

Cabinet

**Thursday, 8 February 2018, County Hall, Worcester,
10.00 am**

Present:**Minutes**

Mr S E Geraghty (Chairman), Mr A T Amos,
Mr A I Hardman, Mr M J Hart, Mrs L C Hodgson,
Ms K J May, Mr A P Miller, Dr K A Pollock,
Mr A C Roberts and Mr J H Smith

Also attended:

Mr C J Bloore, Mr P M McDonald, Mr P Middlebrough,
Mrs F M Oborski, Ms T L Onslow, and Mr P A Tuthill.

Available papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the meeting held on 14 December 2017 (previously circulated); and
- C. A petition circulated to all members of Cabinet in relation to The Grange (Agenda item 8).

**1828 Apologies and
Declarations of
Interest
(Agenda item 1)**

Mr S E Geraghty, Mr A T Amos and Mrs L C Hodgson declared interests in Agenda item 7 as Members of Worcester City Council.

**1829 Public
Participation
(Agenda item 2)**

None.

**1830 Confirmation of
the Minutes of
the previous
meeting
(Agenda item 3)**

RESOLVED that the Minutes of the meeting held on 14 December 2017 be confirmed as a correct record and signed by the Chairman.

**1831 2018/19 Draft
Budget and
Council Tax
(Agenda item 4)**

The Cabinet considered the 2018/19 Draft Budget and Council Tax for recommendation to Full Council. The details were set out in the report and its Appendices.

In the ensuing discussion, the following main points were made:

- The Leader of the Council introduced the report

and commented that:

- There were three key elements to the budget:
In response to demand-led pressures in Children's and Adult Social Care – an extra £10.5m for Children's Social Care, and also £7.8m for Adult Social Care funded by a 3% increase in Council Tax; an extra £37.5m capital investment to grow the local economy and enhance infrastructure; and responding to public concerns about roads, pavements and congestion
- To fund these proposals the public would be asked to pay approximately an extra £1 a week on an average Band D property
- The Council was driving the engine for reform to ensure services were fit for purpose to meet demand in an efficient and effective way
- He updated Cabinet on events since the last report to Cabinet in December 2017: the Local Government settlement had been published and he welcomed the additional £1.49m Adult Social Care support grant; a wide ranging consultation and engagement process had taken place and he thanked OSPB and the scrutiny panels for their contribution – the key message was the need to engage scrutiny as early as possible in the budget-setting process to allow them to shape/inform the proposals; further information had been received on the Minimum Revenue Provision which gave confidence that the additional savings could be made; and the budget had been updated to reflect inflationary pressures, particularly in relation to the wage bill and contractual obligations
- In summary, the Council was able to deliver a balanced budget for the next financial year that addressed the pressures facing the council whilst enabling the local economy to grow
- The Council had engaged in a full round of public engagement but it was disappointing that the comments from OSPB were received so late in the budget-setting process. The Government had responded to lobbying and given a commitment to provide additional funding in the Adult Social Care support grant was welcomed. The challenge would be to meet the reform agenda in the forthcoming financial year. It was disappointing that the Council had not been awarded the Business Rates Pilot but the Council would seek to make a further bid in the next round of bidding.

The key challenge in next year's budget would be not only to deliver the savings but also for the Council to submit a full and reasoned response to the Green Paper to ensure the long term sustainability of Adult Social Care. The Council remained in a robust financial position

- Extra investment was being made in Children's Services to provide better services and address legacy issues as well as responding to the issues raised in the Ofsted Report. The Council was tackling the issues in Children's Services by using the additional funds to improve services for children, as well as delivering Children's Social Care through an ADM
- The increase in Council Tax including the 3% levy for Adult Social Care struck the right balance between protecting vulnerable adults and children as well as acting in the best interests of local taxpayers. At the budget consultation meeting representatives of local schools welcomed the extra £10.6m funding available through the National Funding Formula which would increase funding for every pupil in the county
- At the budget consultation session for the voluntary sector, there was a general recognition of the financial and other pressures facing the Council
- In response to a query, the Cabinet Member for Children and Families confirmed that the additional funding for Children's Services would be spent on improving services and not on the ADM. It was hoped that further funding would be received from the Government for the ADM in the future
- A Member from outside the Cabinet indicated that the Council had failed to lobby Government effectively, failed to set out the costs of the ADM and continued to pay a number of senior officers over £100k pa despite budget and service reductions. In response the Leader of the Council commented that investment in senior management was an essential element in driving forward reform and delivering efficient and effective value for money services. To attract the right individuals, the Council had to pay the market rate. The Council had now appointed to the senior roles that had been recently vacated. The local economy was growing and as a result the net budget was increasing. The Council had robustly lobbied the Government and had been successful in gaining additional funding

- The Cabinet Member for Children and Families explained that the model for the ADM for Children's Social Care had yet to be determined and an application for funding had not yet been submitted to the Government. However, work had progressed on the assumption that a wholly-owned company model would be adopted. More details should become available by 31 March 2018. There were a number of elements that needed to be priced into the model and consultants had been engaged to help the Council with the process
- A Member from outside the Cabinet commented that the timing of the Council's response to the Green Paper on Adult Social Care was critical. The Interim Chief Financial Officer confirmed that the £1.49m transitional grant was for one year only in 2018/19. The Leader added that the Funding Formula Review was imminent and the Council needed to influence this process to reflect the demand-led pressures and create a sustainable council
- The Chairman of the OSPB commented that it was unfair to criticise the lateness of comments from the OSPB given the amount of work necessary within the reduced budget-setting period. The comments on the time-frame for the consultation process were meant to be constructive so that consultation took place over a 12 month rather than 6 week period. The Leader of the Council agreed that consultation should take place throughout the year and would welcome scrutiny of the quarterly financial information
- A member from outside the Cabinet expressed doubt about the validity of the assumptions made in the third year of the MTP
- The Interim Chief Financial Officer was thanked for her work in putting the budget papers together
- The OSPB should focus on the elements of the budget it wished to scrutinise at the earliest possible stage in the budget-setting process
- A member from outside the Cabinet indicated that the flow of budget information provided to members had not been thought through. In response it was commented that there was an element of responsibility for group leaders to attend Cabinet Member briefing sessions and cascade information to their group members
- The Leader of the Council concluded that despite this Council Tax rise, the Council remained in the

lowest 25% of all councils (without responsibility for a Fire Authority) for Council Tax charges in the country.

RESOLVED TO RECOMMEND TO COUNCIL:
that

- a) the conclusions set out in the report concerning revenue budget monitoring up to 30 November 2017 be endorsed;
- b) the virement and transfers to Earmarked Reserves in paragraph 28 to 30 be endorsed;
- c) the budget requirement for 2018/19 be approved at £324.192 million;
- d) the Council Tax band D equivalent for 2018/19 be set at £1,212.38 which includes £78.71 relating to the ring-fenced Adult Social Care precept, and the Council Tax Requirement be set at £251.537 million;
- e) consistent with the provisional Local Government Finance Settlement that revenue cash limits be set for each Directorate:

	£m
Adult Services	125.396
Public Health*	-0.831
Children, Families and Communities	96.361
Economy and Infrastructure	63.544
Commercial and Change / Finance	39.722
	<hr/>
	324.192

*Public Health services budget £0.100 million less £0.931 specific grant income which supports qualifying expenditure across the County Council. The total Public Health ring fenced grant is £29.1 million.

- f) the Council's Pay Policy Statement is recommended for approval as set out in Appendix 6 of the report;

- g) the conclusions set out in the report concerning capital budget monitoring up to 30 November 2017 be endorsed;
- h) the capital programme as set out in Appendix 7 of the report be approved;
- i) the Medium Term Financial Plan as set out in Appendix 8 of the report be approved;
- j) the Treasury Management Strategy set out in Appendix 9 of the report be approved;
- k) the Statement of Prudential Indicators and Minimum Revenue Statement as set out in Appendix 10 of the report be approved.
- l) the Minimum Revenue Provision Policy revision be approved.

RESOLVED: that

- m) delegated authority be given to the Leader of the Council to recommend to Full Council, in consultation with the Interim Chief Financial Officer, any further adjustments to the revenue cash limits in (c) and (e) above as a result of Central Government confirming the final Local Government Finance Settlement, Council Tax and Business Rates Income, and associated Specific Grants for 2018/19, together with any updates following publication of the revised Prudential and Treasury Management codes of practice and amended Ministry of Housing, Communities and Local Government (MHCLG) guidance on Local Authority Investments and Minimum Revenue Provision; and
- n) the Director of Adult Services and the Director of Children, Families and Communities be authorised to finalise the details in respect of their Directorates and formally execute the Section 75 agreement for Commissioning arrangements with Health for 2018/19.

1832 Future Provision of Replacement Care Services for Adults with

The Cabinet considered future provision of replacement care services for Adults with a Learning Disability. The details were set out in the report and its Appendix.

In the ensuing discussion, the following main points were made:

a Learning Disability (Agenda item 5)

- The Cabinet Member for Adult Social Care introduced the report and commented that the Council intended to engage in pre-consultation with individuals on a one-to-one basis and small group basis for users, families, professionals and wider stakeholders. A further report to Cabinet would be brought to the June 2018 Cabinet meeting. The Council's Adult Learning Disability Strategy included a commitment to improve outcomes for people with a learning disability, providing more flexibility over their care and support. The market for replacement care was in slow but steady decline because more people were living independent lives with the help of Supported Living. The Council spent £2.6m pa on replacement care but surplus capacity was now an issue. It was possible to make the system more efficient which was why the Council was consulting with service users to capture all their needs with a view to reinvesting the savings in a better way. The whole process needed to be treated in a sympathetic and caring way given the concerns of carers about the future of service provision
- In seconding, the Cabinet Member for Education and Skills underlined that this was just a pre-consultation exercise. Everyone's statutory needs would continue to be met with due regard to the Care Act and Equality Act but it was important that the Council's resources were targeted as efficiently and effectively as possible to ensure that the Council fulfilled the statutory needs of its service users in respect of replacement care. The over-provision of replacement care would lead to an increase in the average cost of the service per unit per night
- The Leader welcomed the sensitive way in which the needs of service users were being captured through this pre-consultation process before any formal proposals were put forward.

RESOLVED: that

- a) the information relating to replacement care provision for adults with a Learning Disability contained in the report be noted;**
- b) the proposed pre-consultation engagement with individuals using replacement care services, family carers, professionals and**

1833 Special Educational Need and/or a Disability (SEND) Strategy (agenda item 6)

wider stakeholders, on how learning disability replacement care services should be delivered in the future be approved as outlined in paragraph 14 in the report; and

- c) a further report be brought to Cabinet in June 2018, with proposals to start formal consultation on future service delivery of replacement care across the county.**

The Cabinet considered the SEND Strategy. The details were set out in the report and its Appendix.

In the ensuing discussion, the following main points were made:

- The Cabinet Member for Education and Skills introduced the report and commented that the Strategy had been approved by the HWB in December 2017. The Council was committed to improving outcomes for children and young people. It was important to ensure that the Strategy was put into practice in consultation with all statutory partners and all those involved in delivering SEN. Work had been undertaken with special schools to ensure that there was adequate provision across the county. The case for change was set out in the Strategy. Feedback from carers and parents had indicated that they struggled to access services in a connected way and wanted better information and support in order to meet their child's needs. It was right that the Council listened to these views
- It was important that all partners worked with families to ensure that they received the best level of support to enable them to care for their children
- The person-centred approach and the preparation for Adulthood were key aspects of the Strategy
- A Member from outside the Cabinet commented that the Council needed to pay particular attention to young people with autistic disorders and those with Behavioural Social Disorders to ensure that they received their full entitlement of education as well as ensuring that there were sufficient Special School places in the county. The Cabinet Member responded that he was working with Special Schools to ensure there were sufficient places in the short term. The longer term strategy involved ensuring that the right pupils were taking places in special schools and that mainstream schools had the appropriate support/resources to cater for

children deemed capable of receiving mainstream education. A review was being undertaken of the Medical Education Team setting to ensure the right pupils attended for the appropriate length of time and that their medical needs were addressed and a report would be forthcoming in the next few months.

RESOLVED: that the Special Educational Need and/or a Disability (SEND) Strategy be approved and the vision and priorities under the corporate vision of improving outcomes for all children and young people by helping them to achieve their full potential in education be supported.

**1834 Switch in
Hosting of Joint
Museums
Committee
(Agenda item 7)**

The Cabinet considered the switch in hosting of Joint Museums Committee. The details were set out in the report and its Appendices.

In the ensuing discussion, the following main points were made:

- The Cabinet Member for Communities introduced the report and commented that there was no change in essence to the governance arrangements for the joint service as a result of the proposed switch in hosting. A consultant had produced a business case setting out the costs and implications for the joint service in the future. The joint service had been successful in making savings and increasing grants and income. The switch in hosting was proposed as the City had more assets and heritage as key aim. The Joint Museums Committee recommended that the switch be approved by both Councils and Worcester City Council's Communities Committee has endorsed this approach. It was agreed that Hartlebury Museum operations, staff and budget would remain with the County Council by way of a service level agreement overseen by the Joint Committee. The pension situation was complicated and more work was required to ensure that the right approach was taken. There would be one-off costs to be met by the City Council. She thanked Philippa Tinsley, the Interim General Museums Manager and Debbie Birch, an external consultant for their work producing a cost-neutral business case. There would be no impact on service provision as a result of this proposed switch
- The proposal was a good example of partnership

working and in particular where a partner had been enabled to take the lead in a particular matter.

RESOLVED: that

- a) **the switch of hosting of the Joint Museums Service (Museums Worcestershire) from Worcestershire County Council to Worcester City Council, including the TUPE transfer of staff as laid out in the implementation timetable attached to the report be approved;**
- b) **the recommended revisions to the legal agreement between Worcester City Council and Worcestershire County Council governing the Joint Museums Service be authorised; and**
- c) **in principle agreement to the dissolving of the Local Government Pensions Scheme ghost body for the Joint Museums Service (insofar as it is an executive function) be authorised and the consequences set out in the report, subject to further investigation detailing the costs and risk, with authority to make a final decision on behalf of the executive delegated to the Assistant Director for Families, Communities and Partnerships in consultation with the Chair and Vice-Chair of the Joint Museums Committee.**

1835 Future Use of the Grange, Kidderminster (Agenda item 8)

The Cabinet considered the future use of the Grange, Kidderminster. The details were set out in the report.

In the ensuing discussion, the following main points were made:

- The Cabinet Member for Adult Social Care introduced the report and thanked the local councillor for her input. He acknowledged receipt of a petition from Mrs Jones of Bewdley asking the Council not to close the Grange. There had been a shift of focus from fixed bed recovery to individually focused services for people in their own homes which had put the future use of the Grange at risk. However it was recognised that it would be beneficial to retain a limited step down provision (5 beds) at the Grange for the benefit of Wyre Forest CCG. The rise in cases of dementia was a particular challenge with a lack of good quality residential care provision in the county. It

therefore made sense to reconfigure the Grange as a long term residential unit for people living with dementia. There would also be cost saving benefits over the longer term albeit with some short term expenditure

- Residents would see the best of both worlds with the creation of a major dementia unit in the heart of Wyre Forest and the retention of a limited number of short term rehabilitation and recovery beds. The CCG had given an assurance that the majority of patients who had previously used the step down facility at the Grange would be provided with the appropriate level of support to enable them to remain in their own homes. The majority of staff would be transferred to the new roles at the Grange
- The local councillor thanked the Cabinet Member for Adult Social Care for his help and welcomed the proposals. There was a lot of local support for the retention of the step down provision. She requested that she be kept informed of progress and that the reallocation of beds be based on previous usage and best care for the patients. The Cabinet Member for Adult Social Care responded that he had received an assurance from the CCG that the step down provision at the Grange was appropriate for the needs of the residents of Wyre Forest
- A member from outside the Cabinet raised the issue of private care homes no longer accepting dementia patients when they became difficult to handle. Local residents had expressed concern about whether 5 step down beds were sufficient, the continuation of the same level of Physiotherapy and occupational physiotherapy, whether the dementia beds would be kept separate and whether the CCG would be able to provide adequate support to enable patients to remain in their own homes. The Strategic Commissioner for Adult Social Care responded that the configuration of the Grange enabled the dementia unit to be kept separate from the step down unit. It also provided flexibility to increase provision to 7 beds if necessary. There was also an option to increase the capacity by a further 10-15 beds should demand dictate. In liaison with the CCG to the model including demand and capacity issues had been thoroughly tested.

RESOLVED that the assessment made by the Director of Adult Services be endorsed, based on

market intelligence, that as the delivery of rehabilitation services will be primarily community-based there is no longer a need for retention of the Grange as a short-term recovery and rehabilitation unit, there is no material gain to the Council in closing The Grange as a care home and it should be retained as a strategic asset in the form of a long-term residential unit for people living with dementia as set out in the report, with five beds retained for short-term recovery and rehabilitation.

The meeting ended at 11.50am.

Chairman