

**COUNCIL**  
**13 SEPTEMBER 2018****REPORT OF CABINET - SUMMARY OF DECISIONS TAKEN**

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**The establishment of the Worcestershire wholly owned Council Company for Children's Social Care**

1. The Cabinet had agreed to the development of a wholly owned council company to deliver children's social care. Following ratification of this decision by the Secretary of State, a revised statutory direction was published on the 25 May 2018 that included an expectation that the Company would go-live on the 1 April 2019. Discussions with the DfE's appointed Children's Commissioner and DfE civil servants have focused on ways of reducing the expected pressure on the business throughout the period December 2018 to July 2019. These discussions have concluded in a proposal being taken to the Minister to establish the Company in shadow format by 1 April 2019, with the go-live date moving to 1 October 2019. The Cabinet has noted the proposed change in 'go-live' date for the establishment of a Wholly Owned Council Company for Children's Social Care ('the Company') to 1 October 2019 and the high-level overview of the implementation plan.

2. Overwhelmingly the preferred name that staff feel best captures the purpose and values of the company is 'Worcestershire Children First'. This name has been endorsed by the ADM Board and approved by Cabinet in order to progress the company. The ADM Programme Board supported the recommendation that a private company limited by guarantee (CLG) is the most appropriate legal form of the Company and this has been approved by the Cabinet who have also endorsed its formation.

3. The Cabinet has granted delegated authority to the Chief Executive, in consultation with the DfE's appointed Children's Commissioner, Leader of the Council and Cabinet Member with Responsibility for Children and Families for the development of the Company and its governance arrangements.

**Children's Social Care Services Improvement Plan**

4. The Cabinet noted the progress on service improvement and has endorsed the Service Improvement Plan which has been reviewed and updated using feedback from Ofsted, performance against key performance indicators and the work completed with Improvement Partner, Essex County Council. Ofsted has commented positively on a number of areas, but there are still areas for further progress. The Council believes that there are now strong foundations in place for improvement following the work completed since October 2016. The focus remains on sustaining this progress including a focus on the quality of practice, as well as management oversight and decision-making which is key to ensuring that children receive the right service at the right time.

**Future Provision of Overnight Unit-based Short Breaks for Children with Disabilities**

5. The Cabinet has noted the responses received to the consultation with families, professionals and wider stakeholders, including the report from the CYP Scrutiny Task Group and the CMR response, on the proposals to redesign the delivery of overnight unit-based provision and the additional information and comments received during this period. The Cabinet has adopted the response by the Cabinet Member with Responsibility for Children and Families to the Scrutiny Report "Future Provision of Overnight Unit-Based Short Breaks for Children with Disabilities".

6. The Cabinet has agreed the continued delivery of short breaks overnight respite provision at Ludlow Road, Kidderminster during this financial year 2018/19, subject to further review of contract arrangements and sufficiency with Worcestershire Health and Care Trust and without prejudice to any future proposals for change which may be developed and any further consultation as may be appropriate.

7. The Cabinet has authorised the Director of Children, Families and Communities to work collaboratively with the Director of Adult Services to negotiate with the Worcestershire Health and Care Trust a variation of their contract, effective from 1 August 2018, for the delivery of overnight provision at Osborne Court and Ludlow Road in order to provide clarity on the service specification including cost, capacity and monitoring arrangements and to build into the contract the flexibility required for the service to adapt appropriately to future changes in demand including, where necessary, changes to the location of service delivery and/or age range of service users

8. The Cabinet has authorised the Director of Children, Families and Communities to implement the proposal within the consultation to increase the capacity at Providence Road, Bromsgrove by the flexible use of one or two additional bedrooms (subject to the necessary changes to the Ofsted registration) as required to meet the needs of families who have an assessed need for overnight respite care now or in the future without prejudice to any future consideration in relation to Ludlow Road.

9. The Cabinet has authorised the Director of Children, Families and Communities in consultation with the Director of Adult Services to undertake co-design activity with parents, carers and wider stakeholders on short break/respite provision for children with disabilities, including the provision for young people, as they approach transition to adulthood, to ensure appropriate transition to adult services and/or independent living

10. The Cabinet has endorsed the proposals to engage with an appropriate level and type of advocacy and parent carer forum(s) in order to address concerns raised throughout this process in relation to pre-engagement with parent carers to support engagement and contribution to service redesign and improvement. The Cabinet has endorsed the intention for the Council's commissioners to work with the providers of overnight short break services to remodel the way services are provided in order to meet needs now and in the future and ensure maximum value for money, by exploring options and implementing improvements where appropriate.

### **Joint Local Area SEND Inspection – Local Area Action Plan**

11. A Joint Ofsted and Care Quality Commission (CQC) local area Special Educational Needs and Disability (SEND) inspection took place 5 – 9 March 2018. The inspection of the Local Area involved an evaluation of the commissioned services of the CCG and the Council, provider services, schools and education providers. The findings

of the Inspection were published on 16 May 2018. The inspection raised concerns about the effectiveness of the local area and identified a number of issues.

12. The Local Area Inspection resulted in the request that a Written Statement of Action (Action Plan) be prepared by the Local Area and submitted to OFSTED/CQC within 70 days of the publication of the report. The Cabinet has acknowledged that progress is underway on the Written Statement of Action (Action Plan) to show how the agencies will tackle areas for improvement identified by that letter in order to improve outcomes for all children and young people with SEND, by helping them to achieve their full potential. The Cabinet has authorised the Cabinet Member with Responsibility for Education and Skills, in the light of the required timescales, to approve the Action Plan on behalf of the Council for sending to Ofsted/CQC. The Action Plan was also due to be approved by the CCGs.

### **A38 Bromsgrove Major Scheme**

13. The delivery of the overall A38 Bromsgrove Major Scheme programme is essential to support growth identified in the adopted Bromsgrove District Plan. The scheme is a key component of the transport Infrastructure Delivery Plan and would support the sustainable growth of Bromsgrove by enhancing the A38 Bromsgrove Eastern Bypass. Development of the scheme has been funded as agreed in 2015 and 2016. The proposed initial phase of the overall scheme, Package 1, consists of enhancements and improvements to three junctions, the M5 Junction 4, Barley Mow Lane junction and the M42 Junction 1.

14. The overall A38 Bromsgrove Major Scheme works would also be critical in helping to support the objectives of the Redditch Local Plan, the County Council's LTP4 and both the Worcestershire and Greater Birmingham and Solihull Strategic Economic Plans prepared by the Local Enterprise Partnerships. The Cabinet has noted the overall concept of the A38 Bromsgrove Scheme and progress made to date. The Cabinet has supported the continued progress of the scheme and noted the further work required to finalise the project deliverables, especially in terms of planning strategy, securing funding and land acquisitions

15. The Cabinet has noted the importance of improvements to the A38 in advance of proposed developments, with particular reference to Whitford Road, Perryfields and Foxlydiate applications. It is currently envisaged that the improvements would be delivered in five packages. The Cabinet has noted the need for some flexibility within and between the packages of work within the overall scheme

16. The Cabinet has requested that the Director of Economy and Infrastructure brings a detailed report on Package 1 of the A38 improvements to Cabinet in Autumn 2018. The Cabinet has supported taking preparatory steps in the interim towards the commencing of Package 1 of the scheme without prejudice to that later decision.

### **Minerals and Waste Local Development Scheme**

17. The Minerals and Waste Local Development Scheme (LDS) has two main purposes: to inform the public about the preparation and adoption of planning documents; and to establish and reflect Council priorities and enable work programmes to be set for the preparation of the documents. As circumstances change and the process of making development plans moves forward, it is necessary to review and

revise the LDS in order to keep it up to date. This revision extends the timetable for the preparation of the Minerals Local Plan due to a revised approach to site allocations and sets a timetable for the production of a Mineral Site Allocations Development Plan Document. The Cabinet has approved the Minerals and Waste Local Development Scheme (LDS) July 2018 – June 2021 and authorised the Director of Economy and Infrastructure to make minor amendments to the LDS prior to publication.

18. The Cabinet has granted delegated authority to the Director of Economy and Infrastructure in consultation with the Cabinet Member with Responsibility for Economy and Infrastructure, to approve the preparation of the draft Mineral Site Allocations Development Plan Document, carry out the informal preliminary consultations on it in accordance with the LDS, and make any amendments to it to create a final draft, without the need for further formal approval by Cabinet. The Cabinet has agreed that the final draft Minerals Site Allocations Development Plan Document then be returned to Cabinet for recommendation to Council for approval before it is formally published for public representations as a statutory 'draft' Development Plan Document and submitted to the Secretary of State for examination.

19. From April 2018, under Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), local planning authorities must review local plans at least once every five years from their adoption date. The requirement for a formal review of the Waste Core Strategy will be addressed as part of the next Authority Monitoring Report. The Cabinet has granted delegated authority to the Director of Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Economy and Infrastructure, to approve the preparation of a new draft Waste Local Plan and the informal preliminary consultations on it in accordance with the LDS, and any amendments to it, without the need for further formal approval by Cabinet.

20. The Cabinet has agreed that the final draft Waste Local Plan be returned to Cabinet for recommendation to Council for approval before it is formally published for public representations as a statutory 'draft' Development Plan Document and submitted to the Secretary of State for examination.

**Mr S E Geraghty**  
**Chairman**

## **Contact Points**

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## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meeting of the Cabinet held on 12 July 2018