

Council**Thursday, 15 May 2014, 10.00 am, County Hall, Worcester****Present:****Minutes**

Mr A A J Adams, Mr R C Adams, Ms P Agar, Mr A T Amos, Mrs S Askin, Mr J Baker, Mr R W Banks, Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr C J Bloore, Mr J-P Champion, Mr S J M Clee, Mr S C Cross, Mrs P E Davey, Mr P Denham, Mr N Desmond, Ms L R Duffy, Mrs E A Eyre, Mr A Fry, Mr S E Geraghty, Mr W P Gretton, Mrs J L M A Griffiths, Mr P Grove, Mr A I Hardman, Mr M J Hart, Ms P A Hill, Mrs A T Hingley, Mrs L C Hodgson, Mr C G Holt, Mr I Hopwood, Mr M E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mr P M McDonald, Mr A P Miller, Mrs F M Oborski, Mr J W Parish, Mr S R Peters, Dr K A Pollock, Mr D W Prodger, Ms M A Rayner, Mr A C Roberts, Mr J H Smith, Mr R J Sutton, Mr C B Taylor, Mr J W R Thomas, Mrs E B Tucker, Mr P A Tuthill, Mr R M Udall, Mr T A L Wells, Mr G C Yarranton.

Available papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. Twelve questions submitted to the Director of Resources (previously circulated);
- C. The Minutes of the meeting held on 13 February 2014 (previously circulated electronically).

(Copies of documents A and B are attached to the signed minutes).

1550 Chairman's Announcements (Agenda item 6)

The Chairman referred to the Announcements circulated and his year in office. He thanked members and officers for making it a memorable year.

1551 Chairman (Agenda Item 1)

The nomination of Mrs P E Davey was moved by Mr A I Hardman and seconded by Mrs L R Duffy.

A further nomination, that of Mr J Baker, was moved by Mr P M McDonald and seconded by Mr A T Amos.

RESOLVED: that Mrs P E Davey be elected Chairman of the Council for the ensuing year, to hold office until her successor becomes entitled to

**1552 Vice-Chairman
(Agenda item 2)**

act.

The nomination of Mr I Hopwood was moved by Mrs L C Hodgson and seconded by Mrs E A Eyre.

A further nomination, that of Mr J Baker, was moved by Mr P M McDonald and seconded by Mr A T Amos.

A final nomination, that of Mrs E B Tucker, was moved by Mr T A L Wells and seconded by Mr M E Jenkins.

RESOLVED: that Mr I Hopwood be elected Vice-Chairman of the Council until the election of the Chairman at the next annual meeting.

**1553 Public
Participation
(Agenda item 3)**

Three petitions were presented at the meeting.

1. Ms Pauline Burgess presented a petition calling on the Council to prohibit the culling of badgers on council-owned land and invest in vaccination programmes locally. The petitioners were asking this because they believed culling to be inhumane, inefficient and unscientific.

Ms Burgess told the Council that this was a national issue which might also be of concern locally in the future. She asked the Council to ensure that badgers were as safe as possible from slaughter, with vaccines being used as often as possible.

2. Mr K Stokes presented a petition precipitated by the sudden closure of the waste recycling and disposal plant at Hoobrook, Kidderminster. The petitioner claimed that there had been no extra facilities put in its place and people from Kidderminster were now sharing the recycling/disposal plant on the Stourport Road. There were now queues at certain times of the week of over 15 to 30 minutes and longer at the Stourport recycling site. People were concerned about health and safety on the now shared site and how the traffic for the site had to queue on the main dual carriageway, as well as the longer travelling distances to get to the site to dispose of their refuse.

3. Mr C J Bloore presented a petition from concerned local residents about the traffic junction situated between the A38, Stoke Road and Charford Road. The petitioners stated that this road was currently unsafe for the large number of children, parents and residents who used it. They believed the speed limit should be reduced to 40mph and significant

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| | | steps taken to improve the safety of the junction. |
| | | The Chairman thanked all those presenting petitions and promised that each would receive a written response from the relevant Cabinet Member with Responsibility in due course. |
| 1554 | Minutes (Agenda item 4) | RESOLVED that the Minutes of the meeting held on 13 February 2014 be confirmed as a correct record and signed by the Chairman. |
| 1555 | Apologies and Declaration of Interests (Agenda item 5) | Apologies for absence were received from Mr M H Broomfield, Ms R E Jenkins, Prof J Raine and Mr G J Vickery. Two declarations of interest were made: Mr P Denham - Agenda item 13, Notice of Motion 4, as Chairman of the Worcester City Council Licensing and Environmental Health Committee. He also declared an interest as his wife was a member of the Shared Services Committee. Mr P Grove - Agenda item 13, Notice of Motion 4, as a member of the Licensing Committee of Malvern Hills District Council. |
| 1556 | Chairman's Announcements (Agenda item 6) | The Chairman referred to the earlier announcements made by the outgoing Chairman and added remarks about the retirement of Trish Haines and a farewell event for her on 29 May 2014. |
| 1557 | Future Fit - Future Operating Model (Agenda item 7(a)) | The Council had before it a comprehensive report on a proposed future operating model. The report set out that the Council had faced significant challenges over the last three years, primarily brought about by changed financial circumstances with £100m of savings to be found by 2017/18, and increasing demographic pressures year on year. The number of older people in the county who were eligible to access Council social care was rising, and the number of children Looked After by the Council had increased substantially over recent years. In response to these changes the Council had successfully launched the BOLD Programme in 2010 which focused on reform, efficiencies and reducing spending. During this period the way the Council operated had evolved incrementally rather than being designed. The report listed a comprehensive set of |

proposed changes to the way the Council should operate to ensure it was fit for the future. The report set out that should the proposed changes be approved, then once implemented they would fundamentally change the operation of the Council, enabling it to be more responsive, agile, innovative, and above all commission services for residents that met need and delivered high quality and good value.

The Council was reminded that a refreshed Corporate Plan was published in January 2013, with an opportunity to focus the Council's efforts and finances on four key areas of focus, with 'Open for Business' being a key priority. The Council was also reminded that as indicated in the Leader's report to Council in January 2014, it was unlikely that the current way of operating will be fit for the future. The challenge would be to maintain outcomes for the county's residents whilst recognising the financial constraints and also that the size of the workforce was reducing. Commissioning was to be the driver for delivering these priorities, with real emphasis on both current and future needs, within the reduced financial envelope.

The report emphasised that the changed role of the Council in becoming a strategic commissioner was becoming evident. The focus of each of the commissioning programmes would be to make savings, but at the same time maintain outcomes for residents and service users by harnessing external expertise and innovation.

- The commissioning of Learning and Achievement services was agreed by Cabinet in April 2014 with a view to a new provider being found and in place by April 2015; the provider would be expected to drive through transformational change to deliver innovative solutions in a range of services supporting schools and pupils and continue to work with schools to improve educational outcomes within existing financial constraints.
- There had been discussions with potential alternative providers for Adult Social Care services currently provided internally, and this would inform options for the future delivery of these services; this fitted into the context of the Future Lives programme where the Council would be giving service users eligible for Council funded care greater choice over the services

they use and control over their own personal budgets.

- Commissioning of five different components of support services was underway. Each component would be at different stages of the commissioning process over the next 12-18 months with the Property Design Unit and IT infrastructure currently seeking alternative provision.
- The Cabinet in March 2014 gave approval to proceed with a detailed business case across partners for a Joint Property Vehicle. The outcome would be the formation of a single new company to manage the partners' property portfolio with the potential to drive service integration and property rationalisation, ultimately creating opportunities for further regeneration and growth.
- An emerging new phase of work in commissioning Council Transport Services should be completed by March 2015. The anticipated outcome would see the further market development of community transport providers and the transfer of the in-house fleet service to an arms-length operation, thereby exploiting further commercial opportunities.

The report described that following an extensive series of engagement events including visits, conversations and focus groups with staff, members and partners during late 2013, initial proposals were brought to the Cabinet in February and April 2014. The Cabinet agreed to recommend the Future Operating Model for approval by Council, and authorised the Leader to make any final amendments to the Model following completion of consultation prior to this Council meeting.

The report defined 'Operating model' as including the following components:

- Customer base and needs
- Outcomes
- People and skills
- Processes and systems
- Structures
- Decision-making and accountability.

Since the Cabinet meeting in February the following

events had taken place.

- Seven staff roadshows
- Directorate Leadership Team Meetings
- Member briefing
- Partner briefing
- Two Overview and Scrutiny Performance Board briefings
- Four focus groups with commissioning staff
- Nearly 20 individual interviews with senior officers
- Focus group with managers
- Briefing for 150 senior managers.

In the main, the response had been very positive and all sessions had provided constructive feedback which had been used to support the further development of the Future Operating Model. There were a number of key emerging findings from the consultation and engagement sessions which would assist the implementation of the Future Operating Model, and these were summarised in the Appendix to the report.

The proposals were outlined to Cabinet at the February and April meetings. For each of these proposals an indication of what success would look like and what this meant was outlined in the report.

(a) Strategic Commissioner

What success will look like; the Council would ensure that residents and businesses get the right services at the right price for the taxpayer. The Council would have 3 strategic commissioning Directorates – DASH, BEC and Children's Services that will only provide services directly where there is not a viable alternative. A small core of services would be retained in-house for the immediate future covering social care assessment and safeguarding services in the Adult Services and Health and Children's Services Directorates, and asset and infrastructure management, regulation and economic strategy in the Business, Environment and Community Directorate (BEC).

What this will mean; the role of strategic commissioner would need to evolve by 2015/16 but it was anticipated that the strategic commissioner role would be a management responsibility of the lead Directorate. Strategic commissioners would remain accountable for all outcomes delivered by commissioning including service outcomes, budget and value for money,

regardless of provider, and the county needed to ensure it had sufficient quality assurance in place to do this effectively. These roles would lead the development of robust analysis of service user needs, management of external markets and ensure all individuals and organisations affected were included in the process, including service users, staff, members and partners. Ensuring clear separation between the strategic commissioner role, operational commissioners and the operational management of internally provided services will be important, though both will contribute to quality outcomes and cost management.

(b) Business Intelligence

What success will look like; The Council will know more about the current and future needs of residents and businesses and will use this information more proactively to plan service design and delivery.

What this will mean; as part of a commissioning review begun in 2013, the Research and Intelligence Unit was restructured in January 2014. Research and Performance Management consequently operated as two distinct strands. The research specialism was forward-looking, focussing on informing the commissioning and service redesign decisions through the use of techniques such as forecasting, benchmarking and scenario planning. The Research Teams will be further aligned in May 2014 to better align with the needs of Directorates.

The Performance Management element would focus on monitoring in-year performance, analysis of trends and setting of targets, all of which would be used together to support the commissioning function (whether this be ensuring acceptable performance of a service provided by the Council or a service provided externally), and inform the Quality Assurance process.

Performance management (through the currently used Balanced Scorecard, for example) would continue to be a vital means of understanding progress against "Future Fit". The Balanced Scorecard reports progress against the Corporate Plan using measures which relate to outcomes for residents in which the Council has an important role, either in influencing, commissioning or directly providing. In addition, it demonstrates the 'golden thread' in priorities and their performance throughout the organisation. A cross-organisation review of Performance Management will be complete by

June 2014 and this would be used to inform and develop key components of the Future Operating Model.

The future role of research would also be different, with strategic commissioners requiring the function to enable better evidence-based decision-making and more forward-looking information and scenario planning rather than merely collecting the data in its current or retrospective form. For example, Strategic Commissioners for adult social care services might need tailored demographic information to let them know where their service users were, what their needs were currently, what their needs might look like in the future and what delivery model(s) may suit them best. They would also require a comprehensive picture of the market place, if the Council no longer delivers services then it can only influence the open market by understanding capacity versus cost, the specialisms offered, and try to predict the future of services when jointly commissioned with partners. Another example would be the use of digital information in providing services where research officers will use customer insight tools to make recommendations on how the service could be designed to ensure maximum take-up from users.

(c) Quality Assurance

What success will look like; the Council would make sure that services are safe, effective and customer friendly and have in place appropriate mechanisms to ensure this, regardless of provider.

What this will mean; the Council would look to enhance existing arrangements for managing supplier delivery proactively, ensuring service user feedback is a key component in any quality assurance process. This will require changes across the Council but particularly in managing suppliers that provide services directly to people. The changes will need to cover appropriate governance, management information and qualitative checks on quality, including a bigger role for members in overseeing quality. The report highlighted that Scrutiny had suggested that they play a more active role in challenging quality assurance, which was welcomed and supported by the executive. All members had a copy of the OSPB's Task Group's comments.

(d) Act Local

What success will look like; the Council will support people to come together to do things for themselves and their local community using their time, ideas and skills to make where they live a better place.

What this will mean; the Act Local initiative has had considerable success in developing an awareness and toolkit for local innovation and service delivery. Examples include communities taking up provision of outdoor education centres, libraries, youth services and winter gritting. However, there was a desire across the county to seek out further opportunities to deliver services at a more local level at lower cost, and in response to the needs of local areas. This recognised the shift to individuals and communities being empowered to do more for themselves on issues that are important to them. Recognising that one size wouldn't fit all, the Council would continue to work more closely with District Councils, Parish Councils and communities to identify and maximise opportunities for innovative solutions to changing local needs.

(e) Partner Feedback

What success will look like; the Council would gather regular feedback from partners, such as the District Councils, schools and the NHS, about how the performance of the Council - in the same way that the Council already collects feedback from residents, businesses and staff.

What this will mean; from 2014 the Council will incorporate a formal mechanism in its annual feedback surveys for feedback from all partners. This feedback information will be vital in terms of informing, challenging and improving future service design and delivery. A presentation on the future Operating Model was made to the Worcestershire Partnership Executive Group (PEG) on 9 April, which involved a discussion about existing 'feedback' arrangements with other councils, and how this Council might adopt these in order to improve and expand existing feedback processes. Proposals and ideas would be explored further at the June meeting of PEG and this would be used to inform the development of future mechanisms for obtaining this feedback.

(f) Expectations of members' role

How we will measure success; to enable all members

to fulfil their role as local community leaders who are active in their communities and acknowledged as the 'go-to' person, to pull together support for local solutions to local problems. Members of the Cabinet will also provide community leadership at a countywide level, as well as having a role on the national stage. Through their democratic leadership, members will work with residents and partners to develop community resilience, access to services, community spirit and democratic participation.

What this will mean; the Council supports members through a combination of induction, briefings and formal training. New support structures will be designed to ensure members know where to go and who to approach to get up-to-date information that facilitates the delivery of local solutions and provides timely answers to local problems. The Council will build on the work of Scrutiny around member input into the Commissioning Process to look at how best to provide improved mechanisms to facilitate member input, recognising that the Council would be operating with reduced resources. The Council will ensure emerging and cross-organisational themes were being captured and communicated early enough, and information bulletins will be provided on a more regular basis. This will help to develop members' roles in relation to specific services, political groups, local partnerships and Council scrutiny and decision-making.

(g) Expectations of Staff

What success will look like; Staff will know what their objectives are, how they contribute to the Corporate Plan and how this differs from previously, including the development of different skills and behaviours. Staff will be flexible in their working practices including working across the organisation where appropriate, for example on major projects or cross-cutting issues.

What does this mean; flexible and mobile working will continue to be implemented and overall scores for performance will be introduced in Staff Review and Development (SRD) assessments from 2014. Staff accountability will be strengthened through delivering better decision-making, with innovation, agility and calculated risk-taking encouraged where a better outcome for residents can be achieved. A number of initiatives are being progressed including a review of the Council's 'Our People' strategy to identify desired staff behaviours in line with the Corporate Values and any

Future Operating Model, as well as the introduction of development programmes to build staff capability and skill.

(h) Expectations of Managers

What success will look like; above and beyond their technical expertise, all managers will have been trained and will be working in a commercial way to achieve key objectives, manage resources, increase staff performance and work across service and organisational boundaries, all of which will be assessed through individual appraisals.

What this will mean; general management competencies as well as existing professional and technical competencies had been introduced for all managers in SRDs from 2014 and will be used as the basis of all recruitment. Managers' performance will no longer be measured on the basis of how many staff they line manage but instead on their contribution to the commissioning outcomes. Building on 'Managing Beyond the Basics', a blended training approach will be taken to developing skills that are variable across the organisation, including needs analysis, commercial and supplier management and any others.

(i) Implementing a Digital Council

What success will look like; the Council will use information and technology to free up staff to help customers to help themselves. This will see a transformation in self-service over this period.

What this will mean; the Council expect all services to be available on-line by 2016/17. This does not exclude face-to-face, or telephone contact where it is needed, but ensures the Council is fully flexible for all residents in a technology-rich world. The Council will work proactively to address digital exclusion, for example in areas of deprivation and population groups such as elderly residents. Through matrix working, detailed plans have already been created across all of the 8 focus areas of the Digital Strategy

- How the Council communicates with citizens and businesses
- How the Council manage information to provide service users with the information needed to make the operational and strategic decisions
- How the Council provide applications to service

- users
- How the Council support services users
 - How the Council improve the supporting infrastructure to enable flexible and mobile working
 - How the Council improve connectivity to enable secure and effective council working
 - How the Council are improving business engagement
 - How the Council are improving IT (security, commissioning, etc).

These have been aligned specifically with Directorate strategies in a collaborative way, demonstrating the change in behaviours the Council will expect from Managers and Staff. Common systems and processes will improve access to real-time information and support operational and strategic decision-making processes. The commissioning of IT will provide access to a wider set of technological capabilities ensuring service delivery and accessibility continues to be aligned to service user needs.

(j) Support Services

What success will look like; HR, IT and Finance will be covered by a small professional team that will help service areas commission or deliver services. Routine volume transactions will be streamlined and automated, and where possible will be done outside the organisation at reduced cost.

What this will mean; the nature of each support service will be changing, which will therefore necessitate changes in their individual operating models. Commissioning of support services was well underway and revised operating models for core support services (Finance, HR and Legal & Democratic) had been developed. A consequence of the different operating model for these services will mean strengthening the Council's capacity to be an intelligent client in managing suppliers, to ensure the Council retain best value and quality outcomes for Council service users. This will affect the role of the Council's current Resources Directorate.

(k) Commissioning Support

What success will look like; the Council will make sure staff who are commissioning and buying services on behalf of the Council get the right expert and

specialist support from colleagues with expertise in commercial management, finance and legal services.

What this will mean; the report set out that this was likely to require an element of structural change to reflect the changed expectations of support services as indicated in section (j) of the report. Strengthening of the Council's commercial capabilities will be critical and the Council need to ensure that this is focused not just at the point of contract tendering, but throughout the commissioning cycle. The Council will ensure the roles of finance, legal, democratic, programme management, business intelligence, organisational development and technology innovation are appropriately aligned to the different stages of commissioning and these functions will need to work closely alongside the Council's performance management function to ensure the performance of all services is clearly understood by all, including members and residents as well as staff.

A focus on how commissioning delivered social value would be important. Social value helps the Council to consider the collective benefit to the community and wider social, economic and environmental outcomes (e.g. stronger communities, improved health and improved environment) that can be procured over and above the direct purchasing of services, goods and outcomes. How the Council's commissioning supports the Corporate Plan objectives will be important, for example impacts on our local economy will be critical in delivering the Corporate Plan priority 'Open for Business'. Developing skills and capabilities to effectively build social value into the Council's contracting and measure its effectiveness will be important although it is likely that different elements of social value will be appropriate depending on the service.

(l) Matrix Working

What success will look like; staff will work cross-Council in teams to contribute to corporate priorities and share best practice.

What this will mean; as the Council's financial resources get tighter and more complex challenges are addressed, the Council will have to work across traditional Directorate structures more effectively. The Council already had some experience of doing this successfully, for example the cross-Council teams that have supported the recent conclusion of waste

negotiations, the development of stronger families work and broadband, but the Council will need to use this approach more in the future. Further opportunities for matrix working are being identified, for example opportunities across Adults' and Children's services and a further look at service integration in customer-facing buildings.

(m) Transfer of staff as a result of commissioning

The Council will move to being a Strategic Commissioner under this Future Operating Model, and it was recognised this would inevitably lead to a reduction in Council-employed staff. Commissioning will be enabled through the development of different service delivery models suitable for the particular service in question - including the procurement of private sector organisations; establishment of arm's length bodies; separate commercial legal entities and joint venture organisations.

In delivering the Future Operating Model it will be the role of Cabinet (as the Executive) to make the final decision on the appropriate service delivery model for any particular service, and the Council to accept there will be a consequential impact reducing the numbers of directly Council-employed staff as a result of particular Cabinet decisions. The report suggested that many staff who currently delivered services which were subsequently commissioned-out by Cabinet were likely to be transferred to third-party providers through TUPE transfer.

Next Steps

The report set out that the three frontline Directorates would broadly stay the same, based on their track record of delivering good services and substantial savings for the residents of the county and the need for them to focus on the challenges ahead. However, there would need to be some structural changes to better implement the Future Operating Model. Their Directorate structure would remain, but a number of directorate functions would change and the role requirements of a number of managers will change. This would mean that a number of existing posts would be deleted and new ones would need to be created. In addition, the structure of the current Resources Directorate and Chief Executive's Unit would need more fundamental structural change.

The report concluded by referring to a separate report detailing the structural changes needed to implement the key components of the Future Operating Model if it was adopted.

The recommendations in paragraphs 1(a) to (c) of the report were moved and seconded.

An amendment was moved by Mr R M Udall and seconded by Mr C B Taylor to add a paragraph (d) in the following terms:

"(d) Council accepts the report from the OSPB and the recommendations within it. Council authorises Group Leaders and the Chair and Vice-Chair of the OSPB to undertake discussions to consider proposals for Quality Assurance and Commissioning Monitoring Panels and any changes to other Scrutiny Panels and the Members' Advisory Group as suggested within the OSPB recommendation.

Council requests further report with recommendations be made to a future meeting".

With the agreement of the mover and seconder of the original motion this additional paragraph was adopted as part of the substantive motion.

A discussion then ensued during which the following principal points were made:

- a number of members spoke about the pace of change being so swift and causing potential difficulties as a result. Other members spoke in favour of increasing the pace of change to buffer the Council against the continuing financial stringencies and creating a durable and robust operating model
- some members also spoke about the loss of the public sector ethos and the values that embodied. Other members reiterated that the Council had to ensure service users/Council Tax payers received the best service at the best price and that the Council was now operating in a very different environment
- some concern was expressed about how Council workers would lose benefits accrued during their service with the Council. Other members reminded Council that transferred staff were

protected by TUPE regulations and the changes were required to control spending and providing services at the best price for taxpayers. The changes were about value for money and the needs of residents and not about political dogma.

- In summing up, the Leader expressed satisfaction that Scrutiny was contributing to the process and the OSPB recommendations would be further discussed with a view to a report being made to the Council in Autumn.

RESOLVED that:

- (a) the outcomes of consultation with staff, members and partners on proposals to change the future way of operating within the Council as set out in the report be noted;**
- (b) the consequential impact on the status of directly-employed staff in services which are commissioned and to be provided externally be noted and accepted;**
- (c) the Council's Future Operating Model as set out in the report be approved;**
- (d) the report from the OSPB and the recommendations within it be accepted. Group Leaders and the Chairman and Vice-Chairman of the OSPB be authorised to undertake discussions to consider proposals for Quality Assurance and Commissioning Monitoring Panels and any changes to other Scrutiny Panels and the Members' Advisory Group as suggested within the OSPB recommendation. The Council also requested that a further report with recommendations be made to a future meeting.**

1558 Future Operating Model: Directorate Structures (Agenda item 7(b))

The Council had before it a report setting out the proposed structural changes consequent upon the decision set out in Minute Number 1557 above.

The report set out in detail that there would need to be some structural changes within Directorates to implement the Future Operating Model already agreed by the Council. The report proposed that the three strategic commissioning, frontline Directorate structures (Business, Environment and Community, Children's

Services, Adult Services and Health) should remain, but a number of functions within these directorates would change. This would mean that a small number of specific roles would need to be considered for deletion with new ones created.

The report set out that to reflect the new operating model, the current Resources Directorate and Chief Executive's Unit be replaced by a new Commercial and Change Directorate. This would mean the deletion of both the Assistant Chief Executive post and the Director of Resources post, and the creation of a new Director post in order to better deliver the Future Operating Model.

The report outlined a number of proposed changes relating to specific directorates.

DASH

The Council would be updating joint commissioning with the NHS to reflect the developing plans for integration of health and adult social care, the development of the Well Connected programme and to ensure consistency with the Council's emerging operating model.

The report set out that this would include:

- Working with local NHS towards further integration of health and adult social care.
- Discussions at the Health and Wellbeing Board concerning the development of a bigger pooled commission budget and appropriate governance arrangements to support the Well Connected programme
- Integrated commissioning of health and social care becoming increasingly important as a step towards pooling budgets
- The need to strengthen capacity and capability which could include the merging of Joint Commissioning and Well Connected functions and resources, placing professional management of contracting staff through to a corporate centre and transferring children's commissioning back to Children's Services.

These proposals were currently being discussed with relevant staff and a further report to the Appointments Etc Panel detailing the structural changes within DASH would be submitted as necessary in the autumn.

BEC

The BEC Directorate would need to make a number of changes to ensure the role of strategic commissioner was clear and effective. Therefore it was proposed that the current Heads of Services posts within BEC, be deleted and 3 new posts created : Head of Strategy and Infrastructure, Strategic Commissioner - Major Projects, and Head of Community and Environmental Services, all under the Director's leadership. These proposals were explained later in the report and it was recommended that the Appointments Etc Panel consider and determine these proposals and their detailed implementation following any necessary consultation.

The new structure would better reflect the Council's emerging operating model and provide clarity on the commissioning lead within the Directorate. It would also provide for a more coherent approach to the development and delivery of the Council's strategic infrastructure priorities whilst focussing community service provision into one operational area.

Further, given the priority of both highways and economic development in the Corporate Plan, the new structure would see each Head of Service owning an element of these themes. The strategy for economic development adopted by the Council was based around three core components contained within the Open for Business strategic overview. The investment in the fundamentals component (infrastructure and skills) would remain in BEC across the three Heads of Service. The reputation and profile component would be owned by the corporate centre to reflect its political importance in raising the recognition of the county and Worcestershire County Council nationally. The service transformation component, which related to the impact the Council has on the county's economy when procuring goods and services, will belong to the new Commercial and Change Directorate.

Children's Services (ChS)

To reflect the commissioning of Learning and Achievement Services and the required level of transformational change, it was proposed that the current post; Head of Learning & Achievement be deleted, and a new post; Strategic Commissioner – Education Services be created.

Resources/CEU

The report suggested that with the introduction of the Future Operating Model it was timely to ensure the alignment of skills and structures to the new way of working in delivering corporate priorities. It was proposed that a new Commercial and Change Directorate would bring together the functions set out in the report from the Resources Directorate and Chief Executive's Unit respectively. This would build on the strong senior manager skills and capabilities in the organisation, but ensure that new skills required for the future are at the heart of the Directorate; working intimately with the frontline Directorates to ensure best outcomes and value for the county's residents.

This Commercial and Change Directorate would replace the current Resources Directorate and Chief Executive's Unit. As a consequence, the post of Assistant Chief Executive would be deleted (delivering a net saving of £50,000 per annum) the post of Director of Resources would be deleted, and a new post of Director of Commercial and Change created.

The new Commercial and Change Directorate would be key in ensuring the translation of commissioning outcomes in supporting the 'Open for Business' priority and in driving change across the organisation. It would include the following functions:

- Legal and Democratic (Head of Service)
- Commercial Management
- Performance Management
- HR and Organisational Development (Head of Service)
- Systems and Customer Access (Head of Service)
- Property (Head of Service) up until the functions transferred to the proposed JPV.

Given the financial challenges and desire to improve the profile and reputation of the county, it was proposed that the Finance function be headed by a Head of Service carrying out the role of Chief Financial Officer (also known as the Section 151 officer), and the management of the Finance function. This Head of Service and the Manager of 'Research, Marketing and Programmes' (due to the responsibility for reputation and communications), would report directly to the Chief Executive. Regardless of a separate reporting line, it was fully anticipated that these functions would work

alongside the other commissioning support functions within the Commercial and Change Directorate.

It was likely that as the Council progressed towards a Joint Property Vehicle the Head of Property Services role would be reviewed.

The report concluded by stating that Council was being asked to delegate any consequent staffing changes arising from the above to a future Appointments Etc Panel. The Appointments Etc Panel would be convened to consider the details of any changes to Director or Head of Service posts consequential to the Council's decision on the Future Operating Model and the structural changes contained in the report.

A discussion ensued during which the following principal points were made:

- The restructuring proposals were no reflection on the individuals concerned, but related to the most appropriate structure
- some members commented that the savings outlined appeared to be quite low given the changes being proposed. Other members suggested that taxpayers would benefit from the Council's commissioning approach and its focus on the right service at the right price;
- some members suggested the amount of detail contained in the report was insufficient for the Council to make an informed decision and the delegation of all these matters to the Appointments Etc Panel was disenfranchising a large proportion of the Council;
- it was also suggested that the rate of change and the pace of reform were in danger of leaving the Council in the position of acting before due and proper consideration had been given to all the matters involved with the proposals. Other members reiterated that only by this speedy response could the Council achieve the best outcomes for residents.

RESOLVED that

- (a) the changes to Directorate structures as set out in paragraph 1 of the report be approved so as to retain the three strategic commissioning**

frontline Directorates structures (Business, Environment and Community, Children's Services, Adult Services and Health);

- (b) the current Resources Directorate and Chief Executive's Unit be replaced by a new Commercial and Change Directorate (with the consequent deletion of the Assistant Chief Executive post and the Director of Resources post) as set out in paragraph 12 of the report;
- (c) the Chief Executive be authorised to continue all necessary staff consultations in relation to the proposed changes as set out in the report;
- (d) the Appointments Etc Panel be authorised to take all appropriate decisions in relation to the proposed changes (including the proposed deletion, and creation of, Head of Service posts and appointments thereto, and the appointment of the Director of Commercial and Change); and
- (e) the Appointments Etc Panel be authorised to designate one of the Finance Head of Service posts as the Council's Chief Financial Officer and appoint thereto.

1559 Constitutional and Other Matters - Waste Credit Governance Committee (Agenda item 8(a))

The Council had before it a report on the establishment of a Waste Credit Governance Committee.

The report reminded the Council that on 16 January 2014 it had authorised a loan of up to £125m to Mercia Waste Management Ltd (Mercia) as the best way to fund an Energy from Waste plant at Hartlebury. This was connected with a proposed variation to the existing Waste Management Services Contract with Mercia approved by the Cabinet on 12 December 2013.

After much commercial negotiation, contract variation and loan agreements with Mercia, the Council was now ready for formal execution ('Financial Close'). The previous Council report proposed the establishment of a Waste Credit Committee to underline the separation between the Council's two roles as lender and as waste disposal authority. It was proposed that such a committee would operate during the period of the loan (i.e. after Financial Close over the life of the Waste Management Services Contract until 2023). The Council in January 2014 had decided to reconsider the issue of a Waste Credit Committee at this meeting.

Attached to the report was a proposed Terms of Reference setting out a politically balanced cross-party committee to have oversight of the actions of the Council acting as lender. The Cabinet, not the Committee, would remain responsible for decisions in respect of the operation of the waste contract, or any waste disposal authority executive functions. The Cabinet would have no supervisory or other responsibility for the Committee, and to emphasise this separation it was proposed that no members of the Cabinet should sit on this Committee.

The report set out that the Council was therefore being requested to establish the Committee with the Terms of Reference shown attached to the report, and to appoint its Chairman. It is also requested to appoint a Vice-Chairman from a Group other than that forming the administration. Other appointments to the Committee would then follow in line with political balance and as nominated by the respective Group Leader.

The report concluded that it was anticipated that, if approved, the first meeting of the Committee would be in July 2014, meeting approximately every other month during the construction phase of the Energy from Waste plant, and less frequently thereafter.

RESOLVED THAT

- (a) a Waste Credit Governance Committee with the Terms of Reference as set out in the Appendix attached to the report be approved;**
- (b) Mr W P Gretton be appointed as the Chairman and Mr L C R Mallett be appointed as the Vice-Chairman of the Committee; and**
- (c) the members of the Committee be appointed in accordance with the requirements of political balance and the Head of Legal and Democratic Services be authorised to give effect to the nominations from time to time of the respective political Groups.**

1560 Constitutional and Other Matters - Council meeting dates for 2015 (Agenda item 8(b))

The Council had before it a report on the meeting dates for 2015.

The report reminded members that County Council meeting dates were currently scheduled up to November 2014. To enable the 2015 meetings programme to be produced and help members plan

**1561 Overview and
Scrutiny Work
Programme
(Agenda item 9)**

their commitments, the Director of Resources was suggesting that further meetings of the Council be now scheduled for 2015. In accordance with the usual practice and pattern of meetings, further meetings (Cabinet, Committees and Panels) would be arranged and members notified in due course.

For completeness the report contained the remaining Council meeting dates for 2014 namely 3 July 2014, 18 September 2014 and 13 November 2014.

RESOLVED that the programme of meetings for 2015 as follows be approved:

**15 January 2015
12 February 2015
14 May 2015
2 July 2015
17 September 2015
12 November 2015.**

The Council had before it a report which set out the proposed Overview and Scrutiny Work Programme for 2014/15.

The report set out that the Council had agreed the 2013/14 scrutiny work programme in October 2013 and the progress made against this was set out in the Scrutiny Annual Report that had been considered by the Council in January 2014.

Since that time, suggestions for future scrutiny had been sought from members and the Strategic Leadership Team, and were considered and agreed by the Overview and Scrutiny Performance Board on 9 April 2014.

The draft work programme was attached to the report as an Appendix and was presented in priority order. The report noted that several of the topics listed would be best carried out as Scrutiny Task Groups, due to their cross-cutting nature.

The report also set out that the Chairman of the OSPB had suggested a new process for scrutinising the Council's budget. The intention would be to establish a Budget Scrutiny Task Group in October each year, to investigate, scrutinise and comment upon budget proposals.

RESOLVED that the 2014/15 Scrutiny Work

1562 Reports of Cabinet - Matters which require a decision by Council - New Specific Grant Confirmations (Agenda item 10(a))

Programme be endorsed.

The Council had before it a report which set out information about new Specific Grant confirmations and sought approval to change revenue cash limits consequent upon their receipt.

The Government had recently communicated the value of the extension of the Adoption Reform Grant (£0.4 million) and the new Special Educational Needs (SEN) Reform Grant (£0.6 million) for 2014/15. Both areas were key reform priorities for the Government and although formal grant returns would not be required, the Department for Education (DfE) would expect the Council to report on its plans to implement the change agenda in both of these areas.

The DfE had met senior officers of the Council to discuss the adoption scorecard and the use of the existing adoption reform grant and plans for the future service developments. Meetings were also taking place over the coming months to discuss how the Council would be implementing the changes required within SEN reform. As such, the Council would be required to ensure that both these areas of funding were targeted to meet the required outcomes on a cross-Children's Services Directorate basis.

The report set out that it was expected that detailed plans for the use of this additional money would be endorsed by the Children's Services Leadership Team to ensure that the best use of these grants was made.

The report concluded by suggesting that the Council should ring-fence both these grants for the purposes intended by Government and the Director of Children's Services would then use this funding in line with normal officer delegations.

RESOLVED that the changes to the revenue cash limits contained in the report arising from the receipt of adoption reform and Special Educational Needs revenue grants be approved.

1563 Reports of Cabinet - Matters which require a decision by Council - Capital Programme

The report set out that in February 2014, the Council approved a Capital Programme which included an allowance of £20 million to cover unallocated capital expenditure. Specifically the report set out that work had now been concluded to determine those schemes that were sufficiently developed to transfer into the Capital Programme including review by the Corporate

**2013/14 to
2016/17 (Agenda
item 10(a))**

Landlord Board and members. The report contained details of a series of schemes recommended for inclusion in the Council's Capital Programme. An equivalent reduction in unallocated capital expenditure would be made to ensure there was no additional requirement for prudential borrowing.

- £0.4 million Children's Services EBD Units in 2014/15 funded in full by an equivalent transfer from Children's Services revenue budgets on a spend to save basis.
- £4.75 million Worcester Technology Park on-site works as per the December 2013 Cabinet report to be funded by 3rd party income streams developed through Phase 1 of the project.
- £6.4 million Digital Strategy and Customer Access programme that included business as usual and life cycle expenditure over the Medium Term Financial Plan (MTFP) as well as investments to deliver the Council's vision of Digital by Default. The programme also used £2.3m of existing ICT capital budgets and earmarked reserves.
- £5.5 million Minor works and lifecycle replacement expenditure that would be undertaken over the life of the MTFP within Directorates.
- £1.2 million Planned Street column replacement programme over the life of the MTFP, supplemented by £0.2m funded by revenue budgets over the MTFP period.
- £2.0 million Repairs and Maintenance of a long-term nature over the life of the MTFP.

These new capital expenditure proposals were included in a revised Capital Programme detailed in the Appendix attached to the report.

The report concluded with confirmation that the Devolved Formula Capital Grant for Schools was £1.1m. At the time of writing the February Council report this had been shown as estimated.

RESOLVED that the Capital Programme, as attached to the report, be approved.

The Leader of the Council reported the following topics

1564 Reports of

**Cabinet -
Summary of
Decisions Made
(Agenda item
10(b))**

and answered questions in relation to a number of them:

- FutureFit: Commissioning of Learning and Achievement
- West Mercia Adoption Service
- Worcestershire Safeguarding Children Board Annual Report 2012/13
- Children's Social Care: Partnership with Parents, Carers and Young People Policy
- Formal Proposal to make changes to the provision for Pre-School Aged Pupils with Special Educational Needs in Worcestershire
- Implementation of a Banded Funding Model as part of the Higher Needs Pupils Funding Scheme with effect from April 2014
- School Admissions Policy for Community and Voluntary Controlled Schools, Academic Year 2015/16
- Increasing the Number of School Places available for Reception Intake September 2015 and Future Arrangements for Decisions on School Places and Organisation
- Hosting Arrangements for West Mercia Youth Offending Service
- Worcestershire's Long-Term Economic Plan
- Prevention, Early Help and other Support for Adults and Young People: Outcome of Consultation and Final Recommendations
- Business Case for a Joint Property Vehicle
- Major Transport Scheme - Hoobrook Link Road (Phase 2)
- Resources Report
- Revenue Budget Monitoring 2013/14 Outturn Forecast as at 28 February 2014
- Capital Programme Budget Monitoring: 2013/14 Actual Expenditure as at 28 February 2014
- European Structural and Investment Funds (EUSIF) Submission
- Partnership arrangements with the National Health Service
- Financial support for homeowners and businesses as a result of the recent flooding
- Schools Funding 2015/16
- Car Parking - County Hall Campus
- Data Sharing with Central Government
- Performance Matters

1565 Question Time

Twelve questions had been received by the Director of Resources and had been circulated before the meeting.

(Agenda item 12)

**1566 Reports of
Cabinet
Members with
Responsibility -
Children &
Families (Agenda
item 11(a))**

Those questions to be taken on the day were asked (or taken as read). Eight questions were dealt with in this manner and answers given. The remaining four questions would receive a written answer. All answers are enclosed with these Minutes.

The Cabinet Member with Responsibility for Children and Families presented her report which covered a number of overarching issues:

- Learning and Achievement
- Early Years
- Key Stage Two performance
- Key Stage Four performance
- Key Stage Five performance
- Social Care
- Early Help (Stronger Families) and Partnership

The Cabinet Member with Responsibility answered questions about the report which included:

- the rate of change in Children's Services including the commissioning of Learning and Achievement
- the possibility and desirability of moving to a two-tier structure of education across the county if this had no negative financial consequences for the Council
- the preparation being made to deal with over-subscription and the supply of school places due to changing demographic trends
- training for the role of corporate parent
- the importance of a strong in-county foster care capacity to reduce costs and improve outcomes.

The Cabinet Member with Responsibility promised written responses on:

- the new Holyoakes School site in Redditch. Will the school be moving, be replaced or repaired?
- The Inquest into the death of the Looked After Stourport teenager. Will this be a subject to be raised at a Cabinet Member Briefing session?

The Chairman thanked the Cabinet Member with

**1567 Report of
Cabinet Member
with
Responsibility -
Localism and
Communities
(Agenda item
11(b))**

Responsibility for her report.

The Cabinet Member with Responsibility for Localism and Communities presented her report which covered a number of overarching issues:

- Libraries
- Lifelong Learning
- The Joint Museum Service
- Archives and Archaeology Service
- The School Music Service
- The county Arts Service
- Corporate Information Management Unit (CIMU)
- Registration and Coroner Services
- Countryside Services
- Gypsy & Traveller Services
- Voluntary and Community Sector (VCS)
- Regulatory Services
- The Hive
- "Act Local"
- "Open for Business"

The Cabinet Member with Responsibility answered questions about the report which included:

- the future of Waseley Hills Country Park and whether the Council intended to "outsource" the service. The Cabinet Member with Responsibility confirmed that the Countryside Service was a much valued part of the council's provision
- the future provision of a mobile library service. Again the Cabinet Member with Responsibility referred to the value placed by the public on this service and the investment being made in it.
- budget reductions in the Archives and Archaeology Service and the reassurance that these areas would be maintained and protected. The Cabinet Member with Responsibility confirmed this was a valuable and valued service and referred to developments in the area.
- service reductions in the Registration Service and the effects this would have on specific geographical areas. The Cabinet Member with Responsibility outlined the service for Bromsgrove for the questioner.

- illegal horse grazing on verges across the county. The Cabinet Member with Responsibility gave an outline of the legal position.
- wider questions about the work of the Council with travellers. The Cabinet Member with Responsibility referred to work being done to update the Council's protocols.
- the speed of acquisition of new books for the Library Service was praised.
- concerns about the budget of Trading Standards and their critical role in consumer protection

The Cabinet Member with Responsibility promised written responses on:

- the results of the marketing campaign to promote the use of the naming and secular services provided by the Registration Service and how many new customers had applied as a result
- the county now no longer has a choir for young people. How and why has this situation come about?
- The extent of work carried out on the county's footpaths over the last 12 months to ensure that people with a disability can access the beautiful Worcestershire countryside
- When would any revised Gypsy, Roma, Traveller protocol come to members for approval before implementation?

The Chairman thanked the Cabinet Member with Responsibility for her report.

1568 Notices of Motion - Notice of Motion 1 - Ethical Care Charter (Agenda item 13)

The Council had before it a Notice of Motion standing in the names of Mrs E B Tucker, Prof J Raine, Mrs F M Oborski, Mr T A L Wells, Mr M E Jenkins and Mrs S Askin as printed in the agenda papers.

The Motion was moved by Mr M E Jenkins and seconded by Mrs E B Tucker who both spoke in favour of it.

The Council agreed to consider the Motion on the day.

Before consideration of this Motion an amendment was

moved by Mrs S L Blagg and seconded by Mr A I Hardman that the substantive motion be:

"This Council notes that the UNISON Ethical Care Charter sets minimum standards to protect the dignity and quality of life for people who need homecare. It commits councils to buying homecare only from providers who give workers enough time, training and a living wage, so they can provide better quality care for thousands of service users who rely on it.

The Council asks the Cabinet Member with Responsibility for Adult Social Care to have regard to these social values in the Directorate's future direction when commissioning or delivering care services in partnership with the health service, but be mindful of the tight financial position of the Council to ensure the best outcomes for care users. The Cabinet Member should consider the different areas covered by the Ethical Care Charter as well as other nationally recognised guidelines for health and social care."

The mover and seconder of the original motion declined to adopt the amendment and indicated they would not support it.

A discussion ensued during which the following principal points were made:

- some members spoke against the amendment suggesting that it was essential for the Cabinet Member with Responsibility to report to Cabinet and set out all the implications of moving towards this laudable commitment
- other members said this was the right thing to do and ensured the Council took a consistent line. The Council had to be able to act flexibly to achieve the best outcomes for all parties.
- another member stated that the Council was aware of the contents of the Charter and by and large acted in line with its principles.

On being put to the meeting the amendment was carried became the substantive motion and was then agreed.

The Council had before it a Notice of Motion standing in the names of Mr P M McDonald, Mr A T Amos, Mr J Baker and Ms P A Hill as printed in the agenda papers.

1569 Notices of Motion - Notice

**of Motion 2 -
Payment of
Honorariums
(Agenda item 13)**

The Motion was moved by Mr P M McDonald and seconded by Mr A T Amos who both spoke in favour of it.

The Council agreed to consider the Motion on the day.

A discussion ensued during which the principal points made were:

- that such payments were used to top up the pay of senior staff at the expense of the low-paid. Other members said this was not the case and a payment of an honorarium was a very cost-effective way of managing the Council's workload, using the skills and talents of existing staff and rewarding those who gave their support in this way
- that the £500,000 identified could and should be used to move towards the payment of the living wage to the lowest paid. Other members suggested that the £500,000 was being properly and well spent
- anonymised examples were quoted by one member to support the view that the Council was acting properly, prudently and in a business-like manner in paying honorariums.

On a named vote the Motion was lost.

Those voting in favour were: Ms P Agar, Mr A T Amos, Mrs S Askin, Mr J Baker, Mr C J Bloore, Mr S C Cross, Mr P Denham, Mr A Fry, Ms P A Hill, Mr M E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mr P M McDonald, Mrs E B Tucker, Mr R M Udall (15).

Those voting against were: Mrs P E Davey, Mr R C Adams, Mr R W Banks, Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr J P Champion, Mr N Desmond, Mrs L R Duffy, Mrs E A Eyre, Mr S E Geraghty, Mr W P Gretton, Mrs J M L A Griffiths, Mr A I Hardman, Mr M J Hart, Mrs A T Hingley, Mrs L C Hodgson, Mr C G Holt, Mr I Hopwood, Mr J Parish, Dr K Pollock, Mr D W Prodger, Mrs M A Rayner, Mr A C Roberts, Mr J H Smith, Mr R J Sutton, Mr C B Taylor, Mr J W R Thomas, Mr P A Tuthill and Mr G C Yarranton (30) .

The Council had before it a Notice of Motion standing in the names of Mr P M McDonald, Mr C J Bloore and Ms

1570 Notices of

**Motion - Notice
of Motion 3 -
Council
Representative
on the Hereford
& Worcester Fire
and Rescue
Authority
(Agenda item 13)**

P A Hill as printed in the agenda papers.

Before the Notice of Motion was moved or seconded the Head of Legal & Democratic Services was asked to give his advice on the validity of the Motion. He confirmed that as worded it was in order and related to the Council's function to appoint councillors to the Fire and Rescue Authority. The Chairmanship of the Fire and Rescue Authority was not a function of this Council but of the Fire and Rescue Authority.

The motion was then moved by Mr P M McDonald and seconded by Mr C J Bloore. Mr P M McDonald spoke in favour of the motion considering that the decision to pay for the Chief Fire Officer's operation after he had returned to duty was wrong.

The Council agreed to consider the Motion on the day.

A discussion ensued during which the following principal points were made:

- there was widespread support expressed for the Chairman of the Fire and Rescue Authority
- that the actions taken in relation to the Chief Fire Officer's medical treatment were in line with those for other uniformed members of the service
- that the actions taken were within the procedures of the Authority. The decision had ensured a senior officer was back on duty with the least detriment to the Service.

An attempt to withdraw the Motion after the vote had been called was ruled out of order by the Chairman upon the advice of the Head of Legal and Democratic Services.

On being put to the meeting the motion was lost.

The Council had before it a Notice of Motion standing in the names of Mrs E B Tucker, Prof. J Raine, Mrs F M Oborski, Mr T A L Wells, Mr M E Jenkins and Mrs S Askin as printed in the agenda papers.

The Motion was moved by Mrs E B Tucker and seconded by Mrs S Askin who both spoke in favour of it.

The Council agreed to consider the Motion on the day.

**1571 Notices of
Motion - Notice
of Motion 4 -
Regulatory
Services
(Agenda item 13)**

A discussion ensued during which the following principal points were made:

- concern was expressed about the flow of information to councillors and how proposed changes like this were being overlooked as a result
- delegation to the Joint Committee had been agreed by all seven councils involved and there was no reason not to explore the options. A final decision would come back to all seven authorities
- the Council was acting in accordance with the approach taken by all constituent councils, and a change in the partnership arrangements would be a matter for the constituent councils to reach consensus upon, and a service briefing was being arranged for 2 June.
- A Joint Scrutiny was already underway and would inform the decision-making process.

On being put to the meeting the Motion was lost.

1572 Reports of Committees - Summary of decisions taken by the Audit and Governance Committee (Agenda item 14 (a))

The Council received the report of the Audit and Governance Committee containing a summary of decisions taken.

1573 Reports of Committees - Summary of decisions taken by the Planning and Regulatory Committee (Agenda item 14 (b))

The Council received the report of the Planning and Regulatory Committee containing a summary of decisions taken.

1574 Reports of Committees - Summary of decisions taken by the Standards and Ethics Committee (Agenda item 14 (c))

The Council received the report of the Standard and Ethics Committee containing a summary of decisions taken.

The meeting adjourned for luncheon between 1.00 p.m. and 2.15 p.m. The meeting ended at 4.25 p.m.

Chairman.....