

**Council****Thursday, 18 January 2018, County Hall, Worcester - 10.00 am****Minutes****Present:**

Mrs A T Hingley (Chairman), Mr A A J Adams, Mr R C Adams, Ms P Agar, Mr A T Amos, Mr T Baker-Price, Mr R W Banks, Mr R M Bennett, Mr C J Bloore, Mr G R Brookes, Mr B Clayton, Mr P Denham, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Dr C Hotham, Mr R C Lunn, Mr P M McDonald, Mr S M Mackay, Mr L C R Mallett, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Mrs F M Oborski, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Prof J W Raine, Mrs M A Rayner, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Ms C M Stalker, Mr C B Taylor, Mr R P Tomlinson, Mrs E B Tucker, Mr P A Tuthill, Mr R M Udall, Ms R Vale, Ms S A Webb and Mr T A L Wells

**Available papers**

The members had before them:

- A. The Agenda papers (previously circulated);
- B. 9 questions submitted to the Head of Legal and Democratic Services (previously circulated); and
- C. The Minutes of the meetings held on 9 November 2017 and 7 December 2017 (previously circulated).

**1960 Apologies and Declaration of Interests (Agenda item 1)**

Apologies were received from Mrs J A Brunner, Mr A Fry, Ms P A Hill, Mr M E Jenkins and Mr A D Kent.

Dr C Hotham declared an interest in Agenda item 7 as his wife had a private GP practice.

**1961 Public Participation (Agenda item 2)**

None.

**1962 Minutes**

**RESOLVED** that the Minutes of the meetings held

(Agenda item 3)

on 9 November 2017 and 7 December 2017 be confirmed as a correct record and signed by the Chairman.

1963 Chairman's Announcements (Agenda item 4)

The Chairman referred Members to the printed announcements.

A Minute's silence was held in memory of former councillors Mr John Holden and Sir John Cotterell.

1964 Reports by Cabinet - Matters which require a decision by Council - Churchfields Urban Village Highway Infrastructure Project (Agenda item 5(a))

The Council considered the addition of Churchfields Urban Village Highway Infrastructure Project to the capital programme.

In the ensuing debate, the following principal points were raised:

- The Leader welcomed the addition of £5.7m to the capital programme for this important scheme to open up new areas for housing regeneration. The project was led by both LEPs in partnership with Wyre Forest District Council. This Council's role was to help facilitate the delivery of the project. There was no cost to the Council as the funding balance was being sought via a number of different external funding routes. The project would also help tackle air quality issues in the local area
- A local councillor welcomed the project because it would help tackle the very serious air quality issues in the Blackwell Street area of Kidderminster and was located on a brownfield site. It was imperative that all brownfield sites were prioritised for housing development in the wyre forest area
- A local councillor commented that the project was a good example of two-tier local government cooperation and partnership working. It released a former brownfield site for vital housing development and improved traffic flows and air quality in the area.

**RESOLVED** that £5.7 million be added to the Capital Programme with £1.3 million being provisionally secured through Worcestershire Local Enterprise Partnership (LEP) and developer contribution, with the balance to be secured by Wyre Forest District Council through additional Greater Birmingham and Solihull LEP funding and/or Housing Infrastructure funding, for the purpose of completing the Churchfields scheme.

**1965 Reports of Cabinet - Summary of decisions taken (Agenda item 5 (b))**

The Leader of the Council reported the following topics and questions were answered on them:

- 2018-19 Draft Budget and Council Tax
- Future provision of Overnight Unit-Based Short Breaks for Children with Disabilities
- Fair funding consultation outcomes for 2018-19 and 2019-20 – National and local changes to the funding arrangements for schools
- Children's Social Care Services Alternative Delivery Model – Options appraisal and model recommendation
- Transport Hierachy – Notice of Motion from Council 9 November 2017
- Balanced Scorecard performance and corporate risk update.

**1966 Notices of Motion - Notice of Motion 1 - Transition support for young people leaving care in Worcestershire (Agenda item 6)**

The Council had before it a Notice of Motion as set out in the agenda papers standing in the names of Mr T Baker-Price, Ms S A Webb, Mr A Stafford, and Mrs J A Potter.

The motion was moved by Mr T Baker-Price and seconded by Mrs J A Potter who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

In the ensuing debate the following comments were made:

- The Council Tax system locked too many care leavers into a cycle of debt and poverty. With two simple reforms, care leavers could be adequately supported to enable a successful transition into an independent life. Firstly, by exempting care leavers from Council Tax until they were 21 years old. Secondly, by adopting a transitional discount scheme from their 21st birthday to help further their independence and allow care leavers to develop at their own pace. The cost to the Council would be between £17-21k per annum which would likely be offset by savings in crisis intervention
- It was important to give children their best start in life. It was particularly difficult for care leavers faced with debt and financial difficulties. Any help that could ease that transition to adulthood should be supported
- The Council's corporate parenting duty did not end at 18 years of age. The motion enhanced the

prospects of care leavers and fulfilled the Council's duty of care for their welfare

- The Chairman of the OSPB supported the motion because it would give care leavers the best start in life. However he was concerned that the Leader had raised the issue off the record with district council colleagues prior to full consideration by Council. He would ensure that the issue of out of county support for care leavers would be raised as part of the scrutiny process. In response, the Leader commented that he had raised the matter with district council leaders as a matter of courtesy only after the Council agenda papers had been published.

The following amendment was moved by Mr P M McDonald and Mr R M Udall:

*"Addition to point 1:*

*... and invites those Councils to take part in a joint scrutiny exercise to ensure a Worcestershire wide scheme is agreed.*

*Inserts point 3:*

- 3. That the Council asks the Overview and Scrutiny Board to investigate ways to ensure care leavers who remain the responsibility of Worcestershire County Council who leave Worcestershire still receive financial help."*

Those in favour of the amendment made the following comments:

- The sentiment of the motion was supported but an amendment was proposed to ensure that the district councils and other councils were integrated into the process. It was hoped that the mover and seconder of the motion would support this amendment due to its non-political nature
- The Children and Social Work Act 2017 placed a duty on district councils to support care leavers. Unfortunately it did not include any details of how this should be achieved. There was at least one district council in the county who had not adopted this motion therefore the amendment was necessary
- The Council had a legal duty for certain care leavers when they moved out of county up to the age of 25. The aim of the amendment was to

ensure that the funding followed those care leavers and provided equity in provision for care leavers through partnership working with other councils

- The amendment was intended to enhance the original motion. It was aimed at embarrassing those district councils who had not adopted the motion.

Those against the amendment made the following comments:

- The mover of the motion rejected the amendment on the grounds that Wychavon and Wyre Forest District Councils were already leading the way in supporting care leavers. The OSPB exercise would be too little too late and would delay support for care leavers
- The Cabinet Member for Children and Families commented that this was an issue that had been raised by representatives of care leavers themselves and underlined the Council's commitment as corporate parents. However the proposed amendment could be seen by care leavers as an unnecessary delay
- The Leader commented that he had already and would continue to discuss the motion with district council leaders. There were understandable concerns about the financial implications, but these were minimal. OSPB could look at the matter at any time, it did not require a mandate from Council and it was unnecessary to delay matters by formally requesting their input.

On being put to the vote, the amendment was lost.

On being put to the vote the original motion was unanimously agreed.

**Council RESOLVED "This Council recognises the challenges young people face transitioning out of the care system into adulthood. Research from The Centre for Social Justice found that 57% of young people leaving care have difficulty managing their money and avoiding debt when leaving care.**

**This Council aspires to champion the children and young people in its care, enabling them to have the best possible outcomes. To improve outcomes for Care leavers this Council believes the cliff edge of the current council tax system needs to be reformed**

**1967 Notices of Motion - Notice of Motion 2 - Availability of sanitary products (Agenda item 6)**

to help Worcestershire's young people transition into an independent and successful adult life.

**This Council believes care leavers are a particularly vulnerable group for council tax debt.**

**The Children and Social Work Act 2017 places corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.**

**This Council resolves to underline its commitment to corporate parenting and improving outcomes and requests Worcestershire's six council tax billing authorities to support the transition of care leavers who become council tax payers by:**

- 1. Reducing their net liability for council tax under the national scheme and after council tax support to zero, until the care leaver's 21st birthday.**
- 2. Introducing a transitional discretionary discount scheme to enable a reduction of liability for council tax up to and including zero from their 21st birthday until the care leaver's 25th birthday."**

The Council had before it a Notice of Motion as set out in the agenda papers standing in the names of Ms C M Stalker, Mr R M Udall, Mr C J Bloore, Mr P M McDonald, Mr R C Lunn, Mr P Denham and Mr L C R Mallett.

The motion was moved by Ms C M Stalker and seconded by Mr R M Udall who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

Those in favour of the motion made the following comments:

- Period poverty arose where girls and woman were unable to afford sanitary products. In certain circumstances, this resulted in children missing out on their education for up to a week at a time throughout their school life. Women and girls had no choice in this matter and sanitary products were relatively expensive especially with 5% VAT. The motion particularly aimed at young girls who relied on parents/guardians for support that was

not always forthcoming. It was proposed to make free sanitary products available in all schools to all girls to avoid accusations of social division.

- Sanitary products were an unattainable luxury for some families. It was noticeable that some third world countries had recognised period poverty and were addressing it. Silence was preventing progress in this county with the stigma and shame leading young girls to improvise. Universal benefits would eliminate this stigma
- This was a taboo subject and therefore it was highly unlikely that councillors would be lobbied on the matter. The motion merely asked the Cabinet Member to undertake the necessary research and investigate ways to address period poverty and report back which would seem reasonable in the circumstances
- It was recognised that the matter was a national issue but there was no reason why this Council could not take a lead in addressing it
- This Council could have a role in bulk purchasing sanitary products and selling them on
- Although no evidence had been found, it did not mean there was not a problem. The Council would never be able to understand whether there was an issue locally unless the necessary research was undertaken. This motion did not commit the Council to additional spend
- The Council should not cause unnecessary delay by waiting for the issue to be addressed on a national level.

Those against the motion made the following comments:

- Tampons were a taboo subject but it was not a matter on which councillors had been lobbied. There was very little data and much of it was anecdotal which perhaps reinforced this taboo. It did not mean there was not a problem. The Government had a role in addressing the unnecessary VAT on sanitary products. The difficulty with the motion was that it addressed the matter at a local and not national level. There was a danger that action taken at a local level could undermine a national response. In addition, the scope of the motion was too restrictive
- Governors could take a vital role in establishing how their schools were addressing the issue of period poverty. The data from such an exercise could then be fed back to the Cabinet Member for Education and Skills

- The Cabinet Member for Education and Skills commented that he would commit to discuss this matter with representatives of school governing bodies and parents. However he had no experience of this matter being raised with him in his capacity as a governor and there was no evidence/data to support the theory that a lack or the cost of sanitary products was impacting on education of girls therefore the motion was unnecessary.

**On a named vote the motion was lost.**

**Those voting in favour were:**

**Ms P Agar, Mr C J Bloore, Mr P Denham, Dr C Hotham, Mr R C Lunn, Mr P M McDonald, Mr L C R Mallett, Mrs F M Oborski, Prof J W Raine, Mrs M A Rayner, Ms C M Stalker, Mrs E B Tucker, Mr R M Udall, Mr T A L Wells (14)**

**Those voting against were:**

**Mrs A T Hingley, Mr A A J Adams, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R W Banks, Mr R M Bennett, Mr G R Brookes, Mr B Clayton, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Mr C B Taylor, Mr P A Tuthill, Ms R Vale, Ms S A Webb. (37)**

**Those abstaining were:**

**Mr R P Tomlinson (1)**

**1968 Notices of Motion - Notice of Motion 3 - Liberata contract (Agenda item 6)**

The Council had before it a Notice of Motion as set out in the agenda papers standing in the names of Mr P M McDonald, Mr R C Lunn, Mr P Denham, Mr L C R Mallett, and Ms C M Stalker.

The motion was moved by Mr P M McDonald and seconded by Mr L C R Mallett who both spoke in favour of it.

The Council agreed to deal with the motion on the day.



Those in favour of the motion made the following comments:

- Members of the Audit and Governance Committee had expressed concern at their recent meeting about the prioritisation of problems experienced by Liberata over the auditing of the accounts. Officer time had been transferred to address the problems experienced by a private company and as a result had exposed the Council to reputational damage. Access to information about the cost of propping up Liberata had been denied on the basis of the confidentiality of the contract. There was a lack of accountability and transparency particularly of ownership and corporate governance of private providers in general. In addition there was poor monitoring, undisclosed procurement costs and a lack of scrutiny. It was therefore necessary to ensure that there had been no unauthorised expenditure to prop up a failing private sector company
- The motion was not concerned with the system itself or the TUPE arrangements but rather the impact of the transfer of experienced staff from the audit of accounts process. As a result, the Council missed its statutory deadline for the publication of the accounts. The Council should not have entered into a contract with a contractor that was not fit for purpose
- There were three crucial areas to consider when commissioning out services: 1) a guiding principle should be the cheapest was not necessarily the best; 2) an awareness of the financial strength of the company; and 3) an understanding of whether the Council was looking for a company to facilitate the contract or a company to provide a service
- The Council had signed up to the cheapest contract at a cost in terms of officer time and damage to the Council's good reputation. The Council had commissioned out the service despite its own officers doing a fantastic job. For transparency purposes, the matter should be referred to the OSPB.

Those against the motion made the following comments:

- The Cabinet Member for Transformation and Commissioning acknowledged that there had been issues with implementation of the Mercury payroll/HR system. However an independent review by SOCITM had been carried out and

**1969 Notices of Motion - Notices of Motion 4 - Worcestershire Primary Schools - Key Stage 2 performance levels (Agenda item 6)**

lessons learnt. A hundred day plan had been devised and shared with all schools and councillors. No payments had been made to Liberata outside the terms of the contract. Any issues with suppliers had been identified and addressed and any evidenced losses would be paid. The contract was being actively managed and monitored to ensure best value for money. Staff had been transferred in accordance with TUPE regulations. There was therefore no need for this motion.

**On being put to the vote, the motion was lost.**

The Council had before it a Notice of Motion as set out in the agenda papers standing in the names of Mrs E B Tucker, Prof J W Raine, Mr M E Jenkins and Mrs F M Oborski.

The motion was moved by Mrs F M Oborski and seconded by Mrs E B Tucker who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

Those in favour of the motion made the following comments:

- The majority of the pupils in the county attended schools rated as good by Ofsted. However the key performance indicators for Key Stage 2 children in the county were below the national average. Too many children were being failed by the system and not fulfilling their potential because they were entering secondary school at a disadvantage and having to catch up. There was a disparity in performance between different parts of the county. The motion called upon the Cabinet Member to bring a report to Council to explain how this would be resolved and requested a scrutiny exercise to hold Babcock Prime to account for their performance
- The underachievement at primary school level at age 11 meant that secondary schools had more to do to raise standards to the appropriate level. These results could be more impressive if children started secondary school with a higher attainment level. The county had poor levels of social mobility and numbers of free school meals. This motion was concerned with giving young people the tools to do better in life.

**1970 Report of  
Cabinet Member  
with  
Responsibility  
(Agenda item 7)**

Those against the motion made the following comments:

- The Cabinet Member for Education and Skills commented that the proposer and seconder of the motion had painted a bleak picture of the performance of schools in the county but had failed to highlight the many schools performing above the national average as well as the 94% of pupils in receipt of their first choice of secondary school. He acknowledged that Key Stage 2 performance was not good enough but there was an action plan and strategy in place (which he would make available to all councillors) and he would hold Babcock Prime to account to ensure that their contractual obligations were met. A report limited to a specific key stage was unnecessary given the existing overarching strategy. OSPB was in a position to request a scrutiny at any time and did not need a mandate from Council.

**On being put to the vote, the motion was lost.**

The Cabinet Member with Responsibility for Health and Well-being presented his report which concerned a number of overarching issues:

- Health and Well-being Board
- Health Protection
- Community Safety
- Prevention
- Working with the NHS.

The Cabinet Member answered questions about his report which included:

- the amalgamation of health and social care into one Secretary of State position
- problems associated with the cancellation of operations
- breast-feeding initiation and school readiness among children who qualify for free school meals
- the Step-down unit in London Road, Worcester
- supported accommodation provision for young adults on the autism spectrum
- progress made by the Chief Executive and the Acute Hospitals Trust in relation to improvement plans for the NHS
- the area with the lowest take up of the

- immunisation and screening programme?
- Anti-social use of motor vehicles and road safety and role of the Police and Crime Commissioner
- the role of the Police and Crime Commissioner in relation to Community Safety
- the closure of the NHS dentists in St John's, Worcester
- The extension of the 'Time for you' programme to community centres in low income areas
- Access to each of the different prevention services and the reasons individuals had accessed these services
- funding levels for the drugs and alcohol service
- access to late night pharmacies
- the weighing and measuring service for pupils.

The Chairman thanked the Cabinet Member for his report.

**1971 Annual report of the Chairman of the Overview and Scrutiny Performance Board (Agenda item 8)**

The Chairman of the Overview and Scrutiny Performance Board introduced the report. He thanked the Vice-Chairman of the Board, the Chairmen of the scrutiny panels, members of the Cabinet, officers and all other participants for their contribution to the scrutiny process over the past year.

The Chairman answered questions on the report.

The Cabinet Member with Responsibility for Adult Social Care expressed his view that it was desirable to strengthen procedures to ensure proper reasons were given to trigger a call-in.

The report was noted.

**1972 Question Time (Agenda item 9)**

Nine questions had been received by the Head of Legal and Democratic Services and had been circulated in advance of the meeting. The answers are attached in the Appendix.

**1973 Reports of Committees - Audit and Governance Committee (Agenda item 10 (a))**

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

The Committee Chairman thanked the interim Chief Financial Officer for her full and frank assessment of the problems which had arisen in relation to the final accounts. The Council was not 'out of the woods' yet but this had been a helpful start.

**1974 Reports of Committees - Pensions Committee (Agenda item 10 (b))**

The Committee received the report of the Pensions Committee containing a summary of the decisions taken.

**1975 Reports of Committees - Planning and Regulatory Committee (Agenda item 10 (c))**

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

The Committee Chairman encouraged local members and the public to participate at meetings.

The meeting was adjourned from 12.55pm to 1.45pm and ended at 2.45pm Time Not Specified

Chairman .....

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## COUNCIL 18 JANUARY 2018 - AGENDA ITEM 9 – QUESTION TIME

Questions and written responses provided below.

**QUESTION 1** – Mr P M McDonald will ask Karen May:

*"How much has the Council spent over the last two years on employees who have been suspended?"*

### **Answer**

Thank you Cllr McDonald for your question. The cost to the County Council on employees who have been suspended over the last two full years is £116,445 for 2015/16 and £83,409 for 2016/2017.

### **Supplementary Question**

In response to a concern expressed about the cost to the Council, the Cabinet Member explained that the cost equated to circa. 0.001% of the total salary bill. In 2015/16, 16 employees were suspended of which 2 were dismissed, 1 resigned and 13 returned to work. In 2016/17, 15 employees were suspended of which 2 were dismissed, 1 resigned and 12 returned to work.

**QUESTION 2** – Mr P Denham will ask Lucy Hodgson:

*"Two school crossing patrols allocated to St Barnabas and Stanley Road primary schools serving children living in Rainbow Hill division retired during recent months and have yet to be replaced. A child was injured as a consequence of a collision with a moving vehicle outside St Barnabas C of E Primary School last year.*

*The Road Safety (Education and Schools) Team Leader has stated in writing on 4th December 2017 that "the (St Barnabas School) site has failed a risk assessment for future provision of a patrol at this location. This is mainly due to the volume of vehicles not stopping and the duty of care for any individual we were to place in the live carriageway."*

*Is the Cabinet Member with Responsibility prepared to risk potential injuries to young children attempting to cross a busy road where it is deemed to be too great a risk to employ an adult crossing patrol? If not, what does the Cabinet Member with Responsibility intend to do to reduce this risk as a matter of urgency?"*

### **Answer**

Over 50 School Crossing Patrols are deployed across the County at specific sites to support children aged between 5-11 years old (14 in middle school areas) to safely cross the road. Patrols are deployed to sites that fall within the criteria outlined in the SCP Policy for Worcestershire. This Policy follows national guidance and was updated and adopted by the Council as part of the Local Transport Plan 4 (LTP4) in November 2017. The School Crossing Patrol (SCP) Service is a non-statutory (discretionary) service and even where an SCP is provided, it remains the responsibility of the parent and/or guardian to ensure that their child travels safely to and from school.

The introduction of road safety and traffic management schemes, along with infrastructure improvements and school travel plans have had a positive impact on the safety of children walking and cycling to school, reducing the reliance on School Crossing Patrols. During the last three years there has been only one collision involving a child pedestrian has taken place within 50 metres of a school in Worcestershire (at school opening/closing times). The injury to a child that Cllr Denham references in his question, whilst incredibly unfortunate, happened to a child of pre-school age and outside of school crossing patrols hours so cannot be linked to the absence of a school crossing patrol.

It's also important to mention that the County Council, offers road safety education (RSE) and practical pedestrian training to every first, primary or middle aged child in the county. It also offers RSE to high school pupils although we do not current have any take up of this. The Council has a statutory obligation to do this and the training is designed to develop the behaviours and attitudes of all participating school children for safe road use as pedestrians, passengers, cyclists and novice drivers. These are behaviours that are potentially life-long.

So in respect of the two sites that Cllr Denham specifically mentions. The longer term plan (i.e. within the next year) for St Barnabas is to have a Pedestrian Crossing installed, this will mean that the site no longer meets the criteria for a school crossing patrol. Meanwhile the advert to replace the post, until the Pedestrian Crossing is installed, has been re-published and the school has been approached again for them to sign up for Road Safety Education (the School currently does not utilise this offer). The needs across the Stanley Road site are being re-evaluated this week and I'm waiting for the output of this review. I will pass this information on to Cllr Denham as soon as I can.

#### Supplementary Question

In response to a concern about the length of time taken to provide a school crossing patrol at St Barnabas Primary School, the Cabinet Member commented that an advertisement had been placed to fill the vacancy and applications were awaited.

#### **QUESTION 3** – Mr R C Lunn will ask Karen May:

*"In view of the announcement of Carillion going into administration, can the Leader inform Council of the degree of our current and ongoing contract involvement with this company."*

#### **Answer**

The Council doesn't have any contracts with Carillion or with any of its subsidiaries. We are speaking to our contractors to see if there are any links to Carillion further down the supply chain.

Carillion telent (Ct) is a contractor to Openreach who build and manage the network for BT Group with whom we have our contract.

We are working closely with BT and have robust processes in place to ensure the impact is minimised and the delivery of Superfast Broadband across Worcestershire continues as planned.

#### Supplementary Question

The Cabinet Member explained that in future following the issues with Carrillion, the Market Engagement Team would be actively monitoring the market performance of current providers of services to the Council.

#### **QUESTION 4** – Dr C Hotham will ask Ken Pollock:



*"As Network Rail have failed to abide by planning conditions at Alvechurch station and legal obligations at Barnt Green station, both to the detriment of the less able. How can this council be confident that Network Rail have any intention of providing adequate facilities for disabled people at the new Worcester Parkway station?"*

### **Answer**

Thank you for the question. With regard to Alvechurch and Barnt Green stations, your comments are noted and Worcestershire County Council will continue to work with all key stakeholders, including Network Rail, to improve facilities at both stations.

With regard to Worcestershire Parkway, the station is being delivered by Worcestershire County Council with support from their rail advisors and not by Network Rail. Network Rail will take the asset into use but the scope of the development is set by the County Council and their advisors in line with requirements from Network Rail and Great Western Railway. The design is fully compliant with all current legislation regarding disabled access. In addition, the scope of the scheme has been developed alongside consultation with Worcestershire's Disabled Users Groups and the delivery team are now finalising the facilities that will be provided. This includes but is not limited to the following:

- Accessible ticket vending machines
- Ramped kerbing, tactile paving
- Priority parking for disabled users
- Accessible toilets
- Signage design to be suitably designed for disabled users
- Lift with spoken instructions and large buttons as well as suitable out of hours support line.

### Supplementary Question

The Cabinet Member agreed to meet Dr Hotham on site at Alvechurch and Barnt Green Railway Stations to observe the facilities for disabled people at these stations.

### **QUESTION 5** – Mrs F M Oborski will ask Alan Amos:

*"Sadly Diamond Buses seem to be continuing to breakdown regularly within Wyre Forest. Can the Cabinet Member inform me of what steps he is prepared to take to improve the situation?"*

### **Answer**

I thank Councillor Oborski for her question relating to Diamond Buses as this gives me an opportunity to update her and other colleagues.

As Cllr Oborski is aware, I take this matter very seriously and we have had frequent communication about the quality of Diamond's services. I have been recording and logging complaints and working with officers and Diamond to get those investigated to bring about improvement in reliability. This matter is very important as the service delivery directly affects residents of Worcestershire. The challenge to our intervention is that the majority of Diamond's operations within Wyre Forest are commercial so are not subject to control by the County Council. The duty to tackle poor performance of commercial services rests solely with the Traffic Commissioner's Office for the West Midlands.

Having said that, officers are currently reviewing and tendering the local subsidized bus network within Wyre Forest. Once this is complete, we expect to tender the reviewed services for an Easter operational start date. In addition, we have bolstered our Terms and Conditions as part of the new tendering system called Intend. Operators who satisfy the County Council's price and quality criteria at contract award, will be subject to our Terms

and Conditions. This will enable us to monitor the performance of operators and deal with poor performance, and conversely reward good performance.

I have already met with Senior Managers from Diamond Buses and have another meeting planned imminently. You will appreciate that there are a few commercially sensitive issues that I need to be mindful of so am constrained from giving more detail in public. However, colleagues can be assured that it is my firm intention to improve the quality of bus services throughout Wyre Forest as soon as possible.

#### Supplementary Question

The Cabinet Member agreed to look into the possibility of setting up a bus users group for the Diamond Bus Services in Wyre Forest.

#### **QUESTION 6** – Mrs F M Oborski will ask Marcus Hart:

*"Parents often base a choice of school on the most recent OFSTED Report. When the most recent OFSTED Rates a school as " Good" and yet Progress 8 scores show the school's performance as "well below average" and the Key Stage 2 SATs Results are well below the Worcestershire Average, what steps is he intending to take to alert OFSTED to the anomalous situation which has arisen and the desirability of their revisiting these schools?"*

#### **Answer**

The Cabinet Member and officers of the local authority, through the commissioned services of Babcock Prime, ensures that the end of key stage 2 and 4 results for maintained schools are analysed as part of a wider risk assessment process for determining how school improvement resources are utilised. Schools receive attention in terms of challenge and support in inverse proportion to success; therefore those schools where results, across year groups as well as at points of statutory assessment, are problematic, receive additional attention to address any shortcomings identified. The local authority does not wait for Ofsted to re-inspect providers before corrective action is taken. The Cabinet Member holds officers and the commissioned services of Babcock Prime to account for this activity and with, Headteachers and governors for the performance of maintained schools.

Ofsted has a rolling programme of 'Section 5 school inspections. For most types of setting, Ofsted is required to inspect 'within five years from the end of the school year in which the last inspection took place'. The exceptions to this requirement are maintained primary and secondary schools and academies that are routinely exempt from section 5 inspection because they were judged outstanding at their last inspection. (Certain types of schools are never deemed exempt, such as maintained special schools, special free schools, alternative provision academies, pupil referral units and maintained nursery schools).

Additionally, schools judged to be good at their previous Section 5 inspection, will normally receive a one-day short inspection, carried out under Section 8 of the Education Act, approximately every three years, as long as the quality of education remains good at each short inspection. This affects around one fifth of good schools. The potential outcomes of short inspections have recently changed; a school may, after one day, be judged to remain good, may require a second day's inspection because it may be inadequate, may be told it would no longer receive a good grade if re-inspected under Section 5 (and requires a follow-up Section 5 within 1-2 years) or that it is at least good, may be outstanding and that it will receive a full Section 5 within 1-2 years to check this out.

However, rather than simply re-inspecting schools according to chronology and eligibility alone, Ofsted uses risk assessment to ensure that its approach to inspection is proportionate and so that it can focus its efforts where it can have the greatest impact. Risk assessment has two stages: stage one involves an assessment of each school, based on an analysis of publicly available data, and stage two involves a more in-depth desk based

review of a wider range of available information. Therefore, whilst some providers are re-inspected because they are not routinely exempt from inspection and are due a revisit, many are selected on the basis of recent performance including in terms of pupil outcomes. Therefore, Ofsted itself is annually making its own assessments of when a school's last inspection judgement may be seemingly 'out of kilter' with more recent pupil outcomes in deciding when to re-inspect. However, even when it does choose to inspect on the basis of elevated risk, it must still ensure outcomes are evaluated fully and not inspect on the basis of published data alone.

This risk assessment, like the local authority's, includes analyses of pupils' academic achievement over time, taking account of both attainment and progress. Indeed, 'exempt' schools can be inspected (under a Section 8 no formal designation inspection, a monitoring visit which can be turned into a Section 5 school inspection).

**QUESTION 7** – Mr R M Udall will ask John Smith:

*"Can the Cabinet Member for Health and Wellbeing confirm how he determines his priorities for preventative work in order to prevent avoidable ill health and what campaigns he plans to promote in the year ahead?"*

**Answer**

Thank-you for this question which I am happy to answer.

Our preventive work is firstly shaped by our statutory duties regarding public health, and secondly by over-arching priorities agreed through the Health and Well-being Board, which are set out in our Health and Well-being Strategy. These over-arching priorities draw on the health data presented in the Joint Strategic Needs Assessment. The statutory guidance on JSNAs and Health and Well-being Strategies states "This is not about taking action on everything at once, but about setting a small number of key strategic priorities for action, that will make a real impact on people's lives".

The criteria for determining the over-arching priorities were that they should:

- Relate to major causes of avoidable ill health and premature death;
- Affect people across all age groups;
- Be linked to good evidence of potential to improve outcome;
- Be linked to JSNA data which suggests a worsening situation, and/or a situation that is worse than would be expected for Worcestershire;
- Show clear geographical and/or population inequalities in health and well-being outcomes
- Need strong partnership working to improve outcomes.

Following wide-ranging consultation the three overarching priorities for our prevention work over the next five years were identified as:

- improving mental health and well-being;
- increasing physical activity;
- reducing the harm caused by alcohol.

We plan to have a major campaign around each of the three priorities over the next year, and will be working with system partners to deliver these campaigns.

**Supplementary Question**

What was the Council doing to raise awareness of the issues associated with Glaucoma and what action was being taken to encourage people to undertake eye tests? The Cabinet Member commented that for people ineligible to receive free eye tests, every effort was made to encourage them to take eye tests should they be experiencing difficulties.

**QUESTION 8** – Mr C J Bloore will ask Alan Amos:

*"Would the Cabinet Member for Highways join me in thanking the parents and guardians of children attending Charford First School in my division who gritted and cleared paths before Christmas to ensure children could safely attend school? However, would he agree with me that lost school days because of treacherous paths are not fair on the children, teachers and parents and agree to meet with them and me to put a plan in place to ensure that both roads and paths outside schools are gritted during snowy conditions?"*

**Answer**

I would like to thank Cllr Bloore for his question partly because it gives me the opportunity to put on record my thanks, and those of the people of Worcestershire and beyond, to the tremendous efforts by our Highways Department, and Ringway, in getting the roads cleared during the pre-Christmas snow fall on Sunday 10th December. I was informed that our primary and secondary routes were open by 8.30 on Monday morning. All primary routes were continually ploughed and treated over a 30+ hour period. Overall, our treatment programme equated to covering 18,093 miles of road. Worcestershire roads were open more quickly and more efficiently than any neighbouring authority so well done Worcestershire and our staff. We're very proud of you.

Turning to the specific question, yes, of course, I would like to thank schools, parents, guardians, pupils, and all those members of the community who worked to clear pathways. Worcestershire County Council Winter Service is always supplemented by local self-help and I fully support and encourage this where it is appropriate and safe to do so.

All of our 244 schools, including Charford First School, were contacted in October 2017 in advance of the core winter service period, plus 2 follow-up reminders in November, inviting them to purchase salt from us by the end of November. Regrettably, the take-up was very limited with less than 20 schools placing an order. Charford First School was one that did not respond. The decision to close schools is a direct responsibility of Head Teachers.

The County Council simply is not – and I suspect never can be - in a position to treat all roads and pavement. We have over 2,000 miles of pavements alone. However, support was provided for a number of critical locations, including access to emergency services, crematoria, water treatment plants, health centres, doctors surgeries, town centres, village centres, and, of course, hospitals and elderly people's homes. In addition, we took account of the need to assist Districts with their refuse collection, and maintained very good communications with all our District Councils. So I think we chose our priorities well

Third party snow contractors were also utilized within their prescribed zones, with their focus being on the primary and secondary routes. As they cleared these routes, they would have moved on to clearing the minor roads. Indeed, given the efficiency of the Council's overall operation, many minor roads were cleared which would ordinarily not have been.

Furthermore, I would add that we have some 1,350 yellow grit bins across the County and 200 green grit bins. We are happy to receive requests for new grit bins – the yellow ones - on publicly adopted highways and these would be assessed against criteria detailed in the agreed Winter Service Policy 2016. In fact, Cllr Bloore will be very pleased to know that, as recently as Monday, I was in his Division checking on the refilling of a yellow grit bin in Tollhouse Road.

Inevitably, there will be some disruption to normal life during adverse weather conditions. However, the actual closure of a school is the direct responsibility of the Headteacher, not the County Council. I think I have outlined how the County can assist organizations and

individuals who live and work in Worcestershire in these circumstances, and how our teams have kept us all moving.

#### Supplementary Question

In response to a concern expressed about the legality/insurance implications of clearing snow from outside school premises, the Cabinet Member responded that it was not possible for the Council to clear snow from outside all school premises therefore the Council relied on self-help and he saw no difficulty with this. He agreed to meet Mr Bloore to discuss any possible solutions in the future.

#### **QUESTION 9** – Mr C J Bloore will ask Ken Pollock:

*"Would the Cabinet Member with responsibility for Economy and Infrastructure agree with me that safety for commuters and pedestrians at Bromsgrove Railway Station is paramount? If he does would he agree to meet with me and officers to discuss the ongoing problems of single side pedestrian access along the Stoke Road entrance and exit that has been and continues to be the subject of much public concern?"*

#### **Answer**

The new Bromsgrove Station was developed by a partnership between the West Midlands Combined Authority and Worcestershire County Council. The partners considered that a footway on one side of the access road would be sufficient and would enable the station approach to retain a semi-rural aspect which was an important planning consideration. It should be noted that the access road is not a public highway but is part of the station curtilage. The planning application, which was widely consulted upon and has since received planning consent, clearly indicated that a footway would only be provided along one side of the carriageway. Given the relatively quiet nature of the road it is easy for pedestrians approaching the station from the west along Stoke Road to cross over the access road using the pedestrian refuge and then to walk down the footway on the east side of the access road. The partners do not propose to install an additional footway at this location for the reasons indicated above but it should also be noted that to do so would entail the construction of a retaining wall or similar and the loss of vegetation.

#### Supplementary Question

In response to a concern about the continual issues with the pedestrians using the left hand side to exit Bromsgrove station onto Stoke Road and motorists ignoring the turn right sign, the Cabinet Member agreed to meet Mr Bloore to see if anything can be done to resolve the difficulties.

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