

Cabinet**Thursday, 6 June 2019, 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 R C Lunn, Mr P Middlebrough, Mrs F M Oborski,
Mrs M A Rayner and Mrs E B Tucker

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated); and
- B. The Minutes of the meeting held on 14 March 2019 (previously circulated).

**1908 Apologies and
Declarations of
Interest**

None

**1909 Public
Participation**

Tina Southall attended with her 16 year old daughter Dalcie, who has been attending Ludlow Road since she was 10. Tina wished to explain to the Cabinet her feelings about the potential closure of Ludlow Road and the impact such action would have on families who used the facility, and asked Cabinet to ensure it had correct information and that all children's needs were taken into consideration in making decisions.

**1910 Confirmation of
the Minutes of
the previous
meeting**

RESOLVED that the minutes of the meeting held on 14 March 2019 be confirmed as a correct record and signed by the Chairman.

**1911 Future
Provision of
Overnight Unit-
Based Short
Breaks for
Children with**

The Cabinet Member for Children and Families acknowledged Ms Southall's comments and assured her that he had confidence in the information being used and that there would be sufficient provision should Ludlow Road close. He thanked Ms Southall for her contribution as it helped keep everything in perspective. The report to be considered by Cabinet covered provision of overnight short breaks for Children but also proposals for young

Disabilities

adults and adults and was a matter for all Councillors as the service was a Worcestershire wide provision.

There was now an improved working relationship between the Health and Care Trust and Social Care and that would help with achieving the aim of providing a stable, resilient and sustainable service which was not under constant review. The co-design events had come up with three themes; reduce the demand for overnight support by increasing flexibility and choice of support to families; provide a more cost-effective service by making provision available in the day and after school; and improve financial sustainability by sharing costs with Adults Social Care and using additional capacity for children from other areas.

The proposal was that the delivery model would give an extra 4 bedrooms at Osborne Court – two exclusively for Worcestershire and two which could be used by Worcestershire or other areas. There would also be refurbished adult beds and one additional adult bed. Thorn Lodge would be used for complex needs.

It was understood that the prospect of change was difficult for the families affected and managing those changes and any transition arrangements would be part of the consultation if changes were necessary. The proposal meant that future provision would be flexible, respond to future needs and would help with transition arrangements; this would not be possible at Ludlow Road which was not considered to be operationally viable or cost effective. It was confirmed that overnight respite would continue to be provided to any family who needed it.

During the ensuing discussion the following points were made:

- The Cabinet Member for Education and Skills agreed with the direction of travel and felt it was important that vulnerable people received the right provision and that the service provided was fit for purpose,
- The Cabinet Member for Adult Social Care felt the changes were an opportunity to improve the transition arrangements and boost transition capacity. Young people would not always have to attend a different provision when they received adult services,
- The Chairman of the Children and Families Scrutiny Panel reported that the Scrutiny Panel

had considered the new delivery model and supported the changes while acknowledging the part Ofsted had played in the situation, as Ludlow Road had to be registered with Ofsted, as well as the CQC, and Ofsted do not allow shared rooms (unless the occupants were siblings of the same sex). This meant that Ludlow Road would not be financially viable. Osborne Court had outstanding facilities which had not been used to their full capacity, and also had nursing care available. She acknowledged the family-based support run by Barnardos and was delighted that registration at Providence Road would increase capacity by 2 beds. She said the difference in the numbers who now accessed one to one support services compared to a year ago was a stunning improvement and was a testament to the vastly improved information and co-ordination service, along with stronger partnership working between the Council and the Health and Care Trust. Going forward there would be an additional meeting of the Panel and the Short Breaks Task Group would be re-convened and would want to attend the Parents Consultative sessions. The Panel would also look at occupancy numbers in the various settings and levels of demand. The planned closure of Acorns in Walsall was a concern and would need to be considered as part of the consultation. She clarified that no final changes should take place until April 2020 when Osborne Court was ready. She was also happy that these proposals were not seeking to make staff redundant. Finally, she regretted that a party-political campaign appeared to have commenced in Wyre Forest about the issue which would bring additional stress to the families. She felt the situation was too important to be political and everyone should work together

- The Chairman echoed the praise for the improved figures for children and families accessing services and also that the service was too important to be tainted by political shenanigans
- The Leader of the Labour Group sought confirmation about a number of issues, firstly whether there would be the same number of respite beds available after the changes as there were currently; that the impact of transport in terms of time as well as cost be considered, including the impact on staff travel; that there was a concern about the loss of provision for the north of the County; the fact that families and young

people would have become attached to individual staff members as well as how many nurses would be available at Osborne.

The Cabinet Member for Children and Families responded to the comments:

- confirming that a briefing would be sought regarding the potential impact of the closure of Acorns in Walsall and then the details would be shared
- that he would not get involved in party politics to do with this issue
- he had been assured that bed numbers would not be reduced
- transport issues would be a key part of the consultation
- provision should not be considered as being for the north or south of the County because it was specialist care and provision was considered for the County as a whole
- two briefings had been held with staff and officers from the Health and Care Trust who gave assurances that they were not seeking to make staff redundant
- Engagement with the families would now start.

The Chairman noted the exceptional difficulties of making such changes, but he was assured that the proposal was the right thing to do for the sustainable future provision of the service. He thanked the Public Participant and appreciated the difficult situation she was facing.

RESOLVED: That Cabinet

- (a) noted the information relating to short breaks respite provision for children with disabilities and overnight replacement/respice care for adults with disabilities contained in this report, in particular the results of the co-design activity as outlined in paragraphs 28-39 of the report and appendix 1 attached to the report, and the progress in relation to the decisions made by Cabinet in July 2018 in relation to the need for further transformation in the way that the needs of families are met through short breaks provision of all types;**
- (b) considered that they were minded to agree the proposed future delivery model for the delivery by Worcestershire Health and Care**

NHS Trust of short breaks provision, and authorised the Director of Children, Families and Communities to finalise the consultation documentation and carry out a consultation on the proposed changes to overnight short breaks provision to ensure future sufficiency, sustainability and quality of provision, as described in paragraphs 47 - 55 of the report;

- (c) authorised the Director of Children, Families and Communities, in consultation with the Director of Adult Services, to continue co-design activity with parents, carers and wider stakeholders on short break/respite provision, as part of the continuous review of provision, including the provision for young people approaching the age of 18 to ensure appropriate transition to adult services and/or independent living; and**
- (d) agreed to receive a further report on the outcome of the consultation in paragraph (b) above in order to make a final decision on the future delivery model.**

**1912 Worcestershire
Minerals Local
Plan
(Development
Plan Document)**

The Cabinet Member for Economy and Infrastructure asked Cabinet to consider the Worcestershire Minerals Plan with a view to recommending that the draft Plan and the process for consultation and adoption, be considered by Full Council. The plan gave a list of where minerals exist, which would assist District Councils by identifying where minerals could be exploited in the future; this would in turn ensure that sites were not sterilised by permitting building on those sites.

The Cabinet Member for the Environment highlighted the environmental benefits which were being gained through improving the biodiversity around sites.

The Cabinet made various comments:

- The document and the proposed public engagement was welcomed
- The plan provided the opportunity to tidy up some sites which had been removed from the plan
- The strategic document provided certainty to Councils as well as residents about what would happen to specific sites
- A member from outside the Cabinet, was concerned that the consultation would be taking

place throughout August when Parish Councils may not have a meeting. He hoped the consultation period could be extended. The Head of Strategic Infrastructure responded that the consultation was the last step in the process and details of the plan had been consulted on and publicised at each stage of the plan's development so it wasn't felt that an extended consultation period was necessary. The Chairman asked that Parishes be contacted to alert them to the consultation

- Paul Middlebrough declared an interest in that he was Chairman of two liaison groups but queried whether 'encouragement' to have Liaison Groups was strong enough, as he felt that for large developments liaison groups should be insisted upon. The Cabinet Member responded that on significant sites, engagement was important but could not be insisted upon.

**RESOLVED TO RECOMMEND THAT
COUNCIL:**

- (a) approves the Publication Version of the Worcestershire Minerals Local Plan for Regulation 19 consultation;**
- (b) authorises the Director of Economy and Environment to carry out such Regulation 19 consultation;**
- (c) authorises the Director of Economy and Infrastructure to approve any minor amendments to the Publication Version of the Minerals Local Plan arising from the Regulation 19 consultation, prior to submission to the Secretary of State for Examination;**
- (d) approves submission of the Publication Version of the Minerals Local Plan, amended as appropriate, to the Secretary of State for formal Examination following Regulation 19 consultation;**
- (e) authorises the Director of Economy and Infrastructure, in consultation with the Cabinet Member with responsibility, to undertake consultation as necessary on any modifications arising from that Examination; and**

**1913 Worcestershire
Passenger
Transport
Review and
Strategy Public
Consultation**

- (f) agrees that the Minerals Local Plan is returned to Full Council with the Inspector's recommendations with a view to final decision on its adoption.**

The Cabinet Member with Responsibility for Highways asked Cabinet to consider the request for a consultation regarding the draft Passenger Transport Strategy and any subsequent actions with regard to approval of the strategy.

£30 million was spent on passenger transport and it was clarified that every part of the transport system would be reviewed. The aim of the consultation was to find out what sort of transport people wanted, what they were prepared to pay and what support the Council could give. For home to school and social care transport the Council was looking to provide a rationalised system based on Best Value and cost effectiveness. Community transport needed to cover rural areas whilst bus services needed to ensure increased demand through improved marketing and a reliable and punctual service. The transport system needed to be integrated and efficient and would need to cope with an increase of around 200,000 people. It was accepted that it was a challenging task and that ambition and innovation would be required.

The Cabinet Member for Education and Skills explained that the consultation would be extended by a week, up to 13 weeks, to allow schools the chance to contribute to the consultation after they returned from the summer holidays. There were certain statutory duties detailed in the Education Act 1996 regarding providing transport for school pupils that would continue to be met, as well as ensuring compliance with the Public Sector equality duty and there would be a full impact assessment.

In the ensuing discussion the following main points were made:

- It was essential for tax payers that the transport budget was spent wisely and efficiently
- The fact that the consultation was looking at all forms of transport was welcomed and rationalisation was a good idea
- Social Care Transport was an important issue and the allegations that certain buses were not supportive to people with learning disabilities and that more flexibility was requested would be investigated
- The Cabinet Member for Adult Social Care

suggested that best practice in other areas should be considered and this view was echoed by a Member from outside the Cabinet who felt it was necessary to get bus companies to copy best practice

- Malvern Chase community dial a ride bus and Tenbury Transport Trust was praised for setting up and running their own services
- During the Libraries consultation the availability of transport had been brought up as an important issue
- It was pointed out the public transport needed to be supported by the public and if usage was not consistent the services could not be maintained
- Fran Oborski declared an Interest in that she was Chair of Wyre Forest Diamond Bus Users group. She said residents expected to have an accessible bus service to take them to school, work or hospital but some areas such as Habberley estate were denied that. She felt that school buses should pick up Members of the Public if they had capacity and that it was very important to consider special needs transport. The fact that subsidies were decreasing each year while drivers wages and other costs were increasing also needed to be considered. She pointed out that some councillors were sponsoring buses out of their divisional funds
- Another member from outside the Cabinet was disappointed that there was not more detail in the consultation document and felt that people would find it difficult to respond to such a high-level policy document. She asked if a Councillor briefing could be arranged so that local members had more details. She felt it was a difficult time for rural transport as it could not always pay for itself. The Cabinet Member responded by clarifying that the consultation was asking people what they wanted rather than telling them what would be provided. The details would be provided after the consultation
- A member from outside the Cabinet felt that the strategy was an excellent starting point. He felt that the community knew what they wanted but were also aware that they may have to compromise. Upton Town Council had put in for a route to Worcester with support from Councillors and the service had become a success. He hoped that this consultation would lead to a sustainable blueprint for transport services
- The Chairman pointed out that Worcestershire

was a growing county so there was a market opportunity to grow passenger transport services. Integration with rail services also needed to be considered.

RESOLVED: that Cabinet:

(a) endorsed the request to undertake a public consultation with all stakeholders on the draft Passenger Transport Strategy commencing on 13 June 2019 for a period of 13 weeks, the results of which will inform the recommended Strategy and development of policies to be considered by Cabinet in November 2019, with key areas covered including:

(i) Home to School Transport;

(ii) Public Transport;

(iii) Community Transport;

(iv) Social Care Transport;

(b) agreed that the Director of Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and the Cabinet Member with Responsibility for Education and Skills, be authorised to finalise the consultation papers;

(c) agreed that the Director of Economy and Infrastructure be authorised to undertake the consultation process;

(d) receives a further report in November 2019 for formal approval of the Strategy having regard to the outcome of the consultation; and

(e) noted that a review of the operational policies in relation to the transport report will follow once the Strategy is finalised.

**1914 Revenue and
Capital Budget
Monitoring**

The Leader, who is also the Cabinet Member for Finance, introduced the report regarding the provisional financial results. He highlighted that although it had been a difficult year with high demand led pressures the projected overspend had been reduced to £2 million from almost £18 million and he paid tribute to the management actions which had been put in place which had enabled the overspend to be reduced, income to be maximised

and the decline in the level of reserves to be arrested.

In future, school budgets would present a great pressure as the Dedicated Schools Grant was inadequate. This was not just a Worcestershire problem and changes to legislation needed to be funded. The Budget was in better shape this year and although there were still demand led pressures, £27.7million worth of savings initiatives had been achieved.

The Cabinet Member for Adult Social Care explained that adult Learning Disability services had the largest overspend, but £4 million of grant money had been received which had helped with the outturn.

£106 million had been spent on capital projects last year which was the highest amount ever spent, which was a good for the future in that it would help boost growth. The Government contributed the most to capital projects through direct Government grants.

The pension fund had had a goodish year and the position had improved over the last 3 years and there was an operating surplus of £17 million.

Other comments made were:

- The non-schools dedicated schools grant overspent by £7.7 million and reserves were used to tackle the overspend, but it was pointed out that the problem was a national one as funding for special needs places had not increased while mainstream funding had increased
- Particular capital projects that had received investment were the Worcestershire Parkway Station, the Southern Link Road, Kidderminster Railway Station improvements and the land purchase adjacent to Malvern Hills Science Park
- A Member from outside the Cabinet commented that although the new Kidderminster Railway station was going to be superb, not enough parking spaces had been created. It was hoped that the Council would keep pressure on the Midlands Railway Company to provide the additional parking, especially as it was difficult for buses to access the area.

RESOLVED: that Cabinet:

- (a) **endorsed financial performance for the year ending 31 March 2019 and the unaudited Annual Financial Report and Statement of**

Accounts 2018/19;

- (b) approved updates to earmarked reserves and general balances as detailed in paragraphs 54 to 60; and**
- (c) considered the draft Annual Governance Statement for 2018/19 for comment before final approval is sought from the Audit and Governance Committee in July 2019.**

The meeting ended at 11.50am

Chairman