

Cabinet

**Thursday, 30 January 2020, County Hall, Worcester,
10.00 am**

| | Minutes |
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| Present: | Mr S E Geraghty (Chairman), Mr A T Amos, Mr A I Hardman, Mr M J Hart, Mrs L C Hodgson, Mr A P Miller, Dr K A Pollock, Mr A C Roberts and Mr J H Smith |
| Also attended: | Mrs J A Brunner, Mrs E A Eyre, Mr S J Mackay, Mrs F Oborski, Mrs J A Potter, Prof J W Raine, Mrs M A Rayner, Mrs E B Tucker and Mr R M Udall |
| 1959 Apologies and Declarations of Interest | Apologies for absence had been received from Ms K J May. There were no declarations of interest. |
| 1960 Public Participation | None |
| 1961 Confirmation of the Minutes of the previous meeting | The minutes of the previous meeting held on 20 December 2019 were agreed to be a correct record and were signed by the Chairman. |
| 1962 2020/21 Draft Budget and Medium-Term Financial Plan Update 2020-22 | <p>The Cabinet considered the 2020/21 Budget and medium-term financial plan update 2020-22. The details were set out in the report and its appendices.</p> <p>The Leader introduced the report and explained that since Cabinet in December, more information had been received about the Social Care Grant and income had been increased more than expected due to gaining £0.9 million Social Care Grant and £1.3million extra from Council Tax. These increases would mean that money could be added to reserves rather than having to use a small amount of them to cover services. Investment would be made in adults and children's social care and the priority would be supporting the most vulnerable. Large capital investments would be made in improving roads and pavements and reducing congestion. Consultations had taken place with Parishes, Unions and Scrutiny. He pointed out that in paragraph 3.4 the date of 2021/22 should in fact read 'in future years'.</p> |

During the discussion the following points were made:

- This budget was seen as great for adult social care as the government had recognised the pressure it was under and allocated more money
- Despite the increase in the Social Care Grant it was expected that there would be a small budget deficit overall
- The business rates pilot, with the common pool with the six District Councils and Hereford and Worcestershire Fire Brigade, was welcomed
- Cabinet Members were pleased that money would be made available for flood mitigation, street lighting, the planting of 150,000 extra trees, as well as the continued investment in Children's Safeguarding
- It was felt that the investment in highways was one of the highest that highways had ever had. Projects to ease congestion were going on around the County and there would be a massive increase in funding for roads and footways. The bus subsidy would also be increased by over 10% and overall the bus network was being extended
- In general, the investment in highways helped with the Council Priority of being Open for Business
- It was mentioned that caution was required around the amount of Public Health Ring Fenced Grant as the announcement of the final settlement amount had been delayed. If the amount of the grant was increased the extra money could be used for prevention and Get Safe
- The amount for Home to School Transport including for Special Educational Needs transport was welcomed, along with the capital amount being used to improved schools – although it was recognised that even more money could be used in that area
- Cabinet Members were pleased that the increase in Council Tax had been kept below inflation

- The Chairman of the Overview and Scrutiny Performance Board (OSPB) thanked Michael Hudson and the Directors who attended Scrutiny meetings, for their co-operation and advice. He stated that there had been some frustration trying to reconcile the different information available in December to that available afterwards but explained that the Board had met the previous day and found the proposed budget was economically and legally sound. In future OSPB wished to take a greater part in pre-policy work and in order to be able to do that they supported the continued funding of a 30-hour scrutiny officer post
- The Vice Chairman of the OSPB acknowledged that there had been an improvement in the information available for scrutiny and believed that in future there should be increased scrutiny of pre-policy information. She had one query: Cabinet Members had mentioned an increase in spending on flooding and development control but the information they had seen showed a decrease in funding in those areas
- The Leader responded that the issue of the 30-hour scrutiny officer post would be looked at as part of the overall Council re-design and that it would be a matter for the individual Directors. He believed the query about funding was due to complexities caused by teams and areas of responsibilities moving between directorates
- A Member outside the Cabinet wondered if it would be possible to use more capital for public transport and was concerned that Positive Activities was now within Public Health rather than within the Children's Directorate
- The Chairman of the Children's and Families Scrutiny Panel thanked Worcestershire Children's First and the Director of CoaCh for the information that they had provided. She felt that Positive Activities could make a difference to young people involved in drugs if £100,000 could be used from the Public Health Ring Fenced Grant. The Cabinet

Member for Health and Well-being mentioned a group going into schools to perform a play educating pupils about drugs and the Community Safety Partnership Board were making a bid to help deliver such activities in future

- The Leader of the Labour Group queried why the reserves that were now not required due to the increase in income, could not be used in areas where there had been cuts in previous years. He also felt that the replacement of the Scrutiny Officer was important. The Leader responded that as there was a chance that there would be an overspend at the end of the financial year, and as social care was a demand led service, then reserves needed to be kept in case they were required in future
- The Cabinet Member for Adult Services explained that the budget position in Adult Services was still flexible, so it was sensible to have a reserve in case it was needed. He thanked the Overview and Scrutiny Panel for their comments and welcomed their ideas for income generation. He did not agree with their comments that the financial situation was 'not of our making and that fairer funding was required', as the Government had given more for the social care precept as well as for potholes. He felt Worcestershire was in a strong position with Council Tax, and business rates. He also disputed that there had been a decrease in the level of services, although savings had been needed to cope with demand. Overall, he conceded it had been a difficult year as there had been a delay in the announcement regarding settlements
- The Leader confirmed that the fairer funding review was still awaited so it was not yet known what resources would be available for the next three years.

RESOLVED to recommend to Full Council that:

- (a) the budget requirement for 2020/21 be approved at £346.246 million as set out at Appendix 1B of**

the report, having regard to the proposed Transformation and Reforms programme set out in Appendix 1C of the report;

- (b) the Council Tax Band D equivalent for 2020/21 be set at £1,311.05 which includes £116.04 relating to the ring-fenced Adult Social Care precept, and the Council Tax Requirement be set at £279.130 million, which will increase the Council Tax Precept by 3.99% in relation to two parts:
- 1.99% to provide financial support for the delivery of outcomes in line with the Corporate Plan 'Shaping Worcestershire's Future' and the priorities identified by the public and business community
 - 2.00% Adult Social Care Precept ring-fenced for Adult Social Care services in order to contribute to existing cost pressures due to Worcestershire's ageing population;
- (c) the Capital Strategy 2020-23 and Capital Programme of £338.594 million be approved as set out at Appendix 1D and 1E and section 9 of the report;
- (d) the earmarked reserves schedule as set out at Appendix 2 to the report be approved;
- (e) the Treasury Management Strategy and Prudential Indicators set out at Appendix 4 to the report be approved; and
- (f) the Council's Pay Policy Statement set out at Appendix 5 to the report be approved.

RESOLVED that Cabinet agreed to:

- (a) give delegated authority to the Leader of the Council to recommend to Full Council, in consultation with the Chief Financial Officer, any further adjustments to the revenue cash limits as a result of Central Government confirming the final Local Government Finance Settlement, Council Tax and Business Rates Income, and associated Specific Grants and income for 2020/21; and
- (b) authorise the Strategic Director for People and the Director of Children's Services in consultation

with relevant Cabinet Members with Responsibilities, to approve the agreement for the use of resources between the Council and the Clinical Commissioning Groups under Section 75 of the NHS Act 2006 (the Section 75 Agreement) for 2020/21.

1963 Scrutiny Report: Quality Assurance of Care and Nursing Homes

The Cabinet considered the Scrutiny Report on Quality Assurance of Care and Nursing Homes. Mrs Brunner, who had led the Scrutiny Task Group, explained that the scrutiny had been set up by the Overview and Scrutiny Performance Board to look at how the Council sought assurance regarding the quality of care and nursing homes. The Scrutiny had proved interesting and she thanked her colleagues for their enthusiasm. She wished to point out that Assistive Technology stood out as important for the future, and although they were aware of the fragility of the care market, they were pleased to hear from the Cabinet Member that the shortfall was being considered.

The Cabinet Member with Responsibility welcomed the report, feeling that good work had done quickly and clarity had been brought to the subject. He confirmed that the responsibilities of care homes were detailed in their contracts and was pleased this had been highlighted. He agreed there were concerns with the workforce and that assistive technology was the way forward for self-funders. Unfortunately, the Council had experience and was therefore prepared for dealing with any future home closures.

RESOLVED that Cabinet:

- (a) received the Scrutiny Report on quality assurance of care and nursing homes, together with the response from the Cabinet Member with Responsibility for Adult Social Care; and
- (b) noted the Scrutiny Report's findings and recommendations and adopted the response of the Cabinet Member with Responsibility as the way forward.

1964 Annual Update to the School Organisation Plan 2019

The Cabinet considered the strategic School Organisation Plan designed to provide an overview of school place planning for the next five-years. The Cabinet Member for Education and Skills introduced the

report and acknowledged the complexities which exist in the Worcestershire education system with Academies, varying two and three tier systems and the forecast increase in numbers and new homes being built.

Cabinet members made various points:

- The Cabinet Member for Adult Services voiced a concern about lots of building just over the borders of the County and the additional pressure this could put on our High Schools and whether agreements with neighbouring authorities were required
- A concern was raised about school transport and whether the South Worcestershire Development Plan had been considered in the plan. It was also suggested that the provision of ExtraCare housing made more social housing available which could increase the numbers of children moving into the area and needing school places. Additionally, it was pointed out that with the expansion of the University there were more multi-occupancy houses which made planning by assuming a set number of school children per number of houses more difficult
- The Cabinet member for Education and Skills replied that they were cognisant of issues of demand from over the border and that reciprocal arrangements were in place. Social housing was now included in the revised S106 policy
- It was good that the plan could be amended every year to be able to respond to local variances, although it was pointed out that in the past planning had been very accurate.

RESOLVED that Cabinet:

- (a) in line with its decision in December 2018, noted the updated annual sufficiency information for all areas of education, added to the five-year School Organisation Plan 2019-24;**
- (b) noted the pressure on mainstream and Special Educational Needs and Disability (SEND) places, the need for more flexible childcare, and the work**

1965 School Admission Arrangements for Community and Voluntary Controlled Schools for 2021/22, Co-ordinated Admissions Schemes 2021/22 and Fair Access Protocol for Worcestershire Schools

being undertaken to support post-16 provision, highlighted in the reports;

- (c) approved the 2019 update of place sufficiency information as part of the School Organisation Plan; and
- (d) agreed to receive an annual report to approve future iterations of the School Organisation Plan including place sufficiency information.

The Cabinet considered the Admissions Policy for Community and Voluntary Controlled Schools 2021/22, the Co-ordinated Admissions scheme for Primary/Middle and Secondary Schools 2021/22, Published Admission Numbers for Community and Voluntary Controlled Schools and the Fair Access Policy for Worcestershire Schools. The details were given in the Agenda.

The Cabinet Member for Education and Skills introduced the report and explained that the Office of the Schools Adjudicator clarified that PAN forms part of the admission arrangements as a whole and therefore needs to be approved by the Cabinet Member annually. No responses were received in relation to the Admissions Policy for Community and Voluntary Controlled Schools 2020/21.

RESOLVED that Cabinet:

- (a) approved the Admissions Policy for Community and Voluntary Controlled Schools 2021/22 as set out in Appendices 1a and 1b to the report;
- (b) approved the scheme for Co-ordinated Admissions for Primary/Middle and Secondary Schools for 2021/22 as set out in Appendices 2a and 2b to the report;
- (c) approved the Published Admission Numbers for Community and Voluntary Controlled Schools, including the proposed reductions, as set out in Appendix 3 to the report;
- (d) approved the Fair Access Protocol for Worcestershire Schools as set out in Appendix 4 to the report; and

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| | <p>(e) confirmed the authorisation to the Cabinet Member with Responsibility for Education and Skills to approve the Council's annual Admission Arrangements, in consultation with the Director of Children's Services, including:</p> <ul style="list-style-type: none"> (i) the annual Schools Admissions Policy for Community and Voluntary Controlled Schools, Schemes for Co-ordinated Admissions, and Fair Access Protocol where no significant changes are proposed to them; and (ii) approving school PANs (other than for prescribed alterations to maintained schools through increases in physical capacity, and without prejudice to their separate delegation). |
| 1966 | <p>Responding to Change of Age Range requests from Maintained Community Schools or Change of Age Range Consultations from other types of Schools</p> <p>The Cabinet considered a revised Council policy on responding to change of age range requests or consultations. The Cabinet Member with responsibility for Education and Skills introduced the report, explaining that the Council did not want to make a wholesale change, for example removing middle schools from the system, but had to ensure there was a sufficiency of school places and that all schools remained viable. The details were given in the report.</p> <p>RESOLVED that Cabinet:</p> <ul style="list-style-type: none"> (a) noted the results of the non-statutory consultation on proposals to amend Council policy on change of age range proposals; (b) noted that further amendments have been made to the proposed new policy in the light of responses to the consultation; (c) approved the revised Council policy on responding to change of age requests or consultations as set out in Appendix 4 to the report; (d) authorised the Director of Children's Services to respond to change of age range consultations where the Local Authority is not the decision-making body in line with the revised Council policy; |

**1967 New Primary
School
Alternative
Provision for
Kidderminster**

- (e) authorised the Director for Children's Services to continue to respond to change of age range consultations from all other types of schools where the Local Authority is not the decision-making body in line with the revised Council policy in consultation with the Cabinet Member with Responsibility for Education and Skills; and
- (f) endorsed the delegation of authority given by the Leader on 25 June 2018 where the Local Authority is the decision-making body as set out in paragraph 4 and Appendix 6 of the report.

The Cabinet considered proposals for a new Primary Alternative Provision free school in Kidderminster. The Cabinet Member with Responsibility for Education and Skills introduced the report and apologised that the report had been late meaning that scrutiny had not had time to look at the report before the agenda was published. It had been identified that an alternative provision school was needed in Wyre Forest, a bid had been made to the Department for Education and the Secretary of State for Education would be making the decision on who the provider will be. It was proposed the school would be ready to open in September 2021. The school would be built on the site of the former Sladen Middle School and be on a 125-year lease. Around a third of the site would be used for housing.

A Member from Outside the Cabinet welcomed the use of the site and was pleased that ideas had been suggested to ensure early re-integration of the children back into mainstream schools.

RESOLVED that Cabinet:

- (a) endorsed the work undertaken by Worcestershire Children First and the Department for Education in respect of the wave 2 process for establishing a Primary Alternative Provision free school in the Wyre Forest area of Worcestershire;
- (b) noted that a final decision on the choice of proposer for the new school rests with the Secretary of State for Education and is due to be announced in Spring 2020;
- (c) approved that the proposed location and site of the new school would be on part of the former and vacant Sladen Middle School site, agreed

1968 Review of Delivery Model for Medical Education Provision

that the required land would be leased to the new free school on a 125-year lease, and authorised the Strategic Director of Commercial and Change to settle the details of such a lease;

- (d) approved the revenue funding set out in the report for the primary places with the intention for the new free school to open from September 2021 subject to the signing of the funding agreement between the Secretary of State for Education and the trust; and
- (e) noted that the statutory consultation under Section 10 of the Academies Act 2010 to enter into an agreement with the Secretary of State for Education to set up a free school rests with the chosen trust as part of the pre-opening phase.

The Cabinet considered the development of a new delivery model for Medical Education Provision. The Cabinet Member for Education and Skills introduced the report and stated that the timetable and proposal for a new delivery model had been endorsed by scrutiny.

Following co-production work with families, schools and health partners a report would return to Cabinet with the aim of a phased introduction from September 2020.

The Chairman of the Children and Families Overview and Scrutiny Panel welcomed the report and noted that links between the MET and mainstream schools needed to improve to enable young people to fulfil their potential.

RESOLVED that Cabinet:

- (a) noted the issues identified regarding the existing Medical Education Service delivery;
- (b) approved the proposed timetable for the development of a new delivery model for Medical Education Provision;
- (c) approved the proposals for a new delivery model for Medical Education Team (MET) Provision to be co-produced with families, parents/carers schools and health partners; and
- (d) agreed to receive a further report to consider proposals for the new delivery model following design and co-production work.

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| 1969 | Rural Connected Communities - West Mercia 5G Project | <p>The Cabinet considered supporting an application to the Department of Digital, Culture, Media and Sport's 'Rural Connected Communities' fund for a West Mercia 5G project to support a 2-year research and design project in 5G in rural areas.</p> <p>The Cabinet Member for Economy and Infrastructure introduced the report. Cabinet agreed that the digital strategy was important to Worcestershire and that Tenbury was the ideal place to test 5G in a rural area. The Cabinet Member clarified that although residents may query whether there were health concerns with this project Public Health England had stated that there would be no consequences for public health. It was also mentioned that agri-tech was a further area where 5G may prove to be useful.</p> |
| RESOLVED that Cabinet: | | |
| <p>(a) noted the success to date, by Worcestershire Local Enterprise Partnership (WLEP), Worcestershire County Council and project partners in delivery of the Department of Digital, Culture, Media and Sport's (DCMS) Phase One of the 5G Testbed and Trials project and ongoing extension to March 2020;</p> | | |
| <p>(b) endorsed the application of the separate 'West Mercia 5G' project into DCMS's Rural Connected Communities fund, to support a 2-year research and design project in 5G in rural areas;</p> | | |
| <p>(c) noted, should the 'West Mercia 5G' application to DCMS be successful, the award of the initial grant from DCMS would be up to £3.3m and the role of Worcestershire County Council as the lead partner, managing the project, assuring and financing partners' claims and drawing down the funding;</p> | | |
| <p>(d) noted and accepted both the potential opportunities and risks that are identified within the Cabinet report;</p> | | |
| <p>(e) authorised the Strategic Director of Economy and Infrastructure in consultation with the Chief Finance Officer and the Cabinet Member with Responsibility for Economy and Infrastructure to finalise and agree the necessary agreements to progress and support the proposed project; and</p> | | |

(f) authorised the Strategic Director of Economy and Infrastructure to take all appropriate actions to progress and support the proposed West Mercia 5G project and to continue to support the current Worcestershire 5G Consortium, including supporting investigations for alternative funding sources to potentially extend the referenced projects and wider programme.

The meeting ended at 12.25pm

Chairman