

Cabinet**Thursday, 15 October 2015, County Hall, Worcester - 10.00 am**

		Minutes
Present:		Mr A I Hardman (Chairman), Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr S E Geraghty, Mr M J Hart and Mrs L C Hodgson
Also attended:		Mrs P E Davey, Mr R C Lunn, Dr K A Pollock and Mrs E B Tucker were also in attendance.
Available papers		<p>The Members had before them:</p> <p>A. The Agenda papers (previously circulated);</p> <p>B The Children and Young People's Overview and Scrutiny report – Positive Activities for Young People; and</p> <p>C. The Minutes of the meeting of the Cabinet held on 24 September 2015 (previously circulated).</p> <p>A copy of documents A and B will be attached to the signed Minutes.</p>
1687	Apologies and Declarations of Interest (Agenda item 1)	<p>Apologies for absence were received from Mr J P Campion and Mr J H Smith.</p> <p>Mr M J Hart declared an interest in Agenda item 6 as a trustee of Kidderminster and District Youth Trust.</p>
1688	Public Participation (Agenda item 2)	None.
1689	Confirmation of the Minutes of the previous meeting (Agenda item 3)	RESOLVED: that the Minutes of the Cabinet held on 24 September 2015 be confirmed as a correct record and signed by the Chairman.
1690	Superfast	The Cabinet considered supporting the opportunity for capital investment, clawed back early from BT as part of

**Worcestershire
- Programme
Update and
Reinvestment
Opportunities
(Agenda item 4)**

the broadband contract for re-investment to extend superfast broadband even further across the county. The details were set out in the report and its Appendices.

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

- (a) The Cabinet Member with Responsibility for Economy, Skills and Infrastructure introduced the report and commented that the approach taken to Superfast Worcestershire was unique in the country in its targeted approach to businesses as well as local communities and had been successful. The take-up of 20% in the county had enabled the Council to take advantage of an opportunity from BT to re-coup capital investment up to £3.25m to further extend the fibre coverage in the county rather than wait to recoup the money in 2025. The aim was to eventually achieve at least 95% superfast coverage of the county to include hard-to-reach communities/business premises but this could only be achievable if it represented value for money. It was important to get the infrastructure in place and promote the scheme to allow local businesses to compete nationally and internationally
- (b) The take-up rate by local communities/businesses proved that the Superfast Worcestershire contracts were working effectively and would be welcomed in areas of the county which were currently not included in the planned deployment
- (c) A Member from outside the Cabinet supported the proposal but asked who was responsible for deciding where the funding was invested, the County Council, BT or a combination of both? BT appeared to be unwilling to commit to precise locations which meant residents remained uncertain. Given the constant technological changes, BT should be pressed to ensure that the Council had the best deal possible. The Cabinet Member with Responsibility for Economy, Skills and Infrastructure responded that a commercial approach had been taken to the contract to ensure that the maximum coverage was achieved but that council taxpayers received value for money. An assessment of the importance of business premises had been undertaken to prioritise the programme of work. There would be some remote communities/business sites that would not receive

Superfast Broadband. The Programme Manager added that the deal with BT would need to demonstrate value for money, ensure a continued focus for businesses and residents and take account of demand. Demand was a key focus of the contract and to ensure that there was a strong evidence base to provide to BT, people were encouraged to come forward to request the service

- (d) The remote rural nature of some communities meant that there would be no certainty that Superfast Broadband would be delivered in every locality. Engineering projects could be unpredictable in nature and therefore it was not surprising that BT were unwilling to commit to service provision in specific locations.

RESOLVED: that

- (a) it be noted that the Superfast Worcestershire programme is recognised nationally for consistently remaining ahead of schedule, having ensured 86% of the county now has access to fibre, and on track to deliver to over 55,000 premises by June 2016;**
- (b) further capital re-investment up to a total value of up to £3.25m, released early by BT, subject to value for money, be supported to extend superfast broadband even further across the county;**
- (c) the Director of Commercial and Change, in consultation with the Cabinet Member with Responsibility for Economy, Skills and Infrastructure, be authorised to negotiate with BT to achieve the best deal for the county with regard to the capital to be released by BT and to take the final decision on specific re-investment to achieve the purpose set out in (b) and subject to (d); and**
- (d) subject to the negotiations in (c), the Cabinet Member with Responsibility, in consultation with the Director of Commercial and Change and the Chief Financial Officer, be authorised to recommend to Council that £3.25m is added to the Capital Programme for the purposes of such re-investment to be funded by capital released by BT if the commercial negotiations**

**1691 Designation of
Worcestershire
as a Pollinator-
Friendly County
(Agenda item 5)**

are successful.

The Cabinet considered a Notice of Motion to Council in July 2015 to designate Worcestershire as a pollinator-friendly county. The details were set out in the report.

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

- (a) The Cabinet Member for the Environment introduced the report and commented that the Council was trying to address the loss of habitat by ensuring that the county was pollinator-friendly. Climate change had had a negative impact on the distribution of species of insects and efforts were being made to ensure that existing species would remain in the long term. In 2014 the Council had signed up to the National Pollinator Strategy but more work was required to educate the local population as to the value of pollinators. The Council aimed to take a lead role working with local nature partnerships to secure funding and create education plans. Forty Three roadside verges had been designated as nature reserves and the Council was also looking at establishing nature sites on fields at the edge of farmland, school playing fields, and industrial parks. The Council ensured that it used safe herbicide compounds. Planning was important and the Green Infrastructure Partnership would continue to work with Planning Authorities to influence local planning policy and developments to ensure green infrastructure was delivered
- (b) The future of pollinators had an important impact on the county particularly in terms of its contribution to the agricultural economy and the quality of life for residents. Parish councils should take a positive role in encouraging pollinator-friendly activities in their local community
- (c) A Member from outside the Cabinet commented emphasised the importance of rivers and canals in the preservation of wildlife. A joint County/District Council report in 2000 recognised the importance of managing canals as conservation areas. Help was available for interested parties, it was just a question of knowing where to find it. It was important that the Canals and Rivers Trust was involved in the work being undertaken. A forum in the Spring next year would help to bring together all

relevant parties to share information and contacts

- (d) A Member from outside the Cabinet expressed concern that there was a culture of neatness which led to verges being cut too often and beyond what was required for road safety which had a negative impact on wildlife
- (e) The Cabinet Member for the Environment acknowledged the importance of rivers and canals to wildlife and this was a matter being considered in liaison with the Local Nature Partnership. He welcomed the suggestion of a Forum and would set arrangements in place for Spring next year. He recognised that on occasion, there had been an over-zealous approach to verge cutting and he would address this with the highways department and contractors. However generally this was as a result of confusion rather than financial gain. Efforts would be made to improve communication.

RESOLVED: that the principles behind the Notice of Motion are accepted and it is given effect by endorsing:

- (a) the current work being undertaken to ensure Worcestershire is a pollinator-friendly county; and
- (b) the actions proposed in paragraphs 20-31 of the report to increase pollinator-friendly habitats.

1692 Positive Activities for Young People: Future Direction (Agenda item 6)

The Cabinet considered the future provision of positive activities for young people. The details were set out in the report, its Appendices and supporting information.

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

- (a) The Cabinet Member with Responsibility for Localism and Communities introduced the report and commented that the current approach to Positive Activities for young people had been reviewed by officers as well as by the Children and Young People's Overview and Scrutiny Panel. The review identified that there was a risk that a number of priority localities could be left with little or no significant accessible Positive Activities provision reaching those needing it most if the Council was to remove all of the funding from 2016/17. It was

therefore recommended that investment should not cease but continue from April 2016 albeit with a reduced sum of the delivery fund from £600k to £400k by 2018/19. Infrastructure support would continue to be allocated £100k annually

- (b) The report emphasised the Council's commitment to continued and targeted youth provision. The proposals fitted in with the Council's corporate priorities in supporting the most vulnerable youth in society in the county, particularly in hard-to-reach areas. It also addressed the Council's statutory duty under the Crime and Disorder Act in relation to Community Safety and was supported by the Police and Health. The proposals provided stability for local communities and providers over a 3 year period. It was a substantial re-investment into service provision supported by a network of volunteers. It re-inforced the approach of the Council of funding activities not buildings
- (c) There had been wide engagement with users and providers. It was reassuring to see that 10% of the respondents to the consultation exercise were from the most vulnerable/disabled groups. There was also an improved offer from Connect Centres and perhaps there could be a merger of their activities with the Youth Service activities
- (d) A Member from Outside the Cabinet welcomed the very positive support for youth provision in the county. However the budget reduction provided a challenge to the service and only experience would tell if the Council could meet its statutory duties and achieve the desired outcomes. This work was vital especially for vulnerable individuals who used the facilities as a place of last resort away from family issues. It was important that input was received from professional youth workers as well as volunteers. However core funding remained an issue which needed addressing and who would be providing support to professional youth workers?
- (e) A Member from outside the Cabinet stated that the role of the local member appeared to be reduced to responding to problems experienced by constituents in their local division
- (f) The Leader of the Council emphasised that local councillors would have an advocacy and monitoring role. The previous system had been complex and

over-beaurocratic and the proposed approach would be simpler and more effective. He hoped that the full-ranging consultation exercise and discussions meant that all parties felt that their voice had been heard and taken on board in line with the Council's duties under the Education Act. In particular he thanked the Youth Parliament for its contribution. The Council was committed to fulfilling its statutory duty in relation to the Positive Activities for Qualifying Young People. Regard had been taken of the Scrutiny comments before Cabinet that Positive Activities helped address levels of anti-social behaviour and the Police view that the ability to signpost Young People to these diversionary activities was important. The request from Scrutiny to reconsider plans to remove all County Council funding had been taken on board. The recommendations took into account the general duties under section 17 of the Crime and Disorder Act 1998 to exercise the Council's functions with regard to the likely effect on crime and disorder and to do all that could reasonably be done to prevent it. Importantly, commissioning of services at a district level would help ensure that local offers of access to Positive Activities would match the particular local needs of the area.

RESOLVED: that

- (a) the findings of the review of County Council funded Positive Activities for young people provision as set out in paragraphs 1-21 of the report be noted;**
- (b) the recommendation for the future funding of positive activities as set out in paragraphs 25-26 of the report be approved;**
- (c) the focus of the infrastructure support funding as set out in paragraphs 28-31 of the report be approved;**
- (d) the needs based formula funding and district allocation of positive activities as set out in paragraph 27 of the report be approved;**
- (e) the proposed commissioning priorities and processes as set out in paragraphs 32-35 of the report be approved; and**
- (f) the implementation of the recommendations**

1693 Future Delivery Arrangements for West Mercia Youth Offending Service (Agenda item 7)

outlined in the report be delegated to the Director of Children's Services in consultation with the Cabinet Member with Responsibility for Children and Families.

The Cabinet considered the arrangements for hosting the West Mercia Youth Offending Service (WMYOS). The details were set out in the report and its supporting information.

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

- (a) The Leader of the Council introduced the report and commented that there was a strong strategic fit with the responsibilities of the Office of the Police and Crime Commissioner
- (b) The proposals were the first of this kind in the country and provided a model of good practice for others to follow. The transfer would allow the service to leverage-in the wider linkages to safeguarding and community safety as well as providing economies of scale and business support capacity. It was emphasised that the Council retained its statutory duty for the youth justice service.

RESOLVED: that

- (a) **the Office of the West Mercia Police and Crime Commissioner is to act as the host organisation for West Mercia Youth Offending Services (WMYOS) with effect from 1 April 2016, with the County Council retaining statutory responsibility for the discharge of its Youth Justice functions; and**
- (b) **the Interim Director of Children's Services be authorised to take all necessary steps to conclude and implement the above arrangements including consulting with affected Council staff on the details of transferring to the new host.**

1694 Fair Funding Consultation Outcomes 2016-17 - National and Local Changes to the

The Cabinet considered responding to the Fair Funding Consultation for 2016-17 and the local funding formula for Worcestershire mainstream schools for 2016-17. The details were set out in the report and its Appendices.

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

Funding Arrangements for Schools including the Local Funding Formula for Worcestershire Mainstream Schools (Agenda item 8)

- (a) The Leader of the Council introduced the report and commented that:
- The lack of core funding for schools put pressure on the minimum funding level. The Council required more base funding into the system so that the obligations of the funding formula could be delivered. Moving to the National Funding Formula would mean over time that schools would be funded on a more level playing field. The clear message from schools in the consultation exercise on the funding formula was a desire for stability and predictability in funding streams and this was expected by the Education Funding Agency. By proposing no change to the formula, the Council was providing stability for schools
 - With the help of the Education Funding Agency, the Council had been able to free up £1.8m from dedicated school reserves which lessened some of the effects of the formula as it was rolled out
 - There had been some confusion as to where the additional funds had gone. These funds had been placed where it was considered it would do best for all pupils. The funds could not be used outside the formula. The Council would continue to provide funding through the formula. Some secondary schools wanted a fuller review but this was not supported by the Council or the Schools Forum. There was pressure on funding caused by a number of different factors, the majority of which were outside the Council's control
 - The national carbon reduction top slice had been introduced by the Department for Education and had had an impact by reducing per pupil funding accordingly
 - The Pupil Premium continued to grow and was a great advantage to pupils in deprived areas
 - The Council was no longer able to monitor the reserves of Academies. Reserves of maintained schools totalled in the region of £19m which was a considerable amount of money. It was hoped that if stability in the funding streams was maintained then this figure would reduce. However in the short term, it made it difficult for local MPs to make a case to the Government for additional funding
- (b) Although some schools were unhappy about the funding arrangements, the key message from the

consultation exercise was the desire from schools for stability of funding. It should be noted that Worcestershire Schools Forum supported the Council's approach to the school funding formula. It was important that schools operated within their financial constraints.

RESOLVED: that

- (a) Cabinet had regard to the consultation undertaken in September 2015;**
- (b) the consultation feedback in Appendices 2, 3, 4 and 5 to the report be noted;**
- (c) the involvement of the Worcestershire Schools Forum (WSF) members and schools during the consultation be noted;**
- (d) the views of the WSF on the local funding formula issues for 2016-17 and other matters which are outlined in Appendix 6 to the report be noted;**
- (e) the local funding formula for Worcestershire mainstream schools from April 2016 to apply for 2016-17 and other matters as detailed in paragraphs 42 to 54 of the report be approved having regard to the consultation feedback from schools detailed in Appendices 3, 4 and 5 to the report and views of the WSF in Appendix 6 to the report;**
- (f) the Interim Director of Children's Services be authorised to make the relevant arrangements to submit the details of the local funding formula for Worcestershire mainstream schools for 2016-17 to the national executive body, the Education Funding Agency (EFA), by 30 October 2015 as required; and**
- (g) the Interim Director of Children's Services be authorised to make any subsequent submission to the EFA by 21 January 2016 as a consequence of the impact of the October 2015 census and other 2015 data, any other data changes and the final 2016-17 Dedicated School Grant (DSG).**

Report (Agenda item 9)

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

- (a) The Leader of the Council introduced the report and commented that:
 - The Council's financial position continued to be monitored. The overall position remained the same since the last report to Council. Although a relatively large overspend for the Looked After Children placement budget had been forecast, the majority of activities were on target
 - The Future Fit programme continued with progress made on the introduction of the Direct Transport Payments and the establishment of the Place Partnership, which was a national first for the county
 - It was necessary to allocate a further £1.2m funding to complete the Bromsgrove Railway Station Relocation project. The additional expenditure would be recovered via a 'claw-back' of income to ensure that the project remained cost neutral to the County Council over its project life
 - Grant Thornton had formally closed the 2014/15 financial statements and issued the Certificate of Completion for the External Audit
- (b) The additional funding for the Bromsgrove Railway Station Relocation project was supported. It would allow flexibility should any construction issues arise and ensure that there was no delay in the delivery of the project.

RESOLVED: that

- (a) **the Cabinet Member's conclusions concerning revenue budget monitoring up to 31 August 2015 be endorsed;**
- (b) **the current progress regarding the FutureFit programme be endorsed;**
- (c) **Council be recommended to approve the Capital Programme as set out in the Appendix to the report and the capital budget cash limits be updated accordingly;**
- (d) **Council be recommended to approve an increase of up to £1.2 million to the existing**

Bromsgrove Railway Station Relocation project and the Capital Programme cash limits be updated accordingly;

- (e) subject to recommendation (d) above, that the Director of Business, Environment and Community, in consultation with the Cabinet Member with Responsibility for Economy, Skills and Infrastructure and the Chief Financial Officer, be delegated to negotiate and conclude a commercial agreement with Centro, as set out in the report, designed to cover the Council's cost of additional borrowing over the life of the project;**
- (f) the Cabinet Member's conclusions concerning capital budget monitoring up to 31 August 2015 be endorsed; and**
- (g) the current position of the annual statutory financial accounts process for 2014/15 be noted.**

The meeting ended at 11.25 am.

Chairman