Members welcomed the news that a further 90 pieces of historic gold had recently been uncovered, to add to the 3,500 pieces found in 2009. Mr Corfield added that work now needed to start on raising the money to be able to acquire these additional pieces in order that they could be retained in the region.

Redhill Employment Land – Revised Financial Implications

(Paragraph 2.1 of the Statement)

Messrs Baron, Cooper and Francis indicated that they welcomed the investment by the County Council to create a 41 acre mixed use employment site at Redhill. Mr Winnington thanked the Members for their comments and indicated that it was anticipated that the site would attract businesses which offered skilled jobs.

Determination of Statutory Proposal to Close Flash CE (VC) Primary School
(Paragraph 2.2 of the Statement)

Mrs Heath extended her thanks to those Members and officers who had been involved in the discussions around the future of Flash CE (VC) Primary School for the caring and considerate way in which they had dealt with the issues around the falling roll at the school which had ultimately led to its closure. Mrs Jebb also paid tribute to Mrs Heath for the manner in which she had represented the parents of pupils at the school.

Burton upon Trent Primary School Places Strategy: Outcome of Consultation on a Proposal to Enlarge River View Primary and Nursery School
(Paragraph 2.3 of the Statement)

Mr Davies commended the Council on the swift action it had taken to meet the anticipated increase in demand for Nursery and Primary School places in Burton. Mrs Staples thanked Mr Davies for his comments and added that the increase in the birth rate in the area would also, in time, have an impact on the demand for secondary School places in the area.

The Chairman adjourned the meeting at 1:00 pm

Present at 2:00 pm:

Philip Atkins	Janet Eagland	Robert Marshall
Ray Barron	Terry Finn	Geoffrey Martin
Erica Bayliss	John Francis	Geoff Morrison
John Bernard	Bob Fraser	Michael Oates
Len Bloomer	Gill Heath	Ian Parry
Frank Chapman	Derrick Huckfield	John Rowley
Ron Clarke	Christina Jebb	Liz Staples
John Cooper	Philip E Jones	Stephen Sweeney
Pat Corfield	Mike Lawrence	Simon Tagg
Dylis Cornes	Ian Lawson	Alan White
Peter Davies	Geoff Locke	Mark Winnington
Veronica Downes		

Adoption of Revised Civil Contingencies Policy for Staffordshire County Council
(Paragraph 3.1 of the Statement)

Mrs Heath paid tribute to the work of the Highways Maintenance Teams for the manner in which they had dealt with the winter weather and the recent flooding issues.

Portfolio Holder Delegated Decisions – Development at Stone Road, Stafford
(Paragraph 3.3 of the Statement)

Several Members welcomed the proposals for the development of the Stone Road site in Stafford town centre which would deliver some key services to the local community.

RESOLVED – That the Statement of the Leader of the Council be received.

46. Questions

Mr. Davies asked the following question of the Cabinet Member for Education, Finance and Transformation:

Question

“In a written statement issued on 19th December 2012 by Brandon Lewis, Under Secretary of State for Communities & Local Government, it was proposed to remove access to the Local Government Pension Scheme for councillors. Subject to a consultation, the Government proposes that the councillor section of the Local Government Pension Scheme be closed from 31st March 2014. The consultation on this issue is promised “in due course.” This first came to light in the January 2013 edition of FOCUS newsletter, issued by Staffordshire Pension Fund. In the statement, Mr Lewis argues that councillors “are volunteers undertaking public service” and that “they are not professional, full-time politicians.” He believes that the membership of the Pension Scheme by councillors “is a corrosive influence on local democracy and independent thought,” and should not be part-funded from the public purse. It should be pointed out that the proposal does not apply to elected mayors, elected police commissioners, elected Greater London Assembly members or elected Members of Parliament, who will all continue to receive part-publicly funded pensions.

In any future consultation, will the Authority support the continued access to the Local Government Pension Scheme by councillors?”

Reply

“The Local Government pension scheme was opened to Councillors in 2003. Of the 62 members of this Council, 12 are currently members of the scheme.

The announcement of the consultation was unexpected and I have not seen the promised consultation paper. Rest assured when I do see it, I and my Cabinet colleagues will give it every consideration.

However, I can tell members of the Council now that the inference that local politicians are not as committed to improving their local communities and the lives of the people they serve, or as deserving of recognition as national politicians, is patronising. Whilst I cannot speak for all my Cabinet colleagues I expect that the response to the consultation will be that the scheme should remain open to local councillors. The scheme was originally introduced to encourage younger people to take up local politics, encourage them to give up their time to public service and to recognise the positive contribution they can make. That holds today as much as it did when the scheme was made available to Councillors in 2003. Councillors represent their local communities and I am very much in favour of encouraging a wide cross section of people to become involved in local politics.

In the meantime I can assure Members of the Council that I shall not be prematurely withdrawing those rights in advance of the consultation.”

Supplementary Question

“I believe that this is a further denigration by Central Government of local councillors and their contribution to local communities, would you agree?”

Reply

“There is a short answer and a long answer; and I’m going to give the long answer if that is okay? “Local Councillor” covers a multitude of roles from a parish councillor to an upper tier county or unitary authority councillor and I think the roles are very different. On larger district or borough councils, or upper tier councils, those duties are quite onerous and require full commitment. Certainly on upper tier councils, that commitment is quite significant. I would suggest that being a Cabinet Member of an upper tier authority, the commitment is twice as time consuming and challenging and responsible as any Member of Parliament’s. Certainly to be a Leader of an upper tier authority such as Staffordshire, is equivalent I would have said, to a Ministerial role in terms of the decision making responsibility on a daily basis. If you look at the rewards structure for councillors and particularly for leaders of upper tier authorities similar to this – eighth or ninth largest in the land with a £1bn budget – the responsibility of the Leader of the Council is certainly greater than the Police and Crime Commissioner and most elected mayors of small cities and certainly greater than any Member of Parliament and probably any Junior Ministerial role that you would find. But, who is the lowest paid out of all that lot - it’ll be the leader of a county council such as this. And to assume that we are on a level with, and no disrespect to them, Scout Masters is a real insult to us as locally elected politicians. It is a time consuming role and most of us as Cabinet Members and leading members of this authority work long hours on a daily basis. Furthermore, if you work out the pay structure, depending upon the number of hours you put in, it’s probably below the minimum wage; but we don’t do this for reward. I could earn a lot more than coming into this place on a daily basis. There is that element of voluntary service, but in doing so, I don’t expect to be trodden on or disrespected by Ministers who have no idea of what the role we take entails. So, that was the long answer; the short answer is yes, I agree.”

Mr. Locke asked the following question of the Cabinet Member for Environment and Assets:

Question

“What was the cost to the County Council of the recent repairs to Kidsgrove Swimming Pool and what does the Council envisage as the future of this facility?”

Reply

“The County Council has invested £262k in repairs to the swimming pool complex prior to its re-opening in Sep/Oct 2012

The swimming pool and the sports hall complex are managed under a tri party joint use agreement between the County Council, Clough Hall School and Newcastle Borough Council. The County Council have no financial interest as part of the joint use agreement and no voice under the agreement on how any revenues are used to operate and maintain the complex. The joint user agreement is in place until 2016.”

Supplementary Question

“I’m grateful for that reply and I’m particularly grateful for the £0.25m that the County has spent on repairing Kidsgrove swimming pool. Now the school of which the swimming pool and sports complex forms a part is possibly eligible for a partial rebuild in the not too distant future, so there is understandable interest locally as to what may happen to the swimming pool after 2016 and I wonder if the County Council has a view on that?”

Reply

“There are ongoing negotiations between the County Council and Newcastle-under-Lyme Borough Council about the whole of Newcastle; and I think that Clough Hall is a part of that negotiation and that discussion. And I know that the Leader of the County Council is very keen, and I’m very keen, that we work with Districts to put some sort of strategic plan together for the area for the betterment of Staffordshire. That is being done and I presume that when this comes to fruition we will all be informed as to what’s happening to Clough Hall.”

Mr. Locke asked the following question of the Cabinet Member for Education, Finance and Transformation:

Question

“What is the present state of progress regarding the proposal for Clough Hall Technology School, Kidsgrove, to obtain Church of England (Voluntary Aided) status?”

Reply

“The decision of Clough Hall Governing Body is to move forwards on the proposed conversion to Church of England voluntary aided status. A necessary part of the legal process of conversion is for the County Council to officially close Clough Hall through the publication and determination of a statutory proposal.

We are seeking further discussion with Clough Hall and the Lichfield Diocesan Board of Education to achieve a sustainable solution for the local community this will involve a review of secondary school provision in Kidsgrove. The review is conducted within the context of a 20% to 30% over provision of school places and would have the objective of providing a vision for a high quality, sustainable secondary education for all the young people of the town. The review would not take place in isolation and, in conjunction with the Borough Council, its scope would encompass a leisure and well-being strategy.

The proposed funding from the Department of Education (DfE) Priority Schools Building Programme would not be affected and the DfE have been advised of our intention to review provision.

The review will involve a number of stakeholders and be scheduled to begin in May.”

Supplementary Question

“This is a proposal that carries a level of popularity locally on the part of governors, staff, parents and local residents, and so I note that this consultation is to begin in May. I wonder if there is any idea as to when it might be completed.”

Reply

“It takes as long as it takes. There is a certain urgency about it, but we want to do it with full consultation. It’s a very sensitive area, education and schools, so we have to be very mindful of all the stakeholders and make sure that everybody is fully informed and has all the facts so we can sit down and discuss this properly. So it will take a little time; but we’ve started the process relatively early. There is a real need in Kidsgrove to look at provision very carefully, and we’ve got some real opportunities to do some good things there as we’ve done in other areas of the County to improve provision. So this is a great opportunity I think for Kidsgrove; we should look at it positively. This is not something that’s going to be done to you, it’s something we’re going to work on together to improve the provision of education in the town.”

Mr. Locke asked the following question of the Leader of the Council:

Question

“Following the First Reading of the Equality (Marriage) (Amendment) Bill and the Second Reading of the Marriage (Same Sex Couples) Bill, what consideration will the County Council Cabinet give to the safeguarding from disciplinary measures of any County employees (in particular registrars, teachers and social workers) who may have conscientious objection to same-sex marriage and for whom its propagation does not form part of their contract of employment?”

Reply

“In common with all relevant councils, Staffordshire has been conducting civil partnerships since December 2005. Conducting these ceremonies is in our registrars’ job descriptions, forming part of their contract of employment, and no staff objected when the new provisions came into effect. In light of this, the recent bills and the ability for same sex couples to have a civil marriage ceremony will have little or no impact on our Registration Service. The largest impact is on the clergy and religious groups who must now decide whether to conduct religious marriage ceremonies. With regards to teachers, individual schools set their own staffing policies and we are not in a position to speak for them.”

Supplementary Question

“May I home in on the last part of that reply? As I understand it, under the Education Act 1966, teachers are under an obligation to teach the nature of marriage. Now that’s a national obligation, it’s not just a local thing for individual schools. So if the definition of marriage changes, the nature of the obligation changes with it and I am concerned; will the County seek to protect those teachers who are happy to fulfil their existing obligations but may be unhappy and have conscientious objections if the nature of the obligation changes?”

Reply

“I am sure that Mr Locke is aware that, as Acts and Bills go through Parliament, there will be an opportunity for those issues he has raised to be debated in the Upper House.”

Mrs. Jebb asked the following question of the Cabinet Member for Highways and Transportation:

Question

“Further to requests made 12 months or more ago, what progress have you now made on ensuring information is readily available to all County Councillors about the nature and frequency of highways problems which are reported in their division?”

Reply

“Since 2009 we’ve made continual progress on improve the information available to Members on the nature and frequency of highways problems in their divisions. This includes: The Member’s Divisional Highway Programme and Neighbourhood Highway Team initiatives; internet availability of a weekly road works reports and detailed highways scheme progress reports and the provision of bespoke information for local Members as required.

1. The Member’s Divisional Highway Programme (DHP) has two core purposes:
 - The first of these is to ensure that strategic work programmes that deliver our Highways and Transport objectives such as like highway maintenance schemes, road safety projects and integrated transport measures are all communicated early and effectively to local Member’s. This also ensures that local Member’s have suitable opportunity to provide local democratic challenge and/or support as necessary; and
 - The second is to enable local highway matters identified within the community to be democratically prioritised by the local Member for progression by highways officers. Smaller schemes can be delivered completely at the Member’s discretion, but larger schemes (>£10k) require cost-benefit justification against the Council’s strategic highway and transport priorities.

2. The Neighbourhood Highway Team initiative was developed with input from Members and with the help of a steering group of Parish Councils to devolve the decision making for minor routine highway maintenance resources to a local level. Again this has helped to ensure that Member's are locally informed and minor routine maintenance works are prioritised locally.
3. A weekly road works report provides details of all programmed highway and utility works for the week ahead is now maintained on the County Council's website. Over the last few months we've been working hard on better ways to present all this information. In the next few weeks I will be launching a new IT based solution, which will enable elected representatives, the travelling public, transport authorities, emergency services and the haulage industry obtain real-time information about current *and* future roadworks.
4. Supporting all the above Community Highway Manager's and their local teams are available to support local Member's, helping to ensure they are kept informed on key highway issues or schemes. Information on the larger schemes is also maintained on the Council's website.
5. And finally, on request, the Community Highway team are also able to provide local Member's with a Divisional statistical reports from the 40,000 or so highway reports received by the County Council each year. "

Supplementary Question

"It rather disappoints me that elected members don't have a full, timely and comprehensive picture of highways problems reported in their division, not just road works and routine maintenance. There are several months between Division Highways Programme meetings and the Community Highways Team have got far more important things to do than to keep searching through databases of information to respond to Members questions and enquiries about a particular problem in a particular area where members of the public have reported or complained about an issue. Any problems that are reported to "Fix My Street" arrive in your inbox immediately so when will you offer the same level of notification to County Councillors?"

Reply

"I would suggest that Members go and see how the Customer First site works, how the phone calls are received into the system, and how the system of allocating jobs is there for all to see. I'm sure that Members don't want to be bombarded with the 40,000 or so emails and reports that we get. But if you understand the system, and how it interacts between the customer, the Community Liaison Managers and our contractors, I'm sure that we get to a satisfactory level where Members can assure the residents who ask them what is happening, they can inform them what is going to happen and when."

Mr. Francis asked the following question of the Cabinet Member for Public Health and Community Safety:

Question

“The Government is changing Public Health responsibility from the NHS to Local Authorities on 1 April 2013. Do you feel that we have the necessary resources to take on all of these new responsibilities?”

Reply

“The recently announced Public Health (PH) Grant Allocation will only just meet the new PH responsibilities coming to the County Council.

While the budgets are protected for public health purposes for a period of two years (£32,322 for 2013/14 and £33,313 for 2014/15) and showed uplift from the current spends, it is less than the target amount that we believe is required to adequately address the PH challenges in Staffordshire.

Based on the most recently published indicators of PH performances and outcomes, Staffordshire has considerable challenges and some key areas that require significant improvements (such as preventing early deaths from heart diseases, maternal smoking, breast feeding and childhood related illnesses, harm associated with alcohol and drugs). We are therefore starting from a lower baseline of our PH performances and outcomes than we should be.

This transfer of responsibilities does offer us an opportunity to drive local efforts and initiatives to improve public health outcomes by helping people live longer, healthier and more fulfilling lives, and tackling inequalities in health across Staffordshire.

The two-year ring fenced budget will allow us to have a clearer and better long-term plan to improve the public health outcomes of our people. We will do this through an objective process that would allow for the effective and efficient use of the resources to improve the desired outcomes.”

Supplementary Question

“In the light of starting from a lower base line, as mentioned in the third paragraph of his reply, does the Cabinet Member believe that the outcomes are achievable? Can the Cabinet Member assure me that we will have the resources and the money there to do the job?”

Reply

“The formula for providing grants to local authorities is, at the moment, based to a large extent on certain factors, one of the key factors being rate of mortality for under 75s. This formula is gradually going to change because, at the moment, Staffordshire is quite good at not having people die before the age of 75. So, in a sense, that is one reason that we are getting slightly less than we need. That is changing, and the weighting attached to that factor will get smaller as we go along. All I can say is that, with these many challenges, we have got to use that money as constructively and imaginatively as we possibly can to improve these various

outcomes. And, frankly, all of the services which public health will be commissioning in the future will not just be based on existing contracts. Everyone who gets a contract from now on will have a certain level of outcomes that they will have to meet. If they meet those targets then there is every chance that they will get those contracts the next time. If they don't meet those targets then, the next time the contract is awarded there is every likelihood that it will go to someone else. We've got to commission these services on the basis of "outcomes", not procedures."

Mr. J. Oates asked the following question of the Cabinet Member for Public Health and Community Safety:

Question

"If there were to be a Public Health disease outbreak in Staffordshire (such as Legionnaires disease or Measles etc) today, who / which organisation would take responsibility?"

Reply

"As of today and until the 31 March 2013, both the planning for dealing with an outbreak and the response arrangement for managing an outbreak remains the primary responsibility of the Staffordshire PCTs (discharged via the Director of Public Health-DPH) and with support from the Health Protection Agency.

From April 2013, the primary responsibility for planning and responding to such an outbreak rests with different organisations. The responsibilities for the planning stages will be shared between the Staffordshire Area Team of the NHS Commissioning Board and the County Council via the Local Health Resilience Partnership (LHRP). The LHRP will be co-chaired by the Director of Public Health (from the County Council) and the Director of Operations (from the NHSCB). Thus, overall accountability for ensuring that there are robust plans in place to deal with disease outbreak rests with both the NHSCB and the SCC.

The responsibilities for effective response and management of an outbreak will rest primarily on Public Health England and the NHS CB. The County Council's responsibility (to be discharged via the DPH) is to provide strategic leadership that will ensure:

- appropriate action and arrangements are in place;
- information and intelligence are communicated effectively to the local population and partners;
- escalating concerns and holding local partners to accounts on agreed actions;
- chairing (where appropriate) the outbreak control committee. Where the outbreak extends beyond one/two local authority boundaries, PHE may take the chairing seat."

Supplementary Question

"Please can you explain the difference between "responsibility" and "accountability"?"

Reply

“The best way I can try and describe the difference between “responsibility” and “accountability” would be to give you an example. If you take a local manufacturing business such as mine, if there is an accident with one of the presses, whilst it is the responsibility of the operator to put the tool in correctly, ultimately it is the owner of the business who is accountable for any accidents that happen. Accountability is where the “buck” ultimately stops.

In this case the “buck” would stop with Public Health England but we would have a lot of responsibility upon which we could be questioned if we had not carried out all our responsibilities correctly.”

47. Recommendations to the Council

(i) Bylaws Regulating the Employment of Children

Members were informed that the Staffordshire County Council Byelaws regulating the Employment of Children came into force 2 September 1998. A recent change in legislation has resulted in a need to update the Byelaws so as to bring them in line with national guidance.

RESOLVED – That the amended Bylaws (as appended to the report) be adopted.

(ii) Pay Policy Statement 2013/14 – Section 38 of the Localism Act 2011

The Council were informed that it was a legal requirement of the Localism Act 2011 for the County Council to have a Pay Policy statement which must be published annually before 31 March.

RESOLVED – That the Pay Policy Statement for 2013/14 (as appended to the report) be approved.

48. Report of the Chairman of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority

In presenting the report, Mr Bloomer indicated that whilst the Fire and Rescue Authority had resolved not to increase the level of Council Tax Precept for 2013/14, if the current weather patterns were to be repeated in future years, to continue to freeze the level of Council Tax in future years would not be sustainable.

RESOLVED – That the Periodic Report of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority be received.

49. Petitions

Mrs Bayliss presented a petition from local residents seeking the introduction of traffic calming measure along Mill Lane and Frog Lane, Little Aston.

Chairman

Proposed Net Budget 2013/14 and Planning Forecasts 2014/15 to 2017/18

	Proposed net budget 2013/14	Planning forecast 2014/15	Planning forecast 2015/16	Planning forecast 2016/17	Planning forecast 2017/18
	£m	£m	£m	£m	£m
People					
Care and Independence	210.172	205.041	200.162	195.600	197.600
Community Safety	2.823	2.848	2.946	3.000	3.100
Business Partner	3.413	3.377	3.481	3.500	3.600
Public Health and Wellbeing	0.322	0.278	(0.103)	(0.600)	(0.900)
Children, Young People and Families	97.032	93.084	88.453	85.900	83.300
Education and Skills	46.934	45.767	45.003	46.000	45.400
<i>Sub Total</i>	<i>360.696</i>	<i>350.395</i>	<i>339.942</i>	<i>333.400</i>	<i>332.100</i>
Place					
Built County	31.385	31.370	31.953	33.060	34.160
Rural County	2.486	2.565	2.634	2.700	2.800
Tourism & Cultural County	10.928	10.500	10.780	11.100	11.400
Business & Enterprise County	4.004	3.317	3.394	3.500	3.600
Sustainable County	23.665	20.784	21.200	21.700	22.000
Transport & Connected County	14.069	14.169	14.488	14.900	15.300
Economic Planning & Future Prosperity	0.528	0.536	0.550	0.600	0.700
Strategic Management Overheads	2.697	2.680	2.733	2.800	2.900
Property Consultancy & Transformation	(0.877)	(0.873)	(0.865)	(0.800)	(0.900)
<i>Sub Total</i>	<i>88.885</i>	<i>85.048</i>	<i>86.867</i>	<i>89.560</i>	<i>91.960</i>
Corporate/Support Services					
Finance and Resources	(1.369)	0.692	2.411	5.800	6.300
Law and Democracy	5.079	5.086	5.252	5.400	5.600

Strategy and Transformation	7.369	7.495	7.703	7.900	8.100
Customer Services and Communications	2.792	2.894	3.043	3.200	3.400
<i>Sub Total</i>	<i>13.871</i>	<i>16.167</i>	<i>18.409</i>	<i>22.300</i>	<i>23.400</i>
Service Total	463.452	451.610	445.218	445.260	447.460
Capital Financing	43.391	46.955	40.411	39.240	38.240
Centrally Controlled	12.726	12.873	13.236	13.600	14.000
Contingency	2.000	2.000	2.000	2.000	2.000
Net Revenue Budget	521.569	513.438	500.865	500.100	501.700
Use of Reserves	(10.267)	(7.518)	(0.791)	(2.900)	(2.800)
Use of Capital Reserves	(0.500)	(0.500)	(0.500)	(0.500)	(0.500)
Contribution to general balances	-	-	1.000	4.000	-
2013/14 Council Tax Freeze Grant	(2.984)	(2.984)	-	-	-
Budget Requirement	507.818	502.436	500.574	500.700	498.400
Revenue Support Grant (inc 11/12 Council Tax Freeze Grant)	(132.877)	(112.935)	(102.545)	(97.700)	(97.700)
Retained Business Rates	(89.312)	(92.579)	(95.110)	(98.600)	(102.000)
Business Rates Collection Fund	-	-	-	-	-
New Homes Bonus	(2.188)	(1.798)	(2.195)	(3.000)	(3.000)
Local Services Support Grant	(1.607)	(1.607)	(1.607)	(1.600)	(1.600)
LACSEG / ESG	(13.982)	(13.383)	(13.383)	(13.000)	(13.000)
Council Tax Collection Fund Surplus	(1.404)	-	-	-	-
Council Tax	(266.448)	(273.367)	(280.188)	(287.100)	(294.100)
Financing Total	(507.818)	(495.669)	(495.028)	(501.000)	(511.400)
<i>(Headroom) / Shortfall</i>	<i>-</i>	<i>6.767</i>	<i>5.546</i>	<i>(0.300)</i>	<i>(13.000)</i>

Statement of the Leader of the Council

1. Staffordshire's People

1.1 "Living My Life, My Way": A Strategy for Disabled People

"Living My Life, My Way" is a Strategy for Disabled People in Staffordshire which sets out a clear vision for all disabled people to have full and fulfilling lives as citizens in the communities in which they live. It proposes a new approach based upon disabled children and adults having access to the whole range of opportunities that are available in their own communities.

Cabinet have noted the ambitious programme of change set out in the draft Strategy and have agreed that the draft Commissioning Strategy for people with disabilities be taken forward for formal consultation.

(Cabinet – 20 February 2013)

1.2 Independent Futures

Independent Futures aims to improve the outcomes and the experience of assessment and brokerage services for disabled people and their families/carers, so that they are able to live the life that they want to; and to improve the way that resources are used so that disabled people are more consistently able to make choices and take control of the way that they receive support that is wanted and needed.

Cabinet have agreed the establishment of 'Independent Futures' (an assessment and brokerage service to improve the outcomes for disabled people of all ages within Staffordshire County Council) from 1 April 2013. They have also approved the further consideration of options for Independent Futures to become an independent and standalone organisation, subject to a further business case at a later date.

(Cabinet – 20 February 2013)

2. Staffordshire's Communities

2.1 A Volunteering Strategy for Staffordshire

Without the invaluable contribution made by volunteers, many activities that the public enjoy may not be possible or may have to be delivered less often. The strategy will help the Council to focus its energies on the contributions made by volunteers and will facilitate better access to the opportunities on offer. The Council will also look at ways of supporting volunteers by making sure they are able to get the most out of the opportunities available and that they have a quality experience.

The Cabinet have agreed that the Volunteering Strategy for Staffordshire be launched via a co-ordinated communications campaign with other partners in

March 2013 to enable partners to progress the action plan through the Volunteering Strategy Working Group.

(Cabinet – 20 February 2013)

3. Our Staffordshire

3.1 2012/13 Quarter 3 Performance and Finance Report

Cabinet have received The Quarter 3 Performance & Finance Report which provides an overview of the Council's performance and highlights the progress being made in delivering its nine priority outcomes.

(Cabinet – 20 February 2013)

3.2 Portfolio Holder Delegated Decisions - Portfolio holders have recently taken decisions in respect of the following matters:

- In approving the letting of Holding No 9 Manor Farm Estate on a fixed term tenancy under the Agricultural Tenancies Act 1995 from 25 March 2013
- In approving the letting of Holding No 9 The Deanery Estate on a fixed term tenancy under the Agricultural Tenancies Act 1995 from 29 September 2012
- In approving the letting of Standon Bowers School Farm on a fixed term tenancy under the Agricultural Tenancies Act 1995 from 25 March 2013.
- In approving:
 - (a) That, having followed a process of public consultation, Steeple View Day Centre be closed and transferred back to Trent and Dove for communal use by the residents of Highwood court and to permit the development of the existing Lunch club for the surrounding area. In doing this, those existing people who use Steeple View Day Centre and their Carers should be supported in making alternative choices for their Day Care from the options now available.
 - (b) That when all people attending the Steeple View Day Centre have made suitable alternative choices the centre be closed.
 - (c) That the date for closure be no later than the 31st March 2013 (in conjunction with the termination of the buildings lease).
- In approving the appointment of alternative providers to deliver childcare from seven Children's Centre settings in Staffordshire.
- In approving an ex-gratia payment in settlement of a social care related complaint.

3.3 Forward Plan - The Cabinet have approved the Forward Plan for the period 20 March to 17 July 2013, which contains details of the decisions which the Cabinet are expected to take during that period.

3.4 Wave 2 City Deals - I am pleased to announce that Staffordshire County Council, in partnership with Stoke-on-Trent City Council and the Local Enterprise Partnership, have been successful in getting through to the next stage of the City Deal process launched by the government. These deals offer councils and their partner's greater freedom, funding and powers from Government to bolster their local economies, attract new business and create new jobs for local people.

The government was impressed with the ambition of our expression of interest for the *Powerhouse central* concept making Staffordshire the key European centre for research and manufacturing of advanced materials, including ceramics, metals and polymers, thriving alongside other businesses and growth sectors in the region. It will build on and accelerate existing work to support job creation and growth across the city and county.

3.5 i54 - The next stage of development of the award winning i54 site is underway. Through the construction of a bespoke junction on the M54 to serve the business site we are showing what local government can do to support growth and job opportunities locally.

It is especially pleasing to see our commitment and the potential of the site has been recognised as Jaguar Land Rover have recently announced plans to extend their facility creating up to a further 700 jobs in addition to the proposed 750 announced in 2011. Doubling the size of their facility is a clear indication that Staffordshire is a place to do business.

3.6 LGiU Cllr Achievement awards- Staffordshire County Council was part of a team of Councils which won the 'Partnership Achievement of the Year' award for i54. The LGiU recognized the immense investment of effort and time as well as the unique way in which we developed a partnership capable of delivering real change to people's lives, rather than simply save local councils money.

P.E.B. Atkins
Leader of the County Council

Recommendations to the Council

Treasury Management, Annual Investment and Minimum Revenue Provision Strategies 2013/14

1. The management of the County Council's cash flows and borrowing have a significant impact on the budget.

The Cabinet, at their meeting on 16 January 2013, approved the proposed strategies for the 2013/14 financial year.

Adoption of the Annual Investment Strategy (AIS) and the adoption of the Minimum Revenue Provision policy are however, matters that are reserved for the Full Council to determine.

2. **Recommend** – That, in accordance with the regulations:

(a) The Annual Investment Strategy (AIS) 2013/14 as described in paragraphs 35 to 85 and as detailed in Appendices 2, 3 and 5 of the report considered by the Cabinet (attached) be adopted.

(b) That the Minimum Revenue Provision (MRP) policy 2013/14 as summarised in paragraphs 125 to 127; and as set out in full at Appendix 9 to the report considered by the Cabinet (attached), be adopted.

Members' Allowances Scheme - Independent Remuneration Panel Report

3. The County Council is required to establish and maintain an Independent Remuneration Panel to provide advice and recommendations to the Council on its Members' Allowances Scheme. Any decisions on the nature and level of allowances are a matter for the full Council, but the Council must have regard to any recommendations submitted by the Independent Remuneration Panel before establishing or amending the Members' Allowances Scheme. The Panel meets each year to consider the recommendations to be made to the Council in respect of the level and nature of the forthcoming year's allowances.

(**Note:** The Independent Remuneration Panel's report of March 2013, including recommendations on the Members' Allowances Scheme for 2013/14 has been sent to all members of the County Council and copies have been placed in the group rooms and members' library in County Buildings; alternatively a copy is available at - <http://www.staffordshire.gov.uk/yourcouncil/members/membersallowances/IRPreport-2013-14.pdf>

4. **Recommend** – (a) The Council's views on the recommendations of the Independent Remuneration Panel are requested.

(b) The period of office for Ray Betteridge, Jane Landick, Gerald Griffin and Ian Starkie as members of the Independent Remuneration Panel be extended for a further period of 12 months to 31 March 2014.

Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 – 2026

5. The County Council has worked jointly with Stoke-on-Trent City Council to prepare the Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 – 2026¹. The key waste planning issues addressed by the Plan are:

- to improve the quality of our existing and proposed waste infrastructure;
- to provide an effective locational strategy in delivering a sustainable distribution of waste management sites;
- to plan to treat an amount of waste at least equivalent to that generated in the plan area; and,
- to continue to reduce our reliance on landfill through ambitious targets for landfill diversion and targets for new waste management facilities higher up the waste hierarchy i.e. recycling facilities.

The new policies in the Plan will guide the Councils in determining planning applications for the development of waste management facilities up to 2026. The Plan will replace the policies in the Staffordshire and Stoke-on-Trent Waste Local Plan 1998 – 2011 adopted in 2003. The Plan will also meet requirements to ensure compliance with the EU Waste Framework Directive.

The Joint Waste Local Plan was submitted to the Secretary of State on 20 January 2012 (approved by the County Council and City Council on 8 December 2011) and was subject to examination by an independent Planning Inspector. The examination tested whether the Plan is “sound” as defined by the National Planning Policy Framework as well as legal and procedural requirements. Examination hearings were held on 24 and 27 April 2012 with a final hearing session on 19 June 2012.

Main modifications and minor changes (endorsed by the County Council Planning Committee in August 2012, approved by the City Council Cabinet in August 2012 and the County Council Cabinet in September 2012, and consulted on during October and November 2012) were submitted to the Planning Inspector in January 2013 for consideration alongside the submitted Plan. On 4 February 2013, the Councils received the Planning Inspector’s report which concluded that with the main modifications proposed by the Councils, the Joint Waste Local Plan was sound, legally compliant and capable of adoption. The Inspector also considered that the minor changes proposed by the Councils provided factual updates, corrections of minor errors or other minor amendments in the interests of clarity and would help to improve the plan.

The most significant finding of the Inspector’s report was that the Councils will not be required by the Planning Inspectorate to produce a Site Allocations Development Plan Document. The Inspector (in paragraph 61 of his report) states that ‘The decision not to identify specific new sites for the location of waste facilities, in the context of this Plan, is a sound judgement’. Therefore subject to annual monitoring of the waste policies, no further work is required on waste policy formulation and the Planning Policy Team can now concentrate on the review of our Minerals Local Plan.

¹ The Joint Waste Core Strategy has been re-named as the Staffordshire and Stoke-on-Trent Waste Local Plan 2010 to 2026 as a result of reforms to the planning system.

This report seeks approval from the Full Council to adopt the Staffordshire and Stoke-on-Trent Joint Waste Local Plan. The same approval is also being sought from Stoke-on-Trent City Council on 21 March 2013. Copies of the adoption documents and the Inspector's Report have been placed for inspection in the Members' library and are available via the County Council's Waste Policy web page (www.staffordshire.gov.uk/wcs).

6. **Recommendation** – That the Staffordshire and Stoke-on-Trent Waste Local Plan 2010 – 2026 be adopted with the main modifications and minor changes as recommended by the Inspector in accordance with section 23 of the Planning and Compulsory Purchase Act 2004 and made available in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Development) (England) Regulations 2012.

ANNUAL INVESTMENT STRATEGY (AIS) 2013/14

35. The Council manages an investment portfolio that can reach up to £200m in cash each year.
36. An important aspect of the AIS is the creditworthiness service provided by the treasury management consultant. At the time of writing this report the current contract with Sector Treasury Services is drawing to a close and from 1 April 2013 it is possible that a new consultant will be appointed.
37. It is not possible to pre-judge who will be successful and in these circumstances this report cannot set down the detailed system of how the credit management advice from the consultant will operate in tandem with the Council's treasury operations from the 1 April 2013. A proposal to deal with this issue is made at **paragraph 55**.
38. However, it is important to recognise that this will not compromise the stance taken to date by the Council which has been to adopt a low risk approach in these difficult times.

Investment Options

39. The main characteristics which determine an investment strategy are related to:
- the credit risk of the counterparties that you invest with;
 - the length of the investment; and
 - the type of financial instrument that is used.
40. These issues have to be considered in the light of the regulatory framework provided by the Government.
41. Key parts of this framework are the Government Guidance on Local Government Investments issued in March 2010 and the CIPFA Code of Practice for Treasury Management in the Public Services (the Code). These state that the two prime risk issues are:
- the security of capital; and
 - the liquidity of investments.
42. In addition, Government regulations specify the type of financial instruments you can invest in and they divide them into what they term 'specified' investments and 'non-specified' investments.

a) Specified Investments

43. Specified investments are investments made in sterling for a period of less than a year that are not counted as capital expenditure and are invested with:
- the UK Government;
 - a local authority;
 - a parish or community council; or
 - a body, or in an investment instrument, **that has a 'high credit rating'**.
44. The first three named investments are effectively "AAA" rated investments, the highest possible investment rating, and the Council will include these bodies on

its lending list by virtue of this fact and their inclusion within the guidance. The assessment of the fourth aspect is dealt with in the paragraphs that follow.

Credit Rating Criteria and the Approved Lending List (the List)

45. The way that the regulations are worded means that the Council has to decide what a 'high credit rating' is and how it uses credit ratings in this assessment.
46. Credit ratings are an important source of information for local authorities. They are carried out by credit rating agencies (for example, Fitch, Standard and Poors, Moodys).
47. Government guidance requires an explanation of how credit ratings are monitored, what happens when they change and what other additional sources of information are used to supplement them.

Money Market Funds (MMF) – “AAA rated”

48. Diversified MMF's are rated by at least one of the rating agencies referred to earlier. In order to achieve the highest “AAA” rating the MMF must abide by certain investment restrictions, for example on how long an investment can be made for and minimum credit ratings each investment must meet. In that sense they meet the definition of a “high credit rating” referred to earlier.
49. However, as with all investments there is an element of risk in their use. In particular funds may not be completely returned if some of the MMF's investments fail. However this risk is reduced when compared to direct investments in the sense that investments are diversified with many different counterparties. The Council could not hope to achieve this level of diversification on its own account.
50. The ongoing continuity of MMF's may also be vulnerable to further falls in market interest rates referred to earlier; each MMF charges a fee and this could mean that interest earned became negative after it's deduction. This has already affected many Euro denominated MMF's in the EuroZone; the end result being that Euro MMF's have ceased to operate normally, although no investor lost money as a result.
51. In the event of a similar problem in the UK then it would be a matter of moving funds to an alternative class of investment such as with the UK Government.
52. Overall, it is proposed to continue the use of MMF's where they hold the highest “AAA” rating.
53. The assessment of what is a “high credit rating” for banks or building societies is outlined below.

The Credit Management Strategy for 2013/14

54. The 2012/13 treasury strategy is published on the Council's internet site at the following location.

<http://moderngov.staffordshire.gov.uk/documents/s23741/Treasury%20Management%20report.pdf>

55. This sets out the system for determining the lending list including information provided by Sector, the Council's current treasury consultant. Because of the potential appointment of a new consultant referred to earlier it is proposed to freeze the Lending List at 31 March 2013 and maintain this into 2013/14. It is proposed that any changes will be made by the Treasury Management Panel chaired by the Director of Finance and Resources. Following the conclusion of the appointment process, should it be judged necessary, then a follow up report will be made to the Cabinet to provide an update on any significant advice received from the incumbent consultant about any significant action to be taken. This proposal is considered workable as the Council currently has a relatively low risk strategy with few banks on its List.
56. During the potential changeover there will be no gap in information provision as a result of the process and advice will be taken from a new consultant if appointed.
57. Those banks with a "negative watch" warning (where the rating may be downgraded soon) or banks suffering a downgrade will still be subject to review by the Treasury Management Panel:
- the treasury team will freeze all new investments to a counterparty once a warning is issued;
 - where call accounts are held withdrawals may be made if needed but funds will not be replenished pending review by the treasury panel;
 - funds will not be redeemed by the treasury team as a matter of course until the treasury management panel have considered the matter.
58. Wider information and intelligence collected by treasury officers will also be used in the assessment by the panel, for example news items and general market information. This information alone may also trigger a panel review.
59. After considering all of the information available the panel will make a decision on whether to adjust the Council's investment risk profile.
60. The end result may involve moving investments to lower risk counterparties or instruments, for example away from banks and towards MMF's or the UK Government.
61. One exception to this system has been made for the Co-operative Bank who act as the Council's bankers. As all transactions with this bank are mainly overnight or over the weekend, the risks of continuing to use the bank do not outweigh the added cost and inconvenience of using other banks each day. A duration limit of 1 week is proposed to allow investments over the holiday period.

62. As required by Regulations an overview of the monitoring process is outlined below:
- Rating changes will be communicated to Treasury Officers from the successful treasury consultant and will be acted upon when received;
 - A regular review of credit ratings will be provided by the consultant.
63. In summary, therefore, the proposed strategy would be based on the following definition of a “high credit rating”:
- diversified sterling Money Market Funds with a “AAA” rating by one of the three major credit rating organisations;
 - a bank that is included on the Council’s lending list at 31 March 2013 as adjusted by the treasury panel.

Investment Duration

64. In considering the financial instruments that meet the definition of a specified investment, there is the scope to consider the length of the investment period.
65. One of the important lessons of the banking crisis has been to exercise caution in the duration of investments; this recognises that the factors that led to the investment being considered sound can change adversely over time. As such it is judged reasonable to limit fixed term deposits with banks or building societies to a maximum duration of one year.
66. In summary this means that the Council’s specified investments include:
- UK Government – 6 months for DMADF (the maximum permitted) and 12 months for Treasury-bills;
 - Local Authorities / Parish Councils – 12 months;
 - “AAA” rated Money Market Funds (no duration – same day liquidity);
 - Partly Nationalised banks – 12 months maximum;
 - Other banks and building societies – a maximum of 3 months;
 - Co-op Bank – 1 week.
67. The borrowing strategy referred to later in this report recommends continuing to use cash; practically this means that investment duration will be by necessity relatively short, although it is important to have the option to make longer investments if this is judged worthwhile. Keeping investments shorter-term is also consistent with a view that interest rates are generally expected to rise over the long-term. A liquid investment portfolio also allows funds to be redeemed quickly where concerns arise about any counterparty.
68. Taking everything together, **Appendix 2** details the specified investment instruments identified for use.
69. The use of specified investments is delegated to the Director of Finance and Resources for practical reasons in the day to day management of treasury transactions.

Investment Diversification

70. Having determined the list of highly rated counterparties and the duration of investments the last piece of the process is to overlay the methodology for

ensuring diversification. This is achieved by setting a maximum amount to be invested with each counterparty to limit risk and spread investments or a minimum number of counterparties to invest with.

71. Ensuring diversification has never been more important than now; it protects the security of the investments by limiting the Council's loss in the event of a counterparty default. However, diversification does not protect the Council from a systematic failure of the banking sector.
72. Investment balances rise and fall during the year; so diversification needs to take account of these high and low points with a "cap" on the maximum invested with a counterparty and a "floor".
73. The cap, or absolute maximum to be invested with counterparties is proposed as follows:
 - UK Government – no limit
 - Local Authorities / Parish Councils – no limit
 - "AAA" rated Money Market Funds - £30m
 - Banks or Building Societies - £25m
 - Co-operative Bank - £10m
74. A "floor" is needed to ensure diversification when cash balances are low; this requires a different mechanism. It is proposed to use a minimum of 4 different counterparties / investment instruments plus any residual balance invested with the Co-operative Bank.
75. Any policy on diversification must be adaptable in the face of changing circumstances. For example this policy may well be overtaken by economic or credit events, where there simply are not enough investments considered safe to ensure a spread across 4 counterparties / investments. In this instance then investments will be simply spread across the safe investments available.
76. It is proposed that both the application and amendment of this policy are delegated to the Treasury Management Panel chaired by the Director of Finance and Resources with the results reported in the regular Treasury Management reports.

b) Non-specified investments

77. The Government regulations define non-specified investments as all other types of investment that do not meet the definition of specified investments. In contrast to specified investments, Government guidance indicates that the AIS should:
 - set out procedures for determining which categories of non-specified investments should be prudently used;
 - identify such investments;
 - state an upper limit for each category of non specified investment; and
 - state upper limits for the total amount to be held in such investments.
78. As referred to already, it is not proposed to use fixed term deposits for longer than a year. In order to provide the capacity to make longer term investments, non-specified investments include instruments that would allow this. Whilst it is

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Specified Investments

Investment	Credit Rating Criteria Adopted	Current Terms of Use
Term deposits with the UK government or with UK local authorities (i.e. local authorities as defined under Section 23 of the 2003 Act) with maturities up to 1 year	Defined by Regulations	In use
Term deposits with the Debt Management Account Deposit Facility* (DMADF) (the Debt Management Office of the UK Government) * available for investments up to 6 months	Defined by Regulations	In use
Money Market Funds (i.e. a collective investment scheme as defined in SI 2004 No 534)	"AAA" (the highest credit quality)	In use
Term deposits and Callable deposits with credit-rated deposit takers (banks and building societies) with maturities up to 1 year	List on 31 March 2013	In use
Forward deals with credit-rated deposit takers (banks and building societies) up to 1 year (i.e. negotiated deal period plus period of deposit)	List on 31 March 2013	In use

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Non Specified Investments

Investment	Circumstances of Use	Credit Rating Criteria	Limit	Current Terms of Use
Term deposits with credit rated deposit takers (banks and building societies) with maturities greater than 1 year	Not in Use	N/A	Nil	Not in Use
Callable deposits with credit rated deposit takers (banks and building societies) with maturities greater than 1 year	Not in Use	N/A	Nil	Not in Use
Forward deposits with credit rated banks and building societies for periods greater than 1 year (i.e. negotiated deal period plus period of deposit)	Not in Use	N/A	Nil	Not in Use
Certificates of deposit with credit rated deposit takers (banks and building societies) with maturities up to 5 years	Subject to agreement by the Treasury Management Panel	List on 31 March 2013	£25m *	Subject to agreement by the Treasury Management Panel
UK government gilts with maturities up to 5 years	Subject to agreement by the Treasury Management Panel	“AAA” UK Sovereign rating	£25m *	Subject to agreement by the Treasury Management Panel
Bonds issued by multilateral development banks with maturities up to 5 years	Subject to agreement by the Treasury Management Panel	“AAA”	£25m *	Subject to agreement by the Treasury Management Panel

* The limit is £25m in total for all three types of investment used in-house.

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Approved Lending List (shown at December 2012)

Investments will be made with at least 4 different counterparties + Co-operative Bank

UK GOVERNMENT DEPOSITS with the Debt Management Office
with NO MAXIMUM INVESTMENT LIMIT and a MAXIMUM INVESTMENT PERIOD of 6 MONTHS

Debt Management Account Deposit Facility (DMADF)

Purchase and Sale of UK Government Treasury Bills through the Debt Management Office with NO
MAXIMUM INVESTMENT LIMIT and a MAXIMUM INVESTMENT PERIOD of 12 MONTHS

Treasury Bills (UK Government)

LOCAL AUTHORITY and PARISH COUNCIL INVESTMENTS with NO MAXIMUM
INVESTMENT LIMIT and a MAXIMUM INVESTMENT PERIOD of 12 MONTHS

Non charge-capped UK Local Authorities / Parish Council's

Money Market Funds (i.e. a collective investment scheme as defined in SI 2004 No 534)
with a MAXIMUM INVESTMENT LIMIT of £30m (Same Day Instant Access)

Barclays Global Investors (BGI) MMF

Ignis MMF

Insight MMF

Prime Rate MMF (£20m limit)

INSTITUTIONS with a MAXIMUM INVESTMENT LIMIT of £25m & a MAXIMUM INVESTMENT PERIOD as
shown

	<u>Current Use</u>
Barclays Bank plc	Not in Use
HSBC plc	Not in Use
Nationwide Building Society	3 months
Lloyds Banking Group (includes Bank of Scotland)	Call Account
Royal Bank of Scotland Group (includes NatWest)	Up to 95 day notice

INSTITUTIONS with a MAXIMUM INVESTMENT LIMIT of £10m and a MAXIMUM INVESTMENT PERIOD
OF 1 WEEK

Co-operative Bank plc

Minimum Revenue Provision (MRP) Strategy 2013/14

125. The Council are also legally obliged to have regard to Government guidance issued in February 2008 concerning the Minimum Revenue Provision (MRP) policy. MRP is where the Council must make an annual revenue provision for the repayment of debt (also referred to as the Capital Financing Requirement or CFR). The MRP policy must be submitted to the full Council for approval prior to the start of the financial year to which the provision will relate. The policy for 2013/14 is summarised below and shown in full at **Appendix 9**.
126. Following guidance issued in 2007/08 regarding the Minimum Revenue Provision (MRP), it is proposed to continue the agreed policy as follows:
- The major proportion of the MRP for 2013/14 will relate to the more historic debt liability that will continue to be charged at the rate of 4%, in accordance with the recommendations and intent of Option 1 of the Guidance;
 - Further amounts of new capital expenditure may continue to be charged at the rate of 4%, and added to the above mentioned base Capital Financing Requirement (CFR) amount, up to an amount equivalent to the Council's annual Supported Capital Expenditure (Revenue) allocation;
 - Certain expenditures reflected within the debt liability at 31 March 2013 will under delegated powers be subject to MRP under Option 3.
127. In practical terms, this approach means that capital expenditure funded from supported borrowing (that is, supported by Government Grant) will be repaid at 4%. However, expenditure funded from unsupported borrowing will be repaid at a rate which matches the useful lives of those assets funded. This will result in a saving for the authority as the debt can be spread over a longer period of time, for example 60 years where a building has been funded from unsupported borrowing (that is, supported by the Council). The MRP Policy statement for 2013/14 is shown at **Appendix 9**.

Minimum Revenue Provision (MRP) Policy Statement

Introduction

Capital expenditure is expenditure on assets which have a life expectancy of more than one year e.g. buildings, vehicles, machinery etc. It would be impractical to charge the entirety of such expenditure to revenue in the year in which it was incurred therefore such expenditure is spread over several years in order to try to match the years over which such assets benefit the local community through their useful life.

The manner of spreading these costs is through an annual Minimum Revenue Provision (MRP), which was previously determined under Regulation, and will in future be determined under Guidance.

The Government issued guidance which came into force on 31st March 2008 which requires that a Statement on the Council's policy for its annual MRP should be submitted to the full Council for approval before the start of the financial year to which the provision will relate.

The guidance offers four main options under which MRP could be made (for information these are detailed over the page), with an overriding recommendation that the Council should make prudent provision to redeem its debt liability over a period which is reasonably commensurate with that over which the capital expenditure is estimated to provide benefits.

MRP Policy Statement 2013/14

The Council implemented the new MRP guidance in 2009/10, and will assess their MRP for 2013/14 in accordance with the main recommendations contained within the guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003.

The major proportion of the MRP for 2013/14 will relate to the more historic debt liability that will continue to be charged at the rate of 4%, in accordance with the recommendations and intent of Option 1 of the Guidance.

Further amounts of new capital expenditure may continue to be charged at the rate of 4%, and added to the above mentioned base Capital Financing Requirement (CFR) amount, up to an amount equivalent to the Council's annual Supported Capital Expenditure (Revenue) allocation.

Certain expenditures reflected within the debt liability at 31st March 2013 will under delegated powers be subject to MRP under Option 3.

Estimated life periods will be determined under delegated powers. To the extent that expenditure is not on the creation of an asset and is of a type that is subject to estimated life periods that are referred to in the guidance, these periods will generally be adopted by the Council. However, the Council reserves the right to determine useful life periods and prudent MRP in exceptional circumstances where the recommendations of the guidance would not be appropriate.

Asset lives will be assessed on a basis which most reasonably reflects the anticipated period of benefit that arises from the expenditure. Also, whatever type of expenditure is involved, it will be grouped together in a manner which reflects the nature of the main component of expenditure and will only be divided up in cases where there are two or more major components with substantially different useful economic lives.

Option 1: Regulatory Method

Under the previous MRP regulations, MRP was set at a uniform rate of 4% of the adjusted CFR (i.e. adjusted for "Adjustment A") on a reducing balance method (which in effect meant that MRP charges would stretch into infinity). This historic approach must continue for all capital expenditure incurred in years before the start of this new approach. It may also be used for new capital expenditure up to the amount which is deemed to be supported through the SCE annual allocation.

Option 2: Capital Financing Requirement Method

This is a variation on option 1 which is based upon a charge of 4% of the aggregate CFR without any adjustment for Adjustment A, or certain other factors which were brought into account under the previous statutory MRP calculation. The CFR is the measure of an authority's outstanding debt liability as depicted by their balance sheet.

Option 3: Asset Life Method.

This method may be applied to most new capital expenditure, including where desired that which may alternatively continue to be treated under options 1 or 2.

Under this option, it is intended that MRP should be spread over the estimated useful life of either an asset created, or other purpose of the expenditure. There are two useful advantages of this option: -

- Longer life assets e.g. freehold land can be charged over a longer period than would arise under options 1 and 2.
- No MRP charges need to be made until the financial year after that in which an item of capital expenditure is fully incurred and, in the case of a new asset, comes into service use (this is often referred to as being an 'MRP holiday'). This is not available under options 1 and 2.

There are two methods of calculating charges under option 3:

- a. equal instalment method – equal annual instalments,
- b. annuity method – annual payments gradually increase during the life of the asset.

Option 4: Depreciation Method

Under this option, MRP charges are to be linked to the useful life of each type of asset using the standard accounting rules for depreciation (but with some exceptions) i.e. this is a more complex approach than option 3.

The same conditions apply regarding the date of completion of the new expenditure as apply under option 3.

County Council – 15 March 2013

Proposed Changes to the Constitution - Transfer of Public Health to the County Council and Establishment of the Health and Wellbeing Board

1. Recommendations

- 1.1 That Council be recommended to make the amendments (set out in the appendices to this report) to the relevant sections of the Constitution in relation to:-
 - The transfer of public health to local government under the Health and Social Care Act 2012 (Sections 10 and 11 of the Constitution)
 - The establishment of the Health and Wellbeing Board (Section 10 of the Constitution)
- 1.2 That the Constitution, as revised, be approved by Council.

Report of the Director of Democracy, Law and Transformation

2. Public Health

- 2.1 The transfer of the responsibility for public health to Staffordshire County Council under the Health and Social Care Act 2012 represents a unique and historical opportunity to build on the legacy of public health in local government and the NHS. It means that public health professionals will be able to work closely with elected members to influence all the factors that determine health. This will enable the development of a 21st century public health system that promotes health and wellbeing in all areas of people's lives as well as protecting health and ensuring access to high quality local health services.
- 2.2 The new functions and responsibilities that are transferred to Staffordshire County Council are intended to demonstrate the County Council's leadership and commissioning role in the following areas:-
 - Tackling the causes of ill-health and reducing health inequalities
 - The County Council's public health function entails taking strategic leadership action to prevent inequalities across a number of functions, such as economic and environmental regeneration, strategic planning, housing, education, children and young people's services, fire and road safety.
 - Promoting, improving and protecting population health
 - The responsibility and resources for commissioning public health outcomes and services have largely been devolved to the County Council. Of these, some of the commissioning responsibilities remain with the Secretary of State for Health who has the power to prescribe that local authorities take certain steps in the exercise of public health functions including, that certain services be commissioned or provided. The commissioning of other services will be discretionary and the County Council will commission a range of services from a range of providers from different sectors, working with clinical

commissioning groups and representatives of the NHS Commissioning Board to create an integrated service.

- Promoting social justice and safer communities
 - The County Council is required to ensure that plans are in place to protect the health of the local population from threats ranging from relatively minor outbreaks to full-scale emergencies and to prevent, as far as possible, those threats from arising in the first instance.
- 2.3 Professor Aliko Ahmed has been confirmed as the designate Director of Public Health of Staffordshire County Council and will be a Statutory Chief Officer. This new role commences on 1 April 2013. The Director of Public Health will be the champion for health within Staffordshire and will be responsible for the exercise of the County Council's new public health functions, as set out in the National Health Service Act 2006 and regulations to be made under that Act.
- 2.4 The Director of Public Health will have a leadership role spanning the three domains of public health - health improvement, health protection and healthcare public health and will ensure that NHS commissioners receive the public health advice they need.
- 2.5 The Director of Public Health has number of responsibilities, the most fundamental of which are set out in statute and are designed to match exactly the public health duties of the County Council. The exception to this is the production of the annual report on the health of the local population, for which the Director of Public Health has a duty to write the report and the County Council has a duty to publish it.
- 2.6 Amongst other things, the Director of Public Health will:-
 - be responsible for all of Staffordshire County Council's duties to take steps to improve public health
 - be a statutory member of the health and wellbeing board , which will be the key mechanism for promoting integrated, effective delivery of services.
 - hold certain civil contingencies responsibilities in Staffordshire
 - have direct accountability to the Chief Executive for the exercise of the local authority's public health responsibilities and to elected members
- 2.7 To support Staffordshire County Council in the delivery of these responsibilities the Government has announced a ring-fence allocation for public health purposes for a period of two years (£32,322,000 for 2013/14 and £33,313,000 for 2014/15). The allocation is an uplift from the current estimated PCT spend of £30,549,000. It is, however, less than the target amount that is required (about 5.8% from target amount) to adequately address the public health challenges in Staffordshire. The uplift is a result of adjustments made by the Department of Health in order to meet additional new responsibilities such as Infectious Disease Surveillance, Drug Intervention Programme and pace of change.
- 2.8 There is ongoing work to ensure robust financial and legal due diligence of the transfer. This is to ensure that there is clarity and agreement in responsibilities transferring as well as the adequacy of the resources (contracts, staff, and support services) to cover the responsibilities.

3. Health and Wellbeing Board

- 3.1 The Health and Wellbeing Board will be a forum where key leaders from the health and care systems work together to improve the health and wellbeing of their local population and reduce health inequalities.
- 3.2 Board members will collaborate to understand their local community's needs, agree priorities and encourage commissioners to work in a more joined up way. As a result, patients and the public should experience more joined-up services from the NHS and local councils in the future.
- 3.3 Health and wellbeing boards are a key part of broader plans to modernise the NHS to ensure stronger democratic legitimacy and involvement; strengthen working relationships between health and social care, and encourage the development of more integrated commissioning of services.
- 3.4 Staffordshire was an early implementer and has had a shadow Board since October 2011. The work that it has been doing since then will assist it in being effective as it assumes its statutory responsibilities in April 2013

4. Summary of Proposed Amendments

- 4.1 The transfer of the Public Health function and the introduction of the Health and Wellbeing Board to Staffordshire County Council require to be reflected in the County Council's constitution and we need to ensure that the Director of Public Health has the necessary authority and powers to carry out his responsibilities.

Equalities implications:

None

Legal implications:

The changes proposed are in accordance with the changes in legislation in respect of Public Health and Health and Wellbeing.

Resource and Value for Money implications:

The finances in respect of public health are referred to in paragraph 2.7. There are no specific implications currently identified in respect of the introduction of the Health and Wellbeing Board

Risk implications:

None.

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**Schedule of amendments to Section 10 (Joint Arrangements) of the
County Council Constitution**

Existing	Amendment
<p><i>Paragraph 7 – Statutory Joint Arrangements</i></p> <p>Para 7 contains a list of the Statutory Joint Arrangements that the County Council is required by law to participate in</p> <p>Insert new paragraph 7.3</p>	<p>New paragraph 7.3 to read:</p> <p>7.3 Health and Wellbeing Board</p> <p>7.3.1 Established under the provisions of the Health and Social Care Act 2012 as an executive body of the County Council</p> <p>7.3.2 Staffordshire County Council shall be the host authority for the Health and Wellbeing Board and shall be responsible for the associated administration</p> <p>7.3.3 Membership</p> <ul style="list-style-type: none"> • Cabinet Member for Adults' Wellbeing, Staffordshire County Council • Cabinet Member for Children's Wellbeing, Staffordshire County Council • Cabinet Member for Public Health and Community Safety, Staffordshire County Council • District & Borough Council Representative (North) • District & Borough Council Representative (South) • Representative of North Staffordshire Clinical Commissioning Group • Representative of South East Staffordshire and Seisdon Peninsula Clinical Commissioning Group • Representative of East

Existing	Amendment
	<p data-bbox="986 237 1305 304">Staffordshire Clinical Commissioning Group</p> <ul data-bbox="938 309 1449 936" style="list-style-type: none"> <li data-bbox="938 309 1449 416">• Representative of Stafford and Surrounds Clinical Commissioning Group <li data-bbox="938 421 1449 528">• Representative of Cannock Chase Clinical Commissioning Group <li data-bbox="938 533 1449 600">• NHS Commissioning Board Local Area Team <li data-bbox="938 604 1449 672">• Chief Constable of Staffordshire Police <li data-bbox="938 676 1449 784">• Deputy Chief Executive and Director of People, Staffordshire County Council <li data-bbox="938 788 1449 855">• Director of Public Health Staffordshire <li data-bbox="938 860 1449 927">• A designated representative from HealthWatch <p data-bbox="890 981 1455 1232">Additional membership will be considered by the Shadow Health and Wellbeing Board as appropriate. The overall size of the Board will, however, be kept at a level which is manageable and able to support efficient and effective decision-making.</p> <p data-bbox="890 1272 1455 1523">The Board intends to ensure effective engagement and dialogue with wider stakeholders through the development of a Health and Wellbeing Provider Forum. The views of the Provider Forum will be fed back into the Board to inform its decision making.</p> <p data-bbox="890 1563 1455 1702">7.3.4 The Health and Wellbeing Board has a set of core duties as laid out in the 2012 Health and Social Care Act, these are:</p> <ol data-bbox="890 1747 1340 2033" style="list-style-type: none"> <li data-bbox="890 1747 1340 2033">1. To jointly prepare and publish a Staffordshire Joint Strategic Needs Assessment, ensuring that it engages with and captures the voice of the community, and is used to inform collective and

Existing	Amendment
	<p>individual strategic decisions of the Board and the individual bodies that make up the Board.</p> <ol style="list-style-type: none"> 2. To jointly agree and publish a Staffordshire Joint Health and Wellbeing Strategy (JHWS), setting out ambitious outcomes for improved health and wellbeing across Staffordshire. 3. To encourage health and care commissioners to work together and to co-ordinate commissioning decisions to advance the health and wellbeing of the people of Staffordshire. 4. To consider the partnership arrangements under the Section 75 of the 2006 NHS Act (such as joint commissioning and pooled budgets where appropriate). 5. To encourage integrated working. 6. To ensure patient and public voice is heard as part of the Health and Wellbeing Boards decision making, receiving and considering patient and public feedback through the statutory board membership and regular reports of Staffordshire Health-watch. 7. To receive and consider the plans of the Clinical Commissioning Groups, NHS Commissioning Board LAT and Local Authority, providing assurance and endorsement that they have regard to the Staffordshire Joint Health and Wellbeing Strategy

Existing	Amendment
	<p data-bbox="890 230 1453 300">8. A duty to work in partnership.</p> <p data-bbox="890 300 1453 450">9. Increase local democratic legitimacy in the commissioning of health and care services.</p> <p data-bbox="890 488 1453 775">In addition to the duties of the Board as set out in the Health and Social Care Act, the Staffordshire Health and Wellbeing Board has also agreed additional functions relevant to achieving outcomes for Staffordshire and the wider Staffordshire partnership environment:</p> <p data-bbox="890 813 1453 920">10. To oversee the effective delivery of the Staffordshire strategic priority outcomes</p> <p data-bbox="890 920 1453 1070">11. To ensure continuous improvements in quality; encompassing dignity, safety and effectiveness.</p> <p data-bbox="890 1070 1453 1290">12. To work with the Local Safeguarding Children and Adult Boards to ensure all partners promote the safety and welfare of children and young people and vulnerable adults.</p> <p data-bbox="890 1290 1453 1397">13. To establish the basis of collaboration with Stoke City Health and Wellbeing Board</p> <p data-bbox="890 1397 1453 1505">14. To represent the needs and issues for Staffordshire at local, regional, national and international level.</p> <p data-bbox="890 1505 1453 1724">15. To monitor, review and evaluate progress and impact against the outcomes and actions agreed in the Staffordshire JHWS and ensure action is taken where appropriate to improve outcomes.</p> <p data-bbox="890 1724 1453 1794">16. Evaluate performance against locally agreed priorities.</p> <p data-bbox="890 1794 1453 1944">17. Evaluate performance against nationally set outcomes frameworks for the NHS, public health and social care.</p>

Existing	Amendment
	<p data-bbox="890 230 1453 300">7.3.5 The Key principles upon which the Board will function are as follows:</p> <ul data-bbox="890 342 1445 2033" style="list-style-type: none"> <li data-bbox="890 342 1445 521">• The Board will link closely with the Staffordshire Strategic Partnership (SSP) to ensure co-ordination around common priorities to the benefit of local communities. <li data-bbox="890 566 1445 925">• There will be sovereignty around decision making processes. Core members will be accountable through their own organisation's decision making processes for the decisions they take. It is expected that Members of the Board will have delegated authority from their organisations to take decisions within the terms of reference. <li data-bbox="890 969 1445 1406">• Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations (provided that at least 10 days notice of forthcoming decisions had been given). However, where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies. <li data-bbox="890 1451 1445 1518">• It is expected that decisions will be reached by consensus. <li data-bbox="890 1563 1445 1888">• From April 2013 the decisions and agendas for the Board will be publically available, except where exemption criteria apply, via the website. The Board will actively provide information to the public through publications, local media, wider public activities and an annual report. <li data-bbox="890 1933 1445 2033">• Core members have a responsibility to feed back to their respective organisations the

Existing	Amendment
	<p>deliberations and decisions of the Board as appropriate.</p> <ul style="list-style-type: none"> • The terms of reference will be reviewed annually in light of learning from the experience of Board members. <p>7.3.6 The Board may establish themed sub-groups from time to time comprising a range of stakeholders to ensure that these functions are undertaken effectively. These groups will be accountable to the Board for the delivery of their stated aims and outcomes within agreed timescales.</p> <p>7.3.7 The Health and Wellbeing Board is an executive function of Staffordshire County Council. The Staffordshire Health Select Committee will be the key means of scrutiny of the Board's activity. This will generally involve an invitation to the Chair to attend relevant meetings of the Select Committee, linked to an agreed work programme</p> <p>7.3.8 Board Leadership</p> <p>In terms of providing leadership and driving forward with pace the agenda for health and wellbeing in Staffordshire Board Members will need to be committed to:</p> <ul style="list-style-type: none"> • Placing the patient and public at the heart of decision making • Provide strategic leadership based on evidence with a focus on areas where the Board can make the biggest difference • Act with courage and conviction when making decisions that

Existing	Amendment
	<p>will have long term benefits to local communities</p> <ul style="list-style-type: none"> • Working in partnership to deliver impact • Communicate effectively and consistently across Board Members and across stakeholders. <p>7.3.9 Chairing of Meetings</p> <p>The Shadow Health and Wellbeing Board has established the following arrangement for the Chairmanship of meetings:</p> <ul style="list-style-type: none"> • The Chairman of the Health and Wellbeing Board will be the County Council's Cabinet Member for Adults Wellbeing. • The Co-Chair will be selected from the Clinical Commissioning Group representatives on the Board. <p>These positions do not attract an additional special responsibility allowance.</p> <p>7.3.10 Meeting Arrangements</p> <p>The Board will meet publically 6 times a year on an 8 week cycle. Additional meetings of the Board may be convened with agreement of the Chairman/ Co Chair. Board Members will also be asked to attend development sessions as appropriate which will be specifically structured to</p>

Existing	Amendment
	<p>provide time for reflection, development and training to ensure continued focus upon effective leadership and outcomes.</p> <p>The Board will establish its own Forward Programme of activity which will be reviewed regularly to ensure it remains both strategic and timely. The Forward Plan will be considered at every meeting to facilitate discussion as to priority areas, new items and agenda timetabling. Any reports for a meeting of the Board should be submitted to the County Council's Member and Democratic Services team no later than eight working days in advance of the meeting. No business will be conducted that is not on the agenda.</p> <p>Agendas and papers for Board meetings will be made publically available via the website (post April 2013) unless covered by exempt information procedures. Agendas and reports will be circulated and published seven days prior to the meeting.</p> <p>7.3.11 Quorum</p> <p>The quorum for a meeting shall be a quarter of the membership including at least one elected member from the County Council and one representative of the GP commissioning consortia.</p> <p>7.3.12 Substitution Arrangements</p> <p>Each Core Member has the power to nominate a single named substitute. Should a substitute member be required, advance notice of not less than 2 working days should be given to the Council, via the Member and Democratic Services Team. The substitute</p>

Existing	Amendment
	<p>member shall have the same powers and responsibilities as the Core Members including the ability to vote of matters before the Board.</p> <p>7.3.14 Voting</p> <p>All Core Members, and their named substitute, will have the right to vote on matters before the Board. A decision will be passed on the basis of a simple majority vote. In the event of a majority vote not being possible the Chairman shall have the casting vote.</p> <p>7.3.15 Expenses</p> <p>The partnership organisations are responsible for meeting the expenses of their own representatives.</p> <p>7.3.16 Conflicts of Interests</p> <p>The Localism Act 2011 sets out matters relating to the Code of Conduct and the Registration of Interests which will apply to Health and Wellbeing Board members (subject to the publication of regulations).</p> <p>These require Board Members to abide by Code of Conduct based on the 7 Nolan principles of Public Life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership). Under this code, Health and Wellbeing Board Members, and their substitutes are required to register defined 'Disclosable Pecuniary Interests' (DPIs) that they are aware of relating to both themselves and their partner. The Council is also required to publish the Register of Interests on its website as well as having it available for public inspection.</p>

**Schedule of amendments to Section 11 (Officers) of the
County Council Constitution**

Existing	Amendment
<p><i>Paragraph 1 – Management Structure</i></p> <p>Para 1.4 contains a list of current Chief Officers of the County Council.</p>	<p>Paragraph to be amended to include:</p> <ul style="list-style-type: none"> • Director of Public Health (refer to appendix 4 organisation chart) • All references throughout the Constitution to Chief Officers to include Director of Public Health
<p><i>Paragraph 2 – Statutory Officers</i></p> <p>Para 2.1 Lists Officers of the County Council who are designated to discharge certain statutory responsibilities</p> <p>Para 2.2 Lists Statutory Officer posts whereby another officer can be designated as an Interim Statutory Officer pending a new appointment to the Statutory Officer post by the Council.</p> <p>Paragraph 2.3-2.11 lists the main responsibilities of each Chief Officer</p> <p>Insert new paragraph 2.12</p>	<p>Paragraph to be amended to read:</p> <p>The County Council must designate certain officers to discharge the statutory responsibilities of Head of Paid Service, Monitoring Officer, Chief Financial Officer (section 151 Officer), Director of Children’s Services, Director of Adult Social Care, Scrutiny Officer and Director of Public Health.</p> <p>The following to be added to the paragraph:</p> <p>This does not apply to the Statutory Officer post of Director of Public Health. The rules governing the appointment of an Interim Statutory Officer pending the new appointment of the Director of Public Health are set out in the Officer Employment Procedure Rules at Appendix 3, paragraph 6 of the Constitution</p> <p>New paragraph 2.12 to read:</p> <p>Section 30 of the Health and Social Care Act 2012 requires the Council to appoint a Director of Public Health who will be accountable for the delivery of the</p>

Existing	Amendment
	<p>authority's duties. This is a joint appointment between the authority and the Secretary of State.</p> <p>The Director of Public Health is the principal adviser on all health related matters and this role covers all three domains of public health: health improvement, health protection and healthcare public health. The Director of Public Health will also play a key role in reducing health inequalities.</p> <p>The key statutory functions and responsibilities of the Director of Public Health are:-</p> <ul style="list-style-type: none"> • All of the local authority's duties to take appropriate steps to improve public health of the people who live in the area (this is known as the Public Health Improvement duty) • Any of the Secretary of State's public health protection or health improvement functions that are delegated to the local authority, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the NHS Act 2006, inserted by section 18 of the Health and Social Care Act 2012 • Exercising the local authority's functions in planning for and responding to emergencies that present a risk to public health • The local authority's role in co-operating with the police, the probation service and the prison service to assess the risk posed by violent or sexual offenders • To sit as a statutory member of the local authority's Health and Wellbeing board • To write an annual report on the health of the local population • To have responsibility for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications¹ • Responsibility for providing Healthy Start Vitamins if the local authority provides

¹ This function is given to local authorities by s5(3), 13(4) 69(4) and 172(B) of the Licensing Act, as amended by Schedule 5 of the 2012 Act

Existing	Amendment
	<p>(or commissions) a maternity or child health clinic</p> <ul style="list-style-type: none"> Such other public health functions as the Secretary of State specifies in regulations
<p>Paragraph 4 – Employment Para 4.3 is a list of Officers to which specific provision in the Officer Employment Procedure Rules apply</p> <p>Insert new Paragraph 4.4</p>	<p>To be amended to include:</p> <ul style="list-style-type: none"> Director of Public Health <p>New paragraph 4.4 to read:</p> <p>The recruitment, selection and dismissal procedure outlined at paragraph 4.1 above, does not apply to the Officer designated as the Director of Public Health. However, the taking of disciplinary action against the Director of Public Health will be in accordance with Section 11 (Officers) paragraphs 4.1, 4.2 and 4.3 of the Constitution</p> <p>Specific provisions in respect of recruitment, selection and dismissal apply to the Director of Public Health and are set out in the Officer Employment Procedure Rules at Appendix 3, Paragraph 6 of the Constitution</p>
<p>Appendix 1 – Scheme of Delegation</p> <p>Insert new Table 9</p>	<p>To read:</p> <ul style="list-style-type: none"> Scheme of Delegation – Table 9 Delegations to the Director of Public Health (Supporting paper 1 attached)
<p>Appendix 3 – Officer Employment Procedure Rules</p> <p>Paragraph 6 – Other Appointments</p>	<p>Renumbering of existing paragraphs</p> <p>New paragraph 6 to be inserted to read as follows:</p> <ul style="list-style-type: none"> Paragraph 6 – Recruitment, selection and dismissal of the Officer designated as the Director of Public Health (Supporting paper 2 attached) <p>Subsequent paragraphs to be renumbered.</p>

TABLE 9

DELEGATIONS TO THE DIRECTOR OF PUBLIC HEALTH

	DELEGATED POWER	OVERALL RESPONSIBLE BODY
1.	To be the officer responsible for improving public health and ensuring that the local authority discharges and thereby performs its new public health duties appropriately and in accordance with the national objectives.	COUNCIL
2.	To be the principal / lead adviser on all health related matters to elected members and officers of the local authority, covering all three domains of public health namely: health improvement, health protection and healthcare public health whilst also playing a key role in the reduction of health inequalities.	COUNCIL
3.	To have the day to day responsibility for the ring fenced public health grant along with overall responsibility for ensuring that this is invested in order to improve health locally	COUNCIL
4.	<p>Section 73A(1) of the 2006 Act, inserted by section 30 of the 2012 Act, gives the Director of Public Health statutory responsibility for:</p> <ul style="list-style-type: none"> • all of the local authority's duties to take appropriate steps to improve the public health of people in their area (the exercise by the authority of its functions under section 2B, 111 or 249 of Schedule 1 to, the 2006 Act), including:- <ul style="list-style-type: none"> i) providing information and advice ii) providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way) iii) providing services or facilities for the prevention, diagnosis or treatment of illness iv) providing incentives to encourage individuals to adopt healthier lifestyles v) providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment vi) providing or participating in the provision of training for persons working or seeking to work in the field of health improvement • any of the Secretary of State's public health protection or health improvement functions that 	COUNCIL

	DELEGATED POWER	OVERALL RESPONSIBLE BODY
	<p>are delegated to the local authorities, either by arrangement or under regulations - these include services mandated by regulations made under section 6C of the 2006 Act, inserted by section 18 of the 2012 Act</p> <ul style="list-style-type: none"> • the Secretary of State’s public health functions exercised by local authorities in pursuance of arrangements under section 7A of the 2006 Act • exercising the local authority’s functions in planning for and responding to emergencies that present a risk to public health • the local authority’s role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders • such other public health functions as the Secretary of State specifics in regulations • to be responsible for the preparation of the annual report on the health of the population in the local area. 	
5.	<p>The Director of Public Health will also:</p> <ul style="list-style-type: none"> • be the officer who provides leadership, expertise and advice to the elected members and senior officers on a range of issues, including outbreaks of disease and emergency preparedness to improving local peoples health and concerns around access to health services • to provide expert and objective advice to the public on health matters • to have a knowledge and understanding of how to improve the local populations health by understanding the factors that determine health and ill health and how to promote health and wellbeing, change people’s behaviour and to reduce health inequalities • work to protect the local population from risks to public health and to work with NHS colleagues and local authority colleagues such as the Director of Children’s Services and Director of Adult Social Care to promote action across the life course and to meet the needs of vulnerable children • to work with the police and crime commissioner to promote safer communities and to work with and influence the work of 	COUNCIL

	DELEGATED POWER	OVERALL RESPONSIBLE BODY
	<p>NHS commissioners</p> <ul style="list-style-type: none"> to be a member of the Health & Well Being Board as well as advising and contributing to the development of the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy to act on information received in relation to all local health protection incidents and outbreaks 	
6.	<p>Subject to the publication of Regulations, from April 2013 the Director of Public Health will also have responsibility for:</p> <ul style="list-style-type: none"> the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications (a function given to local authorities by sections 5(3), 13(4), 69(4) and 172B(4) of the Licensing Act, as amended by Schedule 5 of the 2012 Act) If the local authority provides or commissions a maternity or child health clinic, then regulations made under section 73A(1) will also give the Director of Public Health responsibility for providing Healthy Start vitamins (a function conferred on local authorities by the Healthy Start and Welfare Food Regulations 2005 as amended) 	COUNCIL
7.	<p>The Director of Public Health is responsible for the following mandatory services:</p> <ul style="list-style-type: none"> NHS Health Check assessments delivery of the National Child Measurement Programme (Weighing and measuring) securing the provision of appropriate access to sexual health services ensuring that NHS Commissioners / Clinical Commissioning Groups receive the public health advice they need steps to be taken to protect the health of the local population 	COUNCIL
8.	<p>The Director of Public Health is responsible for the non-mandatory public health services. These programmes are not nationally prescribed thereby allowing local flexibility on how they are commissioned and / or delivered based on local need:</p> <ul style="list-style-type: none"> tobacco control and smoking cessation services alcohol and drug misuse services 	COUNCIL

	DELEGATED POWER	OVERALL RESPONSIBLE BODY
	<ul style="list-style-type: none"> • interventions to tackle obesity and community nutrition initiatives • increasing levels of physical activity in the local population • public mental health services • dental public health services • accidental injury prevention • population interventions to reduce and prevent birth defects • behavioural and lifestyle campaigns to prevent cancer and long-term conditions • local initiatives to reduce excess deaths as a result of seasonal mortality • local initiatives on workplace health • public health aspects of promotion of community safety, violence prevention and response • public health aspects of local initiatives to tackle social exclusion • local initiatives that reduce public health impacts of environmental risks. 	

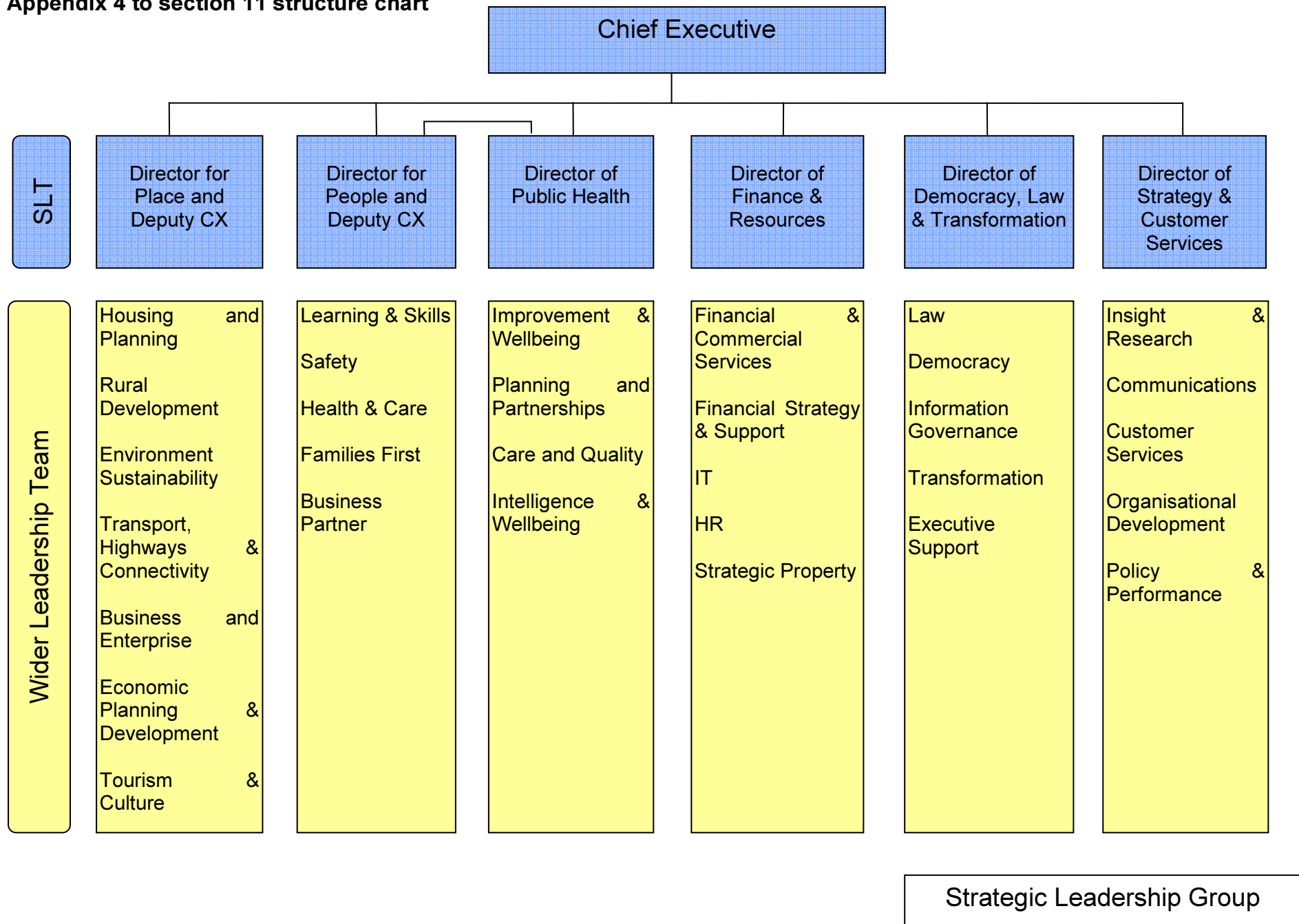
Schedule of amendments to Section 11 (Officers) of the County Council Constitution

Existing	Amendment
<p>Appendix 3 – Officer Employment Procedure Rules</p> <p>Paragraph 6 – Other Appointments</p>	<p>Insert a new paragraph 6 to read:</p> <p>6. The appointment and dismissal of the Director of Public Health</p> <p><u>Appointment</u></p> <p>6.1 A Director of Public Health must be appointed jointly by the Council and the Secretary of State (acting by Public Health England), however employment will be exclusively with the Council.</p> <p>6.2 The role of the Secretary of State in the appointment of a Director of Public Health is to provide additional assurance of the Directors competency.</p> <p>6.3 The Council must design a job description that includes specialist public health leadership and an appropriate span of responsibility for improving and protecting health, advising on health services and ensuring that the impact on health is considered in the development and implementation of all policies.</p> <p>6.4 The Council must make considerable effort to agree the job description with the Faculty of Public Health and the Public Health England Regional Director, to ensure that the job description covers all the necessary areas.</p> <p>6.5 An Advisory Appointments Committee must be set up by the Council which will make recommendations on the appointment to the leader of the Council.</p> <p>6.6 The Advisory Appointments Committee should be chaired by a lay member, such as an elected member of the Council (e.g the cabinet member of the Health and Well Being Board). It should also include:</p> <p>a. an external professional assessor, appointed</p>

Existing	Amendment
	<p>after consultation with the Faculty of Public Health</p> <ul style="list-style-type: none"> b. the chief executive or other head of paid service of the appointing Council c. senior local NHS representation d. the Public Health England regional director, or another senior professionally qualified member of Public Health England acting on his or her behalf e. in the case of appointments to posts which have teaching or research commitments, a professional member nominated after consultation with the relevant university. <p>6.7. Public Health England will also assist the Council in offering advice in relation to the recruitment and selection process, and will also confirm to the Council the Secretary of State's agreement to the appointment.</p> <p>6.8 The Council must assure themselves of the Director of Public Health's competency before appointing by ensuring that he/she:</p> <ul style="list-style-type: none"> a. Undertakes a Faculty of Public Health continuing professional development programme; b. Maintains a portfolio of training that demonstrates competence with all aspects of public health accepted by the UK Public Health Register. <p><u>Dismissal</u></p> <p>6.9 The Council must consult the Secretary of State before dismissing the Director of Public Health.</p> <p>6.10 The Council should contact Public Health England for advice on how to proceed with the consultation. Public Health England will then provide the Secretary of States formal response within 21 days.</p> <p>6.11 During the consultation period with the Secretary of State, the Council may suspend the Director of Public Health from his or her duties following the Council's standard rules and procedures.</p>

Existing	Amendment
	<p data-bbox="671 237 1418 409">6.12 Although the Council has a duty to consult with the Secretary of State regarding the dismissal of the Director of Public Health, the Secretary of State cannot refuse the Council permission to dismiss a Director of Public Health.</p> <p data-bbox="671 454 1418 775">6.13 During the Director of Public Health's employment with the Council, if the Secretary of State believes that Director of Public Health is not properly carrying out any Secretary of State function that has been delegated to the Council, they can direct the Council to review the Director of Public Health's performance, and to consider taking particular steps and reporting back to the Secretary of State.</p> <p data-bbox="671 819 975 853"><u>Interim Appointments</u></p> <p data-bbox="671 857 1418 1111">6.14 In addition to paragraph 2.2 of Section 11, before designating another officer as an Interim Statutory Officer, the Chief Executive (or in his absence Chief Finance Officer) and the Monitoring Officer must take all reasonable steps to ensure that the Interim Statutory Officer meets the requirements of paragraph 6.8.</p> <p data-bbox="671 1149 1418 1218">The previous paragraph 6 (Other Appointments) shall become paragraph 7</p> <p data-bbox="671 1256 1418 1402">The previous paragraph 7 (Disciplinary Action in respect of the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer – further provision) shall become paragraph 8.</p> <p data-bbox="671 1440 1418 1547">The previous paragraph 8 (Dismissal and other disciplinary action – Involvement of Members) shall become paragraph 9.</p> <p data-bbox="671 1585 1418 1693">The previous paragraph 9 (Powers of Chief Officers in relation to employment matters) shall become paragraph 10.</p>

Appendix 4 to section 11 structure chart



Stoke-on-Trent and Staffordshire Fire and Rescue Authority Periodic Report of the Chairman on Authority Matters

Fellow of the Institution of Fire Engineers

1. The Authority has been advised that Mr C Enness, Deputy Chief Executive/Executive Director, has been accorded fellowship status with the Institution of Fire Engineers in recognition of his contribution to the fire and rescue service. The Authority has congratulated Mr Enness on his achievement.

2013/14 Revenue Budget and Council Tax Setting

2. The Authority has set a Revenue Budget requirement for 2013/14 of £42,475,365, which incorporates the Start-up funding announced by Government of £21,033,433, and the Council Tax requirement of £21,441,932.

The budget has been set based upon the two year settlement issued by the Department of Communities and Local Government (DCLG) on 20 December 2012. This budget is the first year of that settlement and incorporates the revised funding arrangements that will come into place from 1 April 2013. The start-up funding for this Authority incorporates a reduction of £1.7m in grant, and the loss of the 2012/13 one-off Council Tax Freeze Grant of £0.7m, a total funding reduction of £2.4m.

The budget incorporates the acceptance of the Government's offer of a 1% freeze grant to those principle authorities that choose not to increase Council Tax in 2013/14. The freeze grant compensation has been pledged for two years to March 2015 but it is unclear if this will subsequently remain within the funding for the Authority after that date.

The budget process for 2013/14 has involved full consultation with all budget holders calculated from a zero base. Where possible all recurring efficiencies and savings achieved during 2012/13 have been incorporated into the base budget.

The budget also recognises the commitment by the Service to fully support the on-going Business Transformation Programme. To support this commitment the Authority approved an annual target saving of £1.3m in the budget year, in order to meet a target saving of £4.0m by 2014/15. This will ensure that the Authority has delivered £3.0m of recurring revenue savings by March 2014.

The Authority also remains fully committed to increasing revenue reserves to ensure that the Service is fully prepared for both the announced cuts in funding for 2013/14 and 2014/15, but importantly also the additional financial austerity measures that have been pledged by the Government for 2015/16 and beyond.

The Authority has congratulated the Chief Fire Officer/Chief Executive and staff on the work undertaken to produce the budget.

The budget set will not compromise community and firefighters safety.

The Director of Finance, Assets and Resources has assured the Authority in respect of the adequacy of reserves and the robustness of the budget.

Operational Assessment and Peer Challenge

3. The Operational Assessment and Peer Challenge was undertaken in the Service from 26 February to 1 March 2013. The process, which has a strong operational focus, comprises of a self-assessment and external peer challenge and is designed to allow a 'whole system' look at how a Fire and Rescue Authority leads, prioritises and delivers the interrelated functions of prevention, protection and response. The Fire Peer Challenge is a constructive and supportive process, with the central aim of helping the Service improve. Members and Service personnel participated in the Peer Challenge. The Peer Challenge Team, led by the Chief Fire Officer of Devon and Somerset Fire Service, gave extremely positive feedback using terminology such as "fantastic", "sector leading" and "exemplary". Further details will be reported to the Authority once the final report is received from the Peer Challenge Team.

As the process is reciprocal, officers from Staffordshire Fire and Rescue Service will be involved in Peer Reviews in other areas of the Country.

Fees and Charges 2013/14

4. The Authority's fees and charges for goods and services have been reviewed. The estimated income for 2012/13 was anticipated to be £9,000 for special service calls; £8,000 for catering and conferencing; £12,000 for training fees; and £15,000 for other charges. Within the review the Chief Fire Officer/Chief Executive has been given discretion to alter these charges in light of commercial and/or economic considerations.

Appointment of Peter Holland CBE as Chief Fire and Rescue Adviser

5. The Authority has been advised that Peter Holland CBE, former Chief Fire Officer of Lancashire Fire and Rescue Authority, has been appointed as the next Chief Fire and Rescue Adviser, succeeding Sir Ken Knight. Mr Holland was a former Assistant Chief Fire Officer with Staffordshire Fire and Rescue Service and has an affinity with Stoke-on-Trent and Staffordshire. He also shares the values and views of the Service.

**L W Bloomer
Chairman**