

## Cabinet

Thursday, 5 February 2015, 10.00a.m County Hall, Worcester

### Minutes

#### Present:

Mr A I Hardman (Chairman), Mr A N Blagg,  
Mrs S L Blagg, Mr J P Campion, Mr S E Geraghty,  
Mr M J Hart and Mr J H Smith

#### Also attended:

Mr R C Adams; Mr R W Banks; Mr M H Broomfield;  
Mr I Hopwood; Mr P M McDonald; Dr K A Pollock;  
Mr D W Prodger MBE; Mrs E B Tucker and Mr P A Tuthill

#### Available Papers

The Members had before them:

- A. The Agenda papers (previously circulated);
- B. Addendum report;
- C. The Minutes of the meeting of the Cabinet held on 18 December 2014 (previously circulated).

(A copy of documents A and B will be attached to the signed Minutes).

#### 1644 Apologies and Declarations of Interest (Agenda item 1)

Apologies for absence were received from Mrs E A Eyre and Mrs L C Hodgson.

The Chairman wished Mrs Eyre a speedy recovery following her recent surgery, and stated that Mrs Hodgson was representing the Council at a conference in Exeter.

In addition, the apology of Mr R M Udall, the Chairman of the Overview and Scrutiny Performance Board was noted in relation to the Scrutiny report on the Budget.

#### 1645 Public Participation (Agenda item 2)

None.

#### 1646 Confirmation of the Minutes of the meeting held on 18 December 2014 (Agenda item 3)

**RESOLVED:** that the Minutes of the Cabinet held on 18 December 2014 be confirmed as a correct record and signed by the Chairman.

**1647 Budget 2015/16  
(Agenda item 4)**

The Cabinet considered a report representing the penultimate stage in the formal process to determine the County Council's budget and precept level for 2015/16. It agreed the report would form the basis for proposals to Full Council for approval on 12 February 2015. The report set out the details considered by the Cabinet and the reasons for the decision including:

- those decisions made by the Cabinet on the draft budget 2015/16 at its meeting on 18 December 2014
- how the 2015/16 budget supported the County Council's refreshed Corporate Plan – FutureFit which looked forward to 2017. The budget would provide for a number of initiatives that supported the delivery of the four Corporate Plan focus areas: Open for Business; Children and Families; Health & Well-being, and The Environment, within the context of a significant reduction in funding from central Government
- the work needed to close the provisional financial gap. In the medium term the Council would continue to target the achievement of around £25m per year whilst focusing on what was important to local people and delivering the Corporate Plan – FutureFit's four areas of focus. The Council had managed its finances prudently in the past and plans had already been presented that potentially delivered £23.8m of savings and efficiencies in 2015/16
- the work undertaken in January 2015 to close in full the initial funding gap of £2.4m identified in the December 2014 Cabinet report. District Councils had confirmed increases in the tax base forecast for 2015/16 as well as the surplus from their Collection Fund in 2014/15. Provisional forecasts for income from Business Rates and Business Rate Buoyancy had been refined as well as a review of initiatives funded through the New Homes Bonus. For one year only it was proposed that £0.6m of the one-off Collection Fund surpluses was used to balance the Revenue Budget with the intention this was replaced by savings in 2016/17 that would be delivered year on year. It was recommended to allocate the remaining £1.5m surplus from the Collection Funds into the Change and Transformation Fund (£1m) and Self Financing Capital Investment Fund (£0.5m)
- It was proposed that the £2m set aside for Strategic Initiatives be allocated as follows; £0.5m to continued

investment in improving highways, £0.4m to investment into improving footways, £0.2m on local highways improvements, £0.4m on Local Welfare Assistance, £0.1m to fund the development of Public Realm improvements in Redditch and £0.4m to fund key strategic capital scheme developments

- the Council Tax referendum limit which had been set for Council Tax increases for 2015/16 of 2%. The budget therefore confirmed the intention contained within the December 2014 Cabinet report to increase Council Tax by 1.94% to fund increased costs for Looked after Children
- revenue budget monitoring. The outturn forecast to 31 December 2014 indicated that the budget would break even by the end of the financial year representing a reduction from a forecast of a £0.5m deficit reported within the December 2014 Cabinet report. There still however remained a significant adverse variance with regard to Children's Social Care Placements. The BOLD transformational savings programme continued to make good progress and the 2014/15 target of £30.5m was forecast to be achieved in the main. General balances were likely to remain at £13m at the end of the 2014/15 financial year
- the virement of £0.6m from the Financing Transactions budget for 2014/15 to earmarked reserves to fund an additional one year's extension to the Councillor's Divisional Funds scheme for 2016/17 was recommended. This did not require alteration of the net cash limits approved by Full Council
- details of the budget 2015/16 consultation. The Council engaged with a wide range of individuals and organisations through a number of channels. The draft budget proposals and feedback from the consultation events were considered by the Overview and Scrutiny Performance Board and its response was before the Cabinet
- the budget requirement of £330.7m against funding from central Government and Council Tax of £320.9m leaving an initial funding gap of £9.8m. BOLD schemes to the value of £7.4m had been developed that left an initial financial planning gap of £2.4m at the time of the December 2014 Cabinet report
- developments since the December 2014 Cabinet

report. This included details of the Leader's response to central Government's Local Government Finance Settlement. Central Government were yet to confirm the outcome of consultation on the Settlement and therefore the final figures for the Settlement had not been issued. Authority was therefore being sought for the Leader of the Council, in consultation with the Chief Financial Officer, to make further adjustments to revenue cash limits as a result of confirmation of the Settlement for 2015/16. The provisional settlement published on 18 December 2014 indicated a £0.2m reduction in Council funding compared with that forecast in the December 2014 Cabinet report. This shortfall had been offset by increased levels of Council Tax Buoyancy. Since the last Cabinet report forecasts in the Business Rate Retention Scheme (District Councils were yet to confirm their Business Rate income), Revenue Support Grant, Specific Revenue Grants, Council Tax Base and Collection Fund performance and Expenditure budgets had been refined based on new information. The above changes in Council Tax, Business Rates Income and Expenditure budgets (which included the proposal to freeze members' allowances at 1 April 2008 levels) had enabled the provisional funding gap of £2.4m to be fully recovered. General Balances could be retained at their planned level of £13m for 2015/16 and future years

- the spending requirements which were proposed to become cash limits for each Directorate in 2015/16
- the Pay Policy Statement for approval which specified the Council's policies relating to pay of its workforce. The Statement had to be published on the Council's public website by 31 March each year
- details of the allocations of the Council's New Homes Bonus and match funding identified to support the bid for £6m allocation from central Government's Highways Challenge Fund. If successful, the latter would create £12m investment to improve Worcestershire's roads infrastructure
- the Council's Capital Programme 2014/15 to 2017/18. It was recommended that the A440 Worcester Southern Link Dualling Phase 3 scheme was added to the Capital Programme subject to certain conditions being met. The Council's Capital Budget for 2014/15 totalled £153.7m. Capital expenditure as at 31 December 2014 was £85.4m (56% of budget).

In terms of the Local Transport Plan Settlement, the Council expected to receive funding of around £100m over the future years to 2020/21. This included notional allocations of £12m per year from 2018/19 totalling £36m. With regard to the Capital Programme for schools, to date, the Council had only been notified of the confirmed amount for the basic need grant for 2015/16 and 2016/17 which would be £8.3m and £8.7m respectively. Allocations for capital maintenance and devolved formula capital were awaited. Work had also been undertaken on the financial provision within the Medium Term Financial Plan (MTFP) for additional prudential borrowing of £5m per year. There had been two significant allocations from unallocated capital funding: a contribution of £0.150m towards refurbishment and development of Hartlebury Castle and £0.305m to Wythall Library Services. As a result of the updates, forecast capital investment over the period 2014/15 to 2017/18 was £491m.

- the latest assessment of the Council's MTFP prospects. The total savings requirement over the period 2015/16 to 2018/19 was £100.1m of which £58.9m FutureFit savings had been identified. There was a risk that the current projections in relation to central Government funding into the future could reduce further following the General Election. There were a number of risks and sensitivities that may have a significant impact on the MTFP such as Looked after Children's Placements, demographic growth, the medium term implications of the Care Act, inflation, funding from central Government, business rates, pensions and the New Homes Bonus
- the Council's Treasury Management Strategy for 2015/16 and the Prudential Code for Capital Finance in Local Authorities Statement for 2015/16
- the County Council's Public Sector Equality Duty in relation to setting the budget. An overarching strategic equality relevance assessment had been undertaken in respect of budget proposals for key transformational change programmes. As many programmes were at an early stage of development it was not yet possible to carry out more detailed equality impact analysis. Where necessary equality analysis would be undertaken and funding reported to Cabinet where key decisions were required
- a personal assurance statement from the Chief

Financial Officer as Section 151 officer on the robustness of the budget calculations.

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

(a) The Cabinet Member with Responsibility for Finance referred members to the addendum report which was circulated immediately prior to the meeting which stated that Central Government had confirmed the final 2015/16 Local Government Settlement for the Council. There was one change to the information contained in the provisional settlement as included in the original Budget Report. The final settlement was due to be debated and approved in the House of Commons on 10 February 2015. The changes were as follows:

(i) £74m of Local Welfare Assistance had been made available nationally by Government following intense lobbying, which included direct meetings and phone conversations between the Leader with Ministers and the DCLG team. £0.502m would be made available to the Council which would be added to the Revenue Support Grant. It was proposed that this be allocated to support Local Welfare Assistance Schemes for one year only. District Councils would administer the Scheme on the County Council's behalf and would be able to use the funding across more than one financial year and consider it a non-recurrent fund. This was in addition to the allocation of £0.4m to support the Schemes which it was expected that the district councils would match fund

(ii) The additional funding would update cash limits namely; an increase of £501,723 to the total funding received from Revenue Support Grant for 2015/16; an increase of £502,000 in the cash limit for Commercial and Change/Finance budget in respect of Welfare Assistance Schemes for 2015/16 only; and a decrease of £277 in the amount to transfer to Earmarked Reserves. The Council's budget requirement would rise to £327,559,266

(iii) It was proposed that delegation be provided to the Director of Commercial and Change to make any consequential changes to the data within Appendix 8 'Pay Policy Statement' to reflect negotiations in respect of Chief Officers' pay

(b) The contributions from sectoral interests to the budget consultations were welcomed and several members commented that the proposed council tax

increase of 1.94% had been well received by various groupings

(c) The Revenue Support Grant received by the Council had decreased by £19m since 2014/15

(d) The option of a council tax freeze had been considered but not being proposed as there was no easy solution to bring the Council's budget back to the levels of 3-4 years ago – the administration was determined to ensure appropriate funding to support looked after children and safeguarding services – this was also a key priority area for residents

(e) The proposed budget was one which was driven by Worcestershire residents, not Government and that over three years over 50,000 responses had been received from residents who consistently indicated their three priority areas as: maintenance of the highway; protecting vulnerable young people; and protecting vulnerable older people

(f) The proposed budget demonstrated a commitment to both grow and invest in Worcestershire with approximately £0.5bn of capital investment forecasted over the 2014-18 period, this was in addition to the influence the Council had on other organisations and agencies to invest in and make improvements within Worcestershire to promote economic growth and support the Open for Business priority (e.g the rail network)

(g) There was strong justification to the proposal to increase council tax in order to meet the increased costs relating to Looked After Children whilst building on the base budget. By proactively investing in and transforming the service it was expected that the service would strengthen and the quality of provision maintained

(h) The contribution of the scrutiny task group was welcomed

(i) The opposition groups were encouraged to submit alternative budget proposals for consideration

(j) By proposing to freeze members' allowances it was evident that members were also contributing to the budget constraints

(k) The proposed commitment to retain the Councillors' Divisional Fund scheme was welcomed as this enabled all councillors to support a diverse range of

good causes within their divisions

(l) The provision of a new grant of £0.52m to fund social care to support earlier discharges from Acute Hospitals was welcomed; discussions on the detail of spend were ongoing

(m) The proposed uplift of £0.1m to Landfill Tax inflation would support the projected increase; it was recognised that the landfill tax payments were currently significant at circa £9m, and that a concerted effort was being made to reduce waste levels

(n) Responding to a question about selling-off small holdings, the Cabinet Member with Responsibility stated that there was no policy to sell off the Council's smallholdings, that they were actively managed and delivered a good rate of return

(o) The Cabinet Member with Responsibility, in response to a question posed about street lighting, stated that work would be ongoing to replace existing concrete columns as part of the transformational agenda

(p) There was a comment from outside the Cabinet that the proposed budget replicated last year's and that the Council would demand more money from the residents for less services. Additionally clarification was sought as to the lack of targets for the use of agency staff. In response it was stated that the proposed budget provided a coherent and consistent approach in support of the Council's agreed priorities. The council tax rate was currently the 9th lowest in the county. The proposed increase of 1.94% (equating to circa £20p.a on a Band D property) was deemed reasonable and would most likely keep the Council within the bottom 10% of council tax levels. In relation to targets on the levels of agency staff, it was stated that the Council sought to reduce the overall reliance on agency staff although there were usually good reasons for their use and that whilst there was not a corporate target, individual Directorates and service areas had identified targets. The Council had a policy of sensible use of agency staff due to demand or to support transformation.

**RESOLVED: that**

- (a) the virement and transfers to Earmarked Reserves as detailed in paragraph 23 of the report be approved;**



**RESOLVED TO RECOMMEND TO COUNCIL:**  
that

- (b) the conclusions concerning revenue budget monitoring, as set out in paragraphs 18 to 22 of the report, up to 31 December 2014 be endorsed;
- (c) cash limits for 2014/15 are updated to reflect use of an additional grant of £0.520 million to support earlier discharges from Acute Hospitals to social care services;
- (d) the budget requirement for 2015/16 be approved at £327,559,266;
- (e) the Council Tax band D equivalent for 2015/16 be set at £1,079.77 and the Council Tax Requirement (precept) be set at £212,083,547;
- (f) consistent with the provisional Local Government Finance Settlement that revenue cash limits be set for each Directorate:

|   | £m             |
|---|----------------|
| (i) Adult Services and Health                         | 132.901        |
| (ii) Children's Services                              | 77.388         |
| (iii) Business, Environment and<br>Community Services | 72.971         |
| (iv) Commercial and Change /<br>Finance               | 42.819         |
|   | <hr/>          |
|   | <b>326.079</b> |

recognising that £1.481 million will be transferred to earmarked reserves;

- (g) the A440 Worcester Southern Link Dualling Phase 3 scheme is added to the Capital Programme and that cash limits are updated accordingly as set out in paragraphs 95 to 98 of the report subject to agreement with developers on the amount of contributions that will be provided to support the financing of the scheme as well as the indemnity or surety to confirm the certainty of this income that results in the scheme not requiring any net prudential borrowing from the Council other than for the purpose of financing cash flow requirements, and on condition that there is no increased cost to the Council beyond that set out in

paragraphs 95 to 98 of the report;

- (h) the County Council continues to engage with residents and businesses in shaping the Corporate Plan and spending profile in line with their priorities;
- (i) Members' Allowances are frozen for the seventh year in a row for 2015/16 as set out in paragraph 79 of the report;
- (j) the Council's Pay Policy Statement is recommended for approval as set out in Appendix 8 subject to final updating of the data by the Director of Commercial and Change;
- (k) the conclusions concerning capital budget monitoring, as set out in paragraphs 99 and 100 of the report, up to 31 December 2014 be endorsed;
- (l) the Capital Programme as set out in Appendix 9 be approved;
- (m) the Medium Term Financial Plan as set out in Appendix 10 be approved;
- (n) the Treasury Management Strategy as set out in Appendix 11 be adopted; and
- (o) the Statement of Prudential Indicators and Minimum Revenue Statement as set out in Appendix 12 be approved.

**1648 Implementation of the Care Act 2014 (Agenda item 5)**

The Cabinet considered a report on the implementation of the Care Act 2014. The report set out the details considered by the Cabinet and the reasons for the decision including:

- the main new duties in respect of adult social care and support. This included:
  - duties for local authorities to promote well-being and independence and to prevent or delay the development of need for care and support
  - a duty to take an active role in providing information and advice
  - new duties to local authorities to facilitate and shape the market for care and support for the

benefit of local people and communities

- duties for local authorities to undertake a Needs Assessment for any adult with an appearance of need for care and support, regardless of whether or not they had eligible needs or their financial situation to pay for care and support. There was also a duty to carry out a Carer's Assessment where an individual provided or intended to provide care for another adult and it appeared that the carer may have any level of need for support
  - a new national eligibility criteria and a minimum threshold to ensure that there was transparency and clarity about who was eligible for local authority funded care and support and that there was consistency in decision-making
  - introducing personal budgets into primary legislation – both for people in need of care and support and for carers
  - powers to local authorities to charge for services for care and support (replacing existing provisions)
  - a national Deferred Payment Agreement scheme across England with local authorities required to offer a deferred payment to people who meet specified criteria, and
  - new safeguarding duties in respect of certain adults
- details of the reform of adult social care funding which was effective from April 2016. Regulations and guidance were expected to be launched for consultation in Spring 2015. The main changes were: raising the capital threshold for care and support; the new cap on care costs; independent Personal Budgets and Care Accounts and new rules on appealing decisions
  - an assurance on the Council's state of readiness for implementation of the Care Act. The Directorate of Adult Services and Health had reviewed every clause in the Care Act and every requirement set out in the accompanying Regulations and Guidance to determine the actions required for its implementation. All actions under way or planned, and any additional actions, would be completed by 1 April 2015

- the specific requirements of the Act in relation to prevention policy, eligibility for support and care, charging for care and support, deferred payments and advocacy services and the Council's approach to addressing these requirements
- the financial implications of the implementation of the Care Act. The Council was expecting funding within the Better Care Fund plus a grant to a total of £4.7m in 2015/16 against an estimated cost pressure of £5.3m
- the Human Resource implications of the Care Act and the Council's duties under the Public Sector Equality Duty
- details of the Council's communications and engagement campaign to raise awareness of the Care Act.

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

- (a) The Care Act was transformational legislation which sought to deliver fundamental changes through a new national eligibility criteria and a minimum threshold. The Council's current policy was to support substantial and critical needs
- (b) The changes required aligned well with the Council's Future Lives programme
- (c) Assurance was provided that Member briefings would continue on the Care Act reform implementations
- (d) The excellent progress made to date on implementing the Care Act was commended.

**RESOLVED: that**

- (a) **the new duties required under the Care Act and accompanying Regulations and Statutory Guidance, and the state of readiness for implementation as set out in paragraphs 46 to 50 of the report be noted;**
- (b) **the requirement under the Care Act in respect of prevention as set out in paragraphs 5 to 8 and 51 to 54 of the report be noted, and the Director**

**of Adult Services and Health authorised to consolidate existing policies and practice into an appropriate single policy and action plan by 31 March 2015;**

- (c) the Council will apply the new national criteria and threshold to determine adults' eligibility for local authority funded care and support (including carers), as set out in paragraphs 17 to 18 and 55 to 58 of the report, and the Director of Adult Services and Health be authorised to finalise and update the relevant policies and procedures accordingly;**
- (d) the Council will continue to charge for care and support for service users in line with its powers under the Care Act and existing policy, as set out in paragraphs 21 to 26 and 59 to 64 of the report, and the Director of Adult Services and Health be authorised to finalise and update the relevant policies and procedures accordingly;**
- (e) the Council will apply the approach to charging carers as set out in paragraph 64 of the report and will not charge for support to carers where this involves services that they receive directly, and the Director of Adult Services and Health be authorised to reflect this position in the relevant policies and procedures;**
- (f) the requirement to update the Council's Deferred Payments Agreement scheme in line with the Care Act, as set out in paragraphs 27 to 30 and 65 to 67 of the report be noted, and the Director of Adult Services and Health be authorised to update the relevant policies and procedures accordingly in accordance with those paragraphs;**
- (g) the requirements of the Care Act in respect of advocacy, as set out in paragraphs 68 to 72 of the report be noted and the Director of Adult Services and Health authorised to proceed to implement these through revision of the existing contract and re-commissioning of new services; and**
- (h) the Director of Adult Services and Health be authorised to take all appropriate steps to implement the provisions of the Care Act.**

**1649 Scrutiny Report: Digital Inclusion (Agenda item 8)**

The Cabinet considered the Scrutiny Report on Digital Inclusion, its conclusions and the response of the Cabinet Member with Responsibility for Transformation and Change and the Cabinet Member with Responsibility for Adult Social Care to those conclusions. The report set out the details considered by the Cabinet and reasons for the decision including:

- the background to the scrutiny which examined how the Council could make sure that all Worcestershire residents benefited from the opportunities offered by its Digital Strategy and aimed to identify possible risks and how these could be mitigated
- the findings and conclusions of the Scrutiny. The Overview and Scrutiny Performance Board agreed that members should monitor implementation of the Digital Strategy going forward, and as part of this, review the quality, availability and take up of adult education courses on IT literacy. Additionally, the Adult Care and Well-being Overview and Scrutiny Panel should be given the opportunity to view and comment on the e-market place before it went live
- the response of the Cabinet Member with Responsibility for Transformation and Change and the Cabinet Member with Responsibility for Adult Social Care to the scrutiny conclusions.

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

- (a) Mr R A Banks, Chairman of the Scrutiny Task Group presented the findings of the Scrutiny. He stated that the Task Group was assured that whilst there was a drive to deliver the digital inclusion agenda, that face to face and telephone contact would remain for potentially vulnerable residents for as long as the service was needed to ensure that they were not excluded. Additionally continued engagement was needed with the third sector during delivery of the digital strategy
- (b) The Cabinet Member with Responsibility for Transformation and Change thanked the task group for its work. Resources needed to be directed in an appropriate way, through the right channels and it was appropriate to focus on delivering the digital strategy whilst not excluding vulnerable residents. The Council was showing strong leadership in this area and it was hoped that the Scrutiny Panel would

wish to consider the progress made at a future date

- (c) Reference was made to 'Your Life, Your Choice' website which would include comprehensive information for people about how to stay healthy and independent and which would provide signposts to independent financial advice on matters relevant to meeting of needs for care and support. The specific needs of individuals would be considered such as those with sight-loss receiving a personal assessment and other vulnerable groups being communicated with through a variety of communications methods
- (d) In response to a question seeking clarification about potential outsourcing of face to face services, the Cabinet member with Responsibility stated that there was the potential for staff currently employed by the Council to be employed by a third party, but their access to Council staff and information would remain
- (e) Responding to the question posed in the report as to whether the digital strategy sought to save money or to increase the number of people who were digitally included, it was stated that it was both.

**RESOLVED: that**

- (a) **the Scrutiny Report on Digital Inclusion, together with the response from the Cabinet Members with Responsibility for Transformation and Change and Adult Social Care be received; and**
- (b) **the conclusions of the Scrutiny Report be noted and the response of the Cabinet Members with Responsibility adopted as the way forward.**

**1650 Superfast Extension Programme - Appointing a Preferred Supplier for a County-wide Broadband Infrastructure Partner**

The Cabinet considered a report on the progress of the Broadband programme, in particular the Superfast Extension Programme, and arrangements to appoint a preferred supplier for a countywide Broadband infrastructure partner. The report set out the details considered by the Cabinet and the reasons for the decision including:

- the background to the delivery of Worcestershire's Local Broadband Plan "Connecting Worcestershire" which included the signing of the broadband infrastructure contract "Superfast Worcestershire" designed to improve fibre broadband speeds and

## (Agenda item 6)

coverage to meet growing demand

- the economic and social benefits of faster broadband for Worcestershire's residents and businesses e.g. to access new technologies, for home working opportunities, environmental benefits, to access Council services and information, for those living in rural areas, for adult and vocational training and to support older people in accessing services including social care services
- an update on success with Superfast Worcestershire and the Broadband Community Pathfinder project. The current Superfast Worcestershire programme was expected to enable around 55,000 premises access to "Next Generation Access" infrastructure by June 2016. The programme was 3 months ahead of schedule. Without Superfast Worcestershire commercial broadband providers were only expected to reach 73% of Worcestershire with fibre. Superfast Worcestershire was expected to increase this coverage above 90%. The importance of a successful Demand Stimulation campaign could not be underestimated to recognise the benefits of the broadband programme. In terms of the Broadband Community Pathfinder project, the successful delivery of Airband's faster broadband infrastructure was completed in Summer 2013 and was now available to residential and business premises in three project areas covering circa 2,200 premises
- the problems associated with new build developments and the provision of fibre infrastructure to them
- financial information for the Superfast Extension Programme. The total amount of funding available for the programme was £4.78m, comprising £2.39m grant funding each from the Broadband Delivery UK fund and the Local Growth Fund
- the development of the Superfast Extension Programme. The ambition for the contract was that 95% of all premises had access to superfast broadband speeds (residential and business premises). The Invitation to Tender for the Superfast Extension Programme was released in December 2014. Following successful evaluation of the bids returned, the proposal was to appoint a preferred supplier and finalise contracts before April 2015
- identification of the high level risks associated with



the final stages of the procurement and deployment. These covered areas such as delays to the procurement process, funding, dependency on the delivery of the "Superfast Worcestershire" contract etc

- the next steps in the development of the Superfast Extension Programme.

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

- (a) This investment was needed by residents and businesses to thrive within the county
- (b) Superfast broadband was increasingly considered an essential utility and a sound robust infrastructure was needed to support its availability. Whilst 100% coverage would not be possible, it was important to work with partners to deliver the best infrastructure roll-out possible
- (c) It was queried whether the current take-up rate of the Airband service at 24% could be considered as positive; whether district councils could condition developers of new builds to route fibre into the individual premises; and how/who would determine where the location of the additional 5% would be (bearing in mind that the agricultural communities were increasingly being expected to complete documentation on-line)? In response it was stated that the impact of the marketing campaign for take up was positive, especially as a take up rate exceeding 20% provided a trigger of potential claw back; purchasers of new builds increasingly consider broadband to be an essential utility and the market would respond appropriately; the scheme could only include existing property which was built at the time the market value review was undertaken
- (d) Responding to a question as to whether schools were included within the superfast broadband scheme, it was stated that schools were connected via a different scheme, but that a written response would be provided in relation to the network connectivity specifically in relation to academy schools. The Council would not be specifying the roll-out areas, but would be encouraging the maximisation of residences and businesses and value for money

- (e) Concerns were raised that £8.5m of public money was being used to subsidise the expansion of BT, a large profitable organisation. In response it was stated that the delivery of superfast broadband had supported the growth of Worcestershire's economy and had delivered better, faster connections to residents and businesses alike. The fibre connection was open access and was available to other internet providers. The Superfast Extension Programme was an additional contract which would add an additional 5% coverage at no additional cost to the Council. It was stated that a private provider would not have undertaken the upgrading project to such an extent as it would not have been considered as a viable.

**RESOLVED: that**

- (a) **the significant progress to date on the Broadband programme, in particular the 'Superfast Worcestershire' partnership be noted;**
- (b) **the Director of Commercial and Change, in consultation with the Cabinet Member with Responsibility for Economy, Skills and Infrastructure and the Director of Business, Environment and Community (DBEC), be authorised to complete the evaluation of tenders, undertake contract finalisation and to execute the contract;**
- (c) **subject to satisfactory completion of this finalisation process, the Director of Commercial and Change, in consultation with DBEC, be authorised to award a contract to a preferred partner and supplier for the delivery of Worcestershire's Superfast Extension Programme; and**
- (d) **the Director of Commercial and Change, in consultation with the above Cabinet Member with Responsibility and DBEC, be further authorised to approve future change controls to both the Superfast Worcestershire Contract (signed 5 August 2013) and the Superfast Extension Programme to ensure programme pace is maintained following contract award of the Superfast Extension Programme projected for April 2015.**

**1651 Increasing the Number of School Places available in Malvern (Agenda item 7)**

The Cabinet considered a report to increase the number of school places available within Malvern to cover the 2015 and 2016 Reception intakes. The report set out the details considered by the Cabinet and the reasons for the decision including:

- the latest data identifying a need to provide additional primary school places in Malvern to cover the 2015 and 2016 Reception intakes and details of those schools expressing an interest in expanding to meet this demand
- details of the Malvern schools including the current level of parental demand for each of the schools
- the projected number of places required in the period from 2015-2018 which showed a need for additional places by September 2016. Growth in numbers was spread across the town but particularly in the north, including the Malvern Vale development, and in some of the villages to the north of Malvern
- the longer term trends and housing growth. Trends suggested that there would be a rise of pre-school age children in the Malvern town area, despite a reduction in the district overall. The distinct urban/rural split this reflected, together with planned housing developments, supported the provision of additional primary school places in or near to the town
- the key criteria for assessing the options which included the quality of current education provision at the school, how the proposed expansion might improve quality at the school, demand for places at the school/in the local area, the cost and feasibility of required building work and the response to the public consultation
- the details of the public consultation process and an analysis of the responses to the consultation
- the options presented in the consultation document and in light of the analysis the recommendations in relation to the following schools:
  - Callow End CE Primary School
  - Leigh and Bransford Primary School
  - Northleigh CE Primary School
  - Somers Park School
- a number of alternative options put forward during the

consultation

- the response of the Cabinet Member with Responsibility for Children and Families to the proposals
- the legal and financial implications of the proposals. There were no HR implications and an Equality Impact screening exercise had determined that there were no equality implications relating to the proposals

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

- (a) A written statement from local member Prof. J W Raine referring to recommendations d and e was read out which outlined the following points: (i) in relation to recommendation (d) he was pleased that the option to expand Northleigh CE Primary School on its existing site was not being pursued; in relation to recommendation (e) he supported the case for further discussions with both Northleigh CE Primary and Somers Park schools, local county councillors and Malvern Hills District Council to identify whether the option on Malvern Vale is progressed and that the discussions commence soon in order that a decision could be made on the way forward before the start of the Autumn term 2015. Prof Raine stated he was keen to see a new one form entry Primary School built on the Malvern Vale site as an all-through school, linking or sharing resources with Somers Park of Northleigh Primary School. A school at Malvern Vale could be beneficial to the Newland housing development. If Somers Park could access capital funds to assist the financing of a new school at Malvern Vale it would reduce the burden to the County Council. The case for accepting the Directors of Somers Park to take a 'bulge' year was 2016/17, should it be proved necessary, was accepted
- (b) Local member Mr P A Tuthill, who attended all the consultation meetings, commended the officers on the information presented. Members were advised that Leigh and Bransford Primary School was rated as outstanding and had acquired more land to resolve traffic issues; both parents and the parish council were supportive of the option to increase the published Admission Numbers from 15 to 30. Support was given to the view of the local member for Northleigh CE Primary School. It was additionally

stated that it was important to bear in mind the impact of speculative housing development of 20 – 30 homes. These comments were supported by local member Mr I Hopwood

- (c) Assurance was provided that both large scale and speculative planned housing developments were taken account of when considering the number of school places within the county.

**RESOLVED: that**

- (a) the results of the consultation held between 3 November 2014 and 12 December 2014 be noted;**
- (b) the increase in Published Admission Number for Callow End CE Primary School from 12 to 15 be approved subject to the necessary capital funding being approved under the 2015/16 Capital Programme;**
- (c) the option to increase the Published Admission Number for Leigh and Bransford Primary School from 15 to 30 be approved subject to notice, planning and to the necessary capital funding being approved under the 2015/16 Capital Programme;**
- (d) the option to expand Northleigh CE Primary School on its existing site is not pursued; and**
- (e) further discussions take place with both Northleigh CE Primary and Somers Park schools, local County Councillors and Malvern Hills District Council to identify whether the option on Malvern Vale is progressed as set out in paragraph 57 of the report, and without prejudice to the future, the Directors of Somers Park be requested to take a 'bulge' year for the academic year September 2016 should the Director of Children's Services believe this is required as indicated in paragraph 49 of the report.**

The meeting ended at 12.05 pm

Chairman .....

