

Cabinet**Thursday, 9 December 2021, County Hall,
10.00 am****Present:****Minutes**

Cllr Simon Geraghty (Chairman), Cllr Alan Amos, Cllr Matt Dormer, Cllr Adrian Hardman (Vice Chairman), Cllr Marcus Hart, Cllr Karen May, Cllr Tony Miller and Cllr Andy Roberts

Also attended:

Cllr Mel Allcott and Cllr Dan Boatright

**2061 Apologies and
Declarations of
Interest**

Apologies for absence were received from Cllr. Marc Bayliss and Cllr. Adam Kent.

There were no declarations of interest.

**2062 Public
Participation**

None

**2063 Confirmation of
the Minutes of
the previous
meeting**

The minutes of the previous meeting held on 18 November 2021 were agreed to be a correct record of the meeting and were signed by the Chairman.

**2064 Fair Funding for
Schools
2022/23 -
National and
Local Funding
Arrangements
for Schools**

The Cabinet Member with responsibility for Education introduced the report. Although a national funding formula; 'a hard formula' for schools; was still awaited, Worcestershire had adopted a new local formula in 2018 which was closer to the parameters of a national formula than the previous local formula. For 2022-23 the local funding formula would be used.

The overall amount of funding for Worcestershire schools had increased but as part of the F40 funding group, the County was one of the worst funded Councils. Funding per primary pupil had been £3,300 per year in 2018-19 and would increase to £4,265 in 2022-23. Funding per secondary pupil was increasing from £4,600 to £5,525. However, although there was a minimum 2% increase in funds from last year, the exact figure would not be known for another couple of weeks. It was pointed out that if a school saw a decrease in pupil numbers then they would receive less money overall as the funding was per pupil. It was noted that although funding was increasing Worcestershire needed a greater increase to reach parity with other similar authorities.

Following the introduction to the report additional comments were made:

- There was a plea that small schools in the county were looked after when the lump sum was distributed so that the variances in funding received by small primary or first schools, compared to secondary schools, were smoothed out. The County Council confirmed that it wished to support small schools and the Council did have some discretion on how the lump sum was distributed but would have to wait and see what funding was available for distribution.
- When asked if inflation and increased fuel prices were causing concern for schools, it was acknowledged that 35 maintained schools were operating in deficit and in some areas costs were increasing faster than funding which was why lobbying for fairer funding would continue. A Cabinet Member who sat on the West Mercia Energy Board explained that most schools were supplied by West Mercia Energy and although there would be an increase in fuel costs it would be a capped deal and there would hopefully not be any large increases before the market normalised.

RESOLVED that Cabinet:

(a) had regard to the information provided to schools on 29 September 2021;

(b) noted the Department for Education policy for school and Local Authority funding for 2022-23 detailed in Appendix 1 of the report;

(c) noted the involvement of the Worcestershire Schools Forum members and schools during the engagement process;

(d) noted the views of the Worcestershire Schools Forum on the Local Schools Funding Formula issues for 2022-23 and other matters which are outlined in Appendix 2 of the report;

(e) approved the Local Schools Funding Formula for Worcestershire mainstream schools from April 2022 to apply for 2022-23 and other matters as detailed in paragraphs 32 to 42 of the report, to include the DfE Minimum Funding Levels (MFL's) for Primary £4,265; Key Stage 3 £5,321; Key Stage 4 £5,831; Secondary £5,525 having regard to feedback from schools and the views of the Worcestershire Schools Forum in Appendix 2, to be based as far as is practicable and

affordable upon the Department for Education (DfE) National Funding Formula (NFF) parameters; and

(f) authorised the Director of Children's Services in consultation with the Cabinet Member with Responsibility for Education to make the required submission to the national executive body, the Education and Skills Funding Agency (ESFA) by 21 January 2022 for the approved Local Schools Funding Formula for 2022-23 taking account of any impact and change on the approved units of resource, Minimum Funding Guarantee and capping arrangements in paragraph 33 as a consequence of the October 2021 census and other 2021 data changes and the final 2022-23 Dedicated School Grant (DSG).

2065 Policy and process for the determination of penalties under the Tenant Fees Act 2019 and associated legislation

The Cabinet Member with Responsibility for Health and Well-being explained that the Tenant's Fees Act 2019 placed a statutory duty on the Council as the local weights and measures authority to enforce the legislation. The Cabinet Member gave a brief history of the regulation of weights and measures and explained that the purpose of the act was to protect tenants. Part of that duty included some legal duties around the way properties were marketed and what fees tenants could be charged for. The report detailed the policy to be adopted for issuing penalties.

RESOLVED that Cabinet adopted the policy and framework for issuing fixed penalty notices under the Tenant Fees Act 2019, as attached to the report.

2066 Waste Management Service Contract

The Cabinet member with Responsibility for the Environment explained that it was proposed that the current waste management service contract be extended for a further five years. It was considered that the necessary financial, contractual and technical parameters for an extension had been met and Herefordshire, the Council's partner in the contract, were also content with the contract extension. The extension would not be signed until the end of the financial year. The officers who worked on this contract were thanked for their hard work.

There were various confidential papers available, but the Chairman believed the report could be dealt with without the need to go into private session.

RESOLVED that Cabinet:

a) noted that Worcestershire County Council (“WCC”) and Herefordshire Council (“HC”) are parties to a Waste Management Service Contract (“WMSC”) with Mercia Waste Management Ltd (“Mercia”) dated 22 December 1998;

(b) noted the progress in relation to the WMSC since the report to Cabinet in December 2018 (“the 2018 Report”);

(c) authorised the Strategic Director for Economy and Infrastructure in consultation with the Chief Finance Officer, the Assistant Director for Legal and Governance and HC to negotiate the WMSC and enter into a Variation with Mercia to put into effect their proposals for extending the duration of the WMSC for a period of five years until 11 January 2029 (“Mercia’s Proposals”) provided that the Variation complies with:

- i. The Financial Parameters**
- ii. The Contractual Parameters; and**
- iii. The Technical Parameters**

as set out in the 2018 Report and collectively referred to as “the Parameters”

(d) agreed that Mercia’s Proposals represent an acceptable position for the Council to progress the Variation; and

(e) authorised the Strategic Director for Economy and Infrastructure to update the Joint Working Agreement between WCC and HC to reflect the extended term of the WMSC and future arrangements between the Councils.

The meeting ended at 10.30am

Chairman