

Agenda

Council

Thursday, 17 February 2022, 10.00 am
County Hall, Worcester

This document can be provided in alternative formats such as Large Print, an audio recording or Braille; it can also be emailed as a Microsoft Word attachment. Please contact Democratic Services on telephone number 01905 846621 or by emailing democraticservices@worcestershire.gov.uk

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests** **OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Thursday, 17 February 2022, 10.00 am, County Hall, Worcester

Agenda and Summons

Councillors: Cllr Steve Mackay (Chairman), Cllr Alastair Adams, Cllr Salman Akbar, Cllr Mel Allcott, Cllr Martin Allen, Cllr Alan Amos, Cllr Marc Bayliss, Cllr Dan Boatright, Cllr Bob Brookes, Cllr David Chambers, Cllr Brandon Clayton, Cllr Kyle Daisley, Cllr Lynn Denham, Cllr Nathan Desmond, Cllr Allah Ditta, Cllr Matt Dormer, Cllr Aled Evans, Cllr Elizabeth Eyre, Cllr Simon Geraghty, Cllr Laura Gretton, Cllr Peter Griffiths, Cllr Karen Hanks, Cllr Ian Hardiman, Cllr Adrian Hardman, Cllr Paul Harrison, Cllr Marcus Hart, Cllr Bill Hopkins, Cllr Matt Jenkins, Cllr Adam Kent, Cllr Adrian Kriss, Cllr Aled Luckman, Cllr Luke Mallett, Cllr Emma Marshall, Cllr Karen May, Cllr Natalie McVey, Cllr Tony Miller, Cllr Jo Monk, Cllr Dan Morehead, Cllr Richard Morris, Cllr Tony Muir, Cllr Beverley Nielsen, Cllr Tracey Onslow, Cllr Scott Richardson Brown, Cllr Andy Roberts, Cllr Josh Robinson, Cllr Linda Robinson, Cllr Chris Rogers, Cllr David Ross, Cllr Mike Rouse, Cllr Jack Satterthwaite, Cllr James Stanley, Cllr Emma Stokes, Cllr Kit Taylor, Cllr Richard Udall, Cllr Craig Warhurst, Cllr Shirley Webb and Cllr Tom Wells

1 Apologies and Declaration of Interests

To receive apologies and invite any councillor to declare any interest in any of the items on the agenda.

2 Public Participation

To allow a member of the public to present a petition, or ask a question relating to the functions of the Council, or to make a comment on any matter on the agenda.

Members of the public wishing to take part should notify the Assistant Director for Legal and Governance in writing or by e-mail indicating both the nature and content of their proposed participation no later than 9.00am on the Monday before the meeting (in this case 14 February 2022). Further details are available on the Council's website. Enquiries can also be made through the telephone number/e-mail address listed in this agenda and on the website.

3 Minutes

To approve as a correct record and authorise the signing of the Minutes of the meeting held on 13 January 2022 (previously circulated electronically).

4 Chairman's Announcements

To receive any announcements to be made by the Chairman.

5 Reports of Cabinet 1 - 10

To consider the reports of the Cabinet and to receive answers to any questions asked on those reports as follows:

- a) Reports of Cabinet – Matters which require a decision; and
- b) Report of Cabinet – Summary of decisions taken.

6 Appointment of External Auditors 11 - 16

To consider an opt-in to the Public Sector Audit Appointments sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

7 Notices of Motion 17 - 18

To receive the report of the Assistant Director for Legal and Governance on any Notices of Motion received by him.

Councillors are asked to note that any Notices of Motion must be received by the Assistant Director for Legal and Governance no later than noon on 8 February 2022.

8 Report of the Cabinet Member with Responsibility 19 - 24

To receive the report of the Cabinet Member with Responsibility for Environment on current issues and proposed developments within his area of responsibility and to receive answers to any questions on the report.

9 Question Time 25 - 26

To receive answers to any questions asked by Councillors.

(Members are reminded of the timescale adopted by Council for notice of questions. A Councillor may only ask a question if:

- *It is delivered in writing to the Assistant Director for Legal and Governance by noon on 8 February 2022 or*
- *If it relates to urgent business, the Assistant Director for Legal and Governance is notified at least half an hour before the start of the meeting and the Chairman agrees the matter is urgent'.*)

10 Reports of Committees 27 - 28

To consider the report of the Pensions Committee and to receive answers to any questions asked on it.

NOTES

- **Webcasting**

Members of the Council are reminded that meetings of the Council are Webcast on the Internet and will be stored electronically and accessible through the Council's Website. Members of the public are informed that if they attend this meeting their

images and speech may be captured by the recording equipment used for the Webcast and may also be stored electronically and accessible through the Council's Website.

- **Catering Arrangements**

Lunch will be available at 1.00pm or thereabouts in the Lakeview Room. This will be provided for all Councillors, without payment, and for pre-notified guests, who must be paid for in advance. An indication of any guests wishing to take lunch should be given to staff in the Business Support Unit at least three days before the Council meeting.

Agenda produced and published by Abraham Ezekiel, Assistant Director for Legal and Governance County Hall, Spetchley Road, Worcester WR5 2NP. The above reports and supporting information can be accessed via the Council's website at: www.worcestershire.gov.uk

To obtain further information or a paper copy of this agenda please contact Simon Lewis, Committee Officer by telephone on Worcester (01905) 846621 or slewis@worcestershire.gov.uk

Date of Issue: Wednesday, 9 February 2022

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COUNCIL
17 FEBRUARY 2022**REPORT OF CABINET – MATTERS WHICH REQUIRE A
DECISION BY COUNCIL**

2022/23 Budget and Medium-Term Financial Plan Update 2022-24**Recommendation**

1. The Leader and Cabinet recommend that:
 - (a) the budget requirement for 2022/23 be approved at £373.199 million as set out at Appendix 1B, having regard to the proposed Transformation and Reforms programme set out in section 9;
 - (b) the Council Tax Band D equivalent for 2022/23 be set at £1,396.78 which includes £169.47 relating to the ring-fenced Adult Social Care precept, and the Council Tax Requirement be set at £301.346 million, which will increase the Council Tax Precept by 3.94% in relation to two parts:
 - 0.94% 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;
 - 3.00% Adult Social Care Precept ring-fenced for Adult Social Care services of which 2% was carried forward from 2021/22, in order to contribute to existing cost pressures due to Worcestershire’s ageing population;
 - (c) the Capital Strategy 2022-25 and Capital Programme of £146.064 million be approved as set out at Appendix 1C and 1D and section 8;
 - (d) the earmarked reserves schedule as set out at Appendix 2 be approved;
 - (e) the Treasury Management Strategy and Prudential Indicators set out at Appendix 4 be approved; and
 - (f) the Council’s Pay Policy Statement set out at Appendix 5 be approved.

NB [Report and Appendices referred to are those presented to 3 February 2022 Cabinet](#)

[Agenda for Cabinet on Thursday, 3rd February 2022, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

2. All Councillors will have had access to the full report and Appendices considered by the Cabinet on 3 February 2022 via email/internal link and are referred to the website for the full detail.

Cabinet Report – 3 February 2022

3. The Cabinet considered the report of the Cabinet Member with Responsibility for Finance on the 2022/23 Draft Budget and Medium-Term Financial Plan Update 2022-24 at its meeting on 3 February 2022. The Cabinet agreed the report's recommendations and are now recommending them for approval by the Council.

Mr S E Geraghty
Chairman

Note – members are reminded that all votes on the budget and any amendments will be recorded in accordance with legislation

The Constitution requires alternative budget or proposed amendments to be lodged with the Chief Executive by noon on Thursday 10 February 2022

Supporting Information – Available with the report to Cabinet 3 February 2022 at Agenda for Cabinet on Thursday, 3rd February 2022, 10.00 am - Worcestershire County Council (moderngov.co.uk)

- Appendix 1A – Financial Plan Update 2022-24
- Appendix 1B – Service Budget summary
- Appendix 1C – Capital Programme
- Appendix 1D – Capital Strategy
- Appendix 2 – Earmarked Reserves
- Appendix 3 – General Fund Reserves' Statement
- Appendix 4 – Treasury Management Strategy including Prudence Indicators
- Appendix 5 – Pay Policy Statement
- Appendix 6 – Public Health Ring Fenced Grant proposed spending - **please note that this is enclosed with the agenda as it has been updated since the Cabinet meeting on 3 February**
- Appendix 7 – Commentary from Overview and Scrutiny Performance Board and other groups
- Appendix 8 – Glossary of terms

Contact Points

Specific Contact Points for this report

Sheena Jones, Democratic Governance and Scrutiny Manager

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) the following are the background papers relating to the subject matter of this report:

Agenda, report and background papers for the meeting of the Cabinet held on 3 February 2022.

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Public Health ring fenced grant proposed spending

Strategic Functions

Strategic Functions	BUDGET 22/23
Public Health Team	3,107
Medicines Management	32
PH Recharges	328
Commissioning and Finance Support	335
Instant Atlas	15
Joint Funded Apprenticeship Scheme	60
Suicide Bereavement	35
Total	3,912

Adults Universal Prevention Services

Adults/Universal Prevention Services	BUDGET 22/23
Lifestyle Services	350
Community Engagement	60
Smoking in Pregnancy	164
Smoking	118
Health Checks	670
Walking for Health	25
Worcestershire Works Well	55
Obesity, Diet, Exercise	20
Carers Support	617
Stroke Contract	90
Info & Advice Contracts	250
Connect Services	312
Fluoridation	268
Healthwatch	275
Local Reform and Community Voice Grant	-224
Quell	120
MECC (Health Chats)	48
Time to Change	25
Substance Misuse Contract	3,942
DIP Grant	-106
Support at Home	49
Social Prescribing	100
Loneliness Service	150
Strength and Balance	90
Warmer Worcestershire	53
Adults Housing Support	100
Oral Health	50
LD Reablement	60
Promoting Independent Living Service	273
Sexual Health Transformation	300
Sexual Health - GUM Out of Area	300
Sexual Health (WHCT)	4,458
Total	13,062

Children's Prevention Services

Children's Prevention Services	BUDGET 22/23
Children's Targeted Family Support	850
Youth Services	595
CDOP	15
Young Adult Carers	35
Family Safeguarding Model	125
Dawn's Project	75
0-19 Health Services – Starting Well	12,328
Social Mobility Project	91
Total	14,114

Adults Universal Services

Adults Universal Services	BUDGET 22/23
Workplace Wellbeing including Flu & Immunisation	190
Libraries Service	998
Countryside Service	295
Quality Assurance and Compliance	132
Quality Improvement	140
Trading Standards	706
Planning Service	70
Adult Learning	211
Coroners & Registrars	130
3 Conversation Model	291
SENDIASS	74
Road Safety	109
Total	3,346

Total Expenditure and Funding	BUDGET 22/23
Total Public Health Spend (above)	34,434
Funded by:	
Ringfenced Grant (2.8% increase)	31,218
Funded from Public Health Reserves	3,216
Total Funding	34,434

COUNCIL
17 FEBRUARY 2022**REPORT OF CABINET - SUMMARY OF DECISIONS TAKEN**

Mental Health Aftercare Arrangements as Required Under Section 117 of the Mental Health Act 1983

1. Section 117 of the Mental Health Act 1983, as amended, requires clinical commissioning groups (CCGs) and local authorities, in co-operation with voluntary agencies, to provide or arrange for the provision of after-care services to individuals detained in hospital for treatment under sections 3, 37, 45A, 47 or 48 of the Act who then cease to be detained.
2. The great majority of people detained under the Mental Health Act 1983 are detained only for up to 28 days, under section 2 for assessment, and so are not eligible for aftercare under section 117. Of those people who are eligible for aftercare, most have been detained for treatment under section 3 (Detained in hospital for treatment).
3. Since the autumn of 2020, the Council has been working with Herefordshire and Worcestershire CCG, Herefordshire and Worcestershire Health and Care Trust (HWHCT) and Herefordshire Council to review and develop a new section 117 policy, and Standard Operating Procedure (SOP). Work has also been undertaken to clarify arrangements for quality assurance purposes and maintaining a joint register of all individuals who are entitled to section 117 aftercare. The draft policy is a joint policy between Worcestershire County Council, NHS Herefordshire and Worcestershire Clinical Commissioning Group and Herefordshire and Worcestershire Health and Care NHS Trust. Herefordshire Council has its own similar joint policy.
4. The draft Worcestershire joint section 117 policy and associated SOP clearly set out the legal framework for section 117 aftercare, the duties imposed on health and social care, with details of how each agency is required to fulfil its obligations to people.
5. Cabinet has approved the joint policy for section 117 mental health aftercare. Cabinet has authorised the Strategic Director of People, in consultation with the Cabinet Member for Health and Wellbeing and the Director of Children's Services, to make all operational decisions to ensure implementation of the policy and operating procedure, agreeing any operational changes to the documents, including those arising from case law, as required for their implementation.

Creation of an All Age Disability Service (0-25) Incorporating Adult Services Young Adult Team (YAT)

6. The Health and Social Care Act 2012 and the NHS Mandate both make clear that NHS England, CCGs and Health and Wellbeing Boards must promote the integration

of services if this will improve services and/or reduce inequality, and they should consider arrangements under section 75 of the National Health Service Act 2006, including the use of pooled budgets. The Children Act 2004 also places a duty on local authorities to make arrangements to promote cooperation with its partners (including the police, health service providers and youth offending teams and the probation services) in promoting the wellbeing of children and young people under 18 which includes safeguarding and the welfare of children

7. It is under these national drivers that there is an expectation that the Council and its wholly-owned company Worcestershire Children First (WCF) should review and implement integration of its services where it is evident it could improve services and/or reduce inequalities. This is a joint venture of design and change between Worcestershire's People's Directorate and Worcestershire Children First.

8. The All Age Disability 0-25 Service is a direct response to an engagement exercise in the Autumn of 2019 where parent carers and young people identified "Hard to navigate the maze of teams/services" and "Need to bridge the gap between children's and adult services". By bringing the three service areas together (SEND Team, Children with a Disability Team and Young Adults Team) a single point of contact will be provided in each locality and better co-ordinate services.

9. Cabinet has approved the development of an All Age Disability Service (0-25) and the transfer of staff resource in the Young Adult's team (TUPE) to be hosted by WCF as part of an All Age Disability Service (0-25) - Integrating SEND Team, Children with a Disability Team and Young Adults Team, to improve the customer experience and drive better short and long term outcomes

10. Cabinet has noted that the budget for provision and care packages remains in People Services but will be operationally managed by the new All Age Disability (0-25) service.

11. Cabinet has granted delegated authority to the Strategic Director of Commercial and Change and the Assistant Director for Legal and Governance in consultation with the Strategic Director for People, Director of Children's Services and Chief Financial Officer to amend the contract with WCF and performance reporting as needed to deliver the above.

12. Cabinet has granted delegated authority to Worcestershire Children First to exercise, on the Council's behalf, the functions of Part 1 of the Care Act 2014 in respect of children and young people up to age 25 years with the exceptions set out in paragraph 26 of the report pursuant to section 79 of the Care Act.

Transport Policy for Adult Social Care

13. The Council has a duty under the Care Act 2014 to assess adults' social care needs and a duty to meet the identified eligible needs. Where eligible needs are identified, transport assistance is not automatically provided by the Council as part of other service provisions unless it has been assessed as an eligible care need. The need for transport should be considered as part of the Needs Assessment and subsequent Support Plan to ascertain if transport provision is necessary to enable the adult to safely access facilities or services in the local community.

14. The revised Transport Policy for Adult Social Care updates the previous guidance and procedures, formalising these into a policy document which sets out clear criteria which social workers and front line Adult Social Care staff responsible for assessment and support planning will use to determine whether an adult is eligible to be provided with transport assistance from the Council and how transport will be provided.

15. The overarching principle of the Policy is to promote safe and independent travel using an adult's own strengths and community assets (i.e., the resources available to the adult in the community where they live) wherever possible. Where transport assistance is assessed as needed, the aim is to ensure the method of provision maximises independence, supports personalised approaches which make the best use of the resources available in people's own communities and offers best value for money in line with the Council's strategic aims and objectives.

16. Cabinet has noted the current work programme related to the provision of transport for adults with assessed eligible needs under the Care Act 2014, including feedback from stakeholder engagement.

17. Cabinet has also approved the new Transport Policy for Adult Social Care and has authorised the Strategic Director for People to implement the Policy.

National Bus Strategy

18. The main purpose of Worcestershire's passenger transport network is to provide an efficient, resilient and integrated system which provides access for everyone to a wide range of services and facilities which are essential for a good quality of life. These include employment, education, healthcare, retail and leisure. The Council's priorities will include home to work and home to school journeys.

19. The Enhanced Partnership is a statutory requirement with bus operators and will enable the Council to work in co-operation with commercial operators to help deliver an efficient, reliable bus network which meets the needs of Worcestershire's residents, improving customer satisfaction and encouraging increased use of local transport services. The Enhanced Partnership's principles will be those outlined in the Worcestershire's Bus Service Improvement Plan.

20. Working in partnership with stakeholders, the Council will be able to meet the key national objectives: frequent buses, low fares and priorities. To deliver the core principles, there will be a transformational programme of measures, including an increase in the number of Demand Responsive Transport Services, the ownership of bus shelters and the creation of a Worcestershire strategic bus network.

21. The Worcestershire Bus Service Improvement Plan, together with the Worcestershire Enhanced Partnership Plan and Scheme, will make a substantial contribution to the implementation of Worcestershire Passenger Transport and Local Transport Plan 4 (LTP4) policies.

22. Cabinet has acknowledged the work to date on the Worcestershire Bus Service Improvement Plan (BSIP) and how this influences Worcestershire's Enhanced Partnership and Schemes. Cabinet has approved in principle the draft Enhanced

Partnership Plan and Schemes, which has been prepared in accordance with guidance from Central Government

23. Cabinet has authorised the Strategic Director of Economy and Infrastructure, in consultation with the Cabinet Member for Highways, to implement the Plan noting that the Enhanced Partnership Schemes are contingent on Department for Transport funding (to be announced) and results of the 28-day legal requirement consultation, and formulate operational schemes and policies with an appropriate implementation schedule having regard to the Plan.

24. Cabinet has also authorised the commencement of a full review by the Strategic Director of Economy and Infrastructure of the Council's Passenger Transport network, which will incorporate all aspects of the public transport network. It has also noted that the Council has made a submission to the Department for Transport relating to the implementation of a Zero Emissions Bus Regional Area (ZEBRA).

Contact Points

Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meetings of the Cabinet held on 3 February 2022.

[Agenda for Cabinet on Thursday, 3rd February, 2022, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

COUNCIL
17 FEBRUARY 2022**APPOINTMENT OF EXTERNAL AUDITORS**

Recommendation

1. **The Cabinet Member with Responsibility for Finance (who is also the Leader of the Council) recommends that Council opt-in to the Public Sector Audit Appointments sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.**

Introduction

2. Under the Local Audit and Accountability Act 2014, the Council is required to appoint an auditor to audit its Statement of Accounts each financial year.
3. The external audit of local authorities was previously a responsibility of the Audit Commission, established in 1983 for this purpose. The Local Audit and Accountability Act 2014 abolished the Audit Commission as at 31 March 2015 and its functions have since been delivered via the Public Sector Audit Appointments (PSAA), National Audit Office (NAO), Financial Reporting Council (FRC) and the Cabinet Office.
4. The Council's current external auditor is Grant Thornton UK LLP and this appointment covers the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national auditor appointments arrangements established by PSAA for the period covering the accounts for the five-year period from 2018/19 to 2022/23.
5. PSAA is now undertaking a procurement for the next appointing period, covering audits for 2023/24 to 2027/28. All local government bodies need to make important decisions about their external audit arrangements from 2023/24. They have options to arrange their own procurement and make the appointment themselves or in conjunction with other bodies, or they can join and take advantage of the national collective scheme administered by PSAA.
6. This report sets out proposals for appointing the external auditor for the accounts for the five-year period from 2023/24 to 2027/28.
7. The report was considered by the Audit and Governance Committee on 3 December 2021 who, after scrutiny and challenge, concluded that the recommendation proposed to Council in this report should be supported.
8. If the Council wishes to take advantage of the national auditor appointment arrangements, it is required under the local audit regulations to make the decision at full Council. The opt-in period starts on 22 September 2021 and closes on 11 March 2022. To opt into the national scheme from 2023/24, the Council must return completed opt-in documents to PSAA by 11 March 2022, hence the reason for this report.

Procurement of External Audit for the period 2023/24 to 2027/28

9. Under the Local Government Audit and Accountability Act 2014 (“the Act”), the council is required to appoint an auditor to audit its accounts for each financial year. The statutory requirement is to have an auditor appointment in place by 31 December of the year preceding the start of the contract i.e. by 31 December 2022. To allow sufficient time to run an effective procurement process, a decision must be made to determine how to undertake this process. The council has three options:

- To arrange our own procurement exercise and make the appointment ourselves
- To arrange procurement in conjunction with other bodies’ or
- To opt in to the national auditor appointment scheme administered Public Sector Audit Appointments (PSAA).

The Appointed Auditor

10. The auditor appointed at the end of the procurement process will undertake the statutory audit of accounts and Value for Money (VFM) assessment of the council in each financial year, in accordance with all relevant codes of practice and guidance. The appointed auditor is also responsible for investigating questions raised by electors and has powers and responsibilities in relation to Public Interest Reports and statutory recommendations.

11. The auditor must act independently of the Council and the main purpose of the procurement legislation is to ensure that the appointed auditor is sufficiently qualified and independent.

12. The auditor must be registered to undertake local audits by the Financial Reporting Council (FRC) and employ authorised Key Audit Partners to oversee the work. As the report below sets out there is a currently a shortage of registered firms (only 9) and Key Audit Partners.

13. The scope of an audit is determined by the Code of Audit Practice (currently published by the NAO) and the format of the financial statements is specified by the Chartered Institute of Public Finance and Accountancy (CIPFA).

14. Auditors are currently regulated by the FRC, however they will be replaced by a new body with wider powers, the Audit, Reporting and Governance Authority (ARGA) during the course of the next audit contract.

15. Councils therefore have very limited influence over the nature of the audit services they are procuring, the nature and quality of which are determined or overseen by third parties.

Appointment by the Council itself or jointly

16. The Council may elect to appoint its own external auditor under the Act, which would require the council to:

- Establish an independent auditor panel to make a stand-alone appointment. The auditor panel would need to be set up by the Council itself, and the members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, excluding current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing to which audit firm to award a contract for the Council's external audit.
- Manage the contract for its duration, overseen by the Auditor Panel.

17. Alternatively, the Act enables the Council to join with other authorities to establish a joint auditor panel. Again, this will need to be constituted of wholly or a majority of independent appointees. Further legal advice would be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

The national auditor appointment scheme

18. PSAA is specified as the 'appointing person' for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015. PSAA let five-year audit services contracts in 2017 for the first appointing period, covering audits of the accounts from 2018/19 to 2022/23. It is now undertaking the work needed to invite eligible bodies to opt in for the next appointing period, from the 2023/24 audit onwards, and to complete a procurement for audit services. PSAA is a not-for-profit organisation whose costs are around 4% of the scheme with any surplus distributed back to scheme members.

19. In summary the national opt-in scheme provides the following:

- the appointment of a suitably qualified audit firm to conduct audits for each of the five financial years commencing 1 April 2023;
- appointing the same auditor to other opted-in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints;
- managing the procurement process to ensure both quality and price criteria are satisfied. PSAA has sought views from the sector to help inform its detailed procurement strategy;
- ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise during the appointment period;
- minimising the scheme management costs and returning any surpluses to scheme members;
- consulting with authorities on auditor appointments, giving the Council the opportunity to influence which auditor is appointed;
- consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity, and audit risk; and

- ongoing contract and performance management of the contracts once these have been let.

Conclusion

20. The national opt-in scheme will provide better outcomes and will be less burdensome for the Council than a procurement undertaken locally because:

- collective procurement reduces costs for the sector and for individual authorities compared to a multiplicity of smaller local procurements;
- if it does not use the national appointment arrangements, the Council will need to establish its own auditor panel with an independent chair and independent members to oversee a local auditor procurement and ongoing management of an audit contract;
- it is the best opportunity to secure the appointment of a qualified, registered auditor - there are only nine accredited local audit firms, and a local procurement would be drawing from the same limited supply of auditor resources as PSAA's national procurement; and
- supporting the sector-led body offers the best way of ensuring there is a continuing and sustainable public audit market into the medium and long term.

21. The recommended approach is to opt into the national auditor appointment scheme.

Proposed Next Steps

22. Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by a meeting of the Council. The Council then needs to respond formally to PSAA's invitation in the form specified by PSAA by the close of the opt-in period (11 March 2022). The Section 151 Officer will submit this form if Council agrees with the recommendation at Council on 17 February 2022.

23. PSAA will commence the formal procurement process in early April 2022. It expects to award contracts in August 2022 and will then consult with authorities on the appointment of auditors so that it can make appointments by the statutory deadline of 31 December 2022.

Legal, Financial and HR Implications

24. There is a risk that current external audit fee levels could increase when the current contracts end. It is clear that the scope of audit has increased, requiring more audit work. There are also concerns about capacity and sustainability in the local audit market.

25. Opting into a national scheme provides maximum opportunity to ensure fees are as realistic as possible, while ensuring the quality of audit is maintained, by entering into a large scale collective procurement arrangement.

26. If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees from 2023/24.

27. Section 7 of the Local Audit and Accountability Act 2014 requires a relevant Council to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year.

28. Section 8 governs the procedure for appointment including that the Council must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor. Section 8 provides that where a relevant Council is a local Council operating executive arrangements, the function of appointing a local auditor to audit its accounts is not the responsibility of an executive of the Council under those arrangements.

29. Section 12 makes provision for the failure to appoint a local auditor. The Council must immediately inform the Secretary of State, who may direct the Council to appoint the auditor named in the direction or appoint a local auditor on behalf of the Council.

30. Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a sector-led body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.

Contact Points

Specific Contact Points for this report

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Rachael Hart, Financial Reporting Manager, 01905 843165, rhart@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Chief Finance Officer) there are no background papers relating to the subject matter of this report.

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COUNCIL
17 FEBRUARY 2022**NOTICES OF MOTION**

Notices of Motion Received

1. The Assistant Director for Legal and Governance reports that he has received the following 2 Notices of Motion. The Constitution provides that any submitted motion must be moved and seconded at the meeting. Otherwise, unless postponed with the consent of the Council, it will be treated as withdrawn.
2. If a motion is in relation to the exercise of an executive function it will be referred to the Cabinet for decision (if applicable this will be indicated below). Otherwise the Council may decide itself to determine the Motion, or refer it to the Cabinet or another appropriate Committee for advice before determining it at the next available meeting.

Notice of Motion 1 – Real Living Wage

3. **This motion is not in relation to the exercise of an executive function and the Council may decide to determine the Motion.**

4. Notice of Motion standing in the names of Cllr Lynn Denham, Cllr Mel Allcott, Cllr Luke Mallett, and Cllr Dan Boatright:

“Council is supportive of the idea of the introduction of the Real Living Wage to all employees working directly for the Council (£9.90p per hour from 1.4.2022) and resolves to request the Cabinet Member with Responsibility to consider bringing a report to Cabinet on how we could start paying the Real Living Wage to all directly employed staff at the earliest opportunity.”

Notice of Motion 2 – Climate targets

5. **This motion is not in relation to the exercise of an executive function and the Council may decide to determine the Motion.**

6. Notice of Motion standing in the names of Cllr Matt Jenkins, Cllr Natalie McVey, Cllr Beverley Nielsen, and Cllr Martin Allen:

“This Council recognises the Government’s Climate Change ambitions, applauding the Sixth Carbon Budget targeting 78% lower greenhouse gas emissions by 2035. This Notice of Motion proposes countywide emissions targets are agreed and progress towards these monitored in line with national goals, drawing on the Centre for the Understanding of Sustainable Prosperity (CUSP), Anthesis, Tyndall Centre and Scatter methodologies, and working with all

stakeholders. Drawing on the Tyndall approach, Worcestershire's CO2 emissions budget equates to 20.3 Megatonnes between 2020 – 2100. At 2017 CO2 emissions levels, our county would use this budget by 2027.

We propose that a member advisory group be formed to strengthen our existing Carbon Zero Plan to meet these aims and develop countywide targets and ask Council to take urgent steps and accept this motion if we are to play our full role in ensuring we hit the government's Sixth Carbon Budget targets.”

Contact Points

Contact Points for this report

Simon Lewis, Committee Officer

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) there are no background papers relating to the subject matter of this report.

COUNCIL
17 FEBRUARY 2022**REPORTS OF CABINET MEMBERS WITH RESPONSIBILITY –
CABINET MEMBER WITH RESPONSIBILITY FOR
ENVIRONMENT**

Introduction

1. It is my pleasure as Cabinet Member with Responsibility (CMR) for Environment to submit my report to Council on work that has taken place across my portfolio of responsibility over the last year. The role of CMR for Environment is cross-cutting, covering a number of service areas. The Environment remains one of the Council's Corporate Priorities, it underpins the character of the county and ensures that Worcestershire remains a great place to live, work and visit.

Waste Management

2. We continue to work closely with our partners to reduce the amount of waste produced by our residents and minimise the cost and environmental impact of that waste. The Government recently conducted a number of consultations around waste. Worcestershire County Council has responded to these in conjunction with our district council partners. A number of the proposals have been incorporated into the Environment Bill e.g. providing weekly food waste collections, however we still wait for clarity in some areas.

3. In December 2021, the Cabinet agreed to extend the Waste Management Service Contract for 5 years (to 2029).

4. EnviroSort, our Materials Reclamation Facility, processed more than 87,000 tonnes of recyclables last year. We continue to explore advances in technology to expand the range of materials for recycling. Our contractor, who runs the facility on behalf of the Council, recommenced hosting numerous visits for schools, residents, councillors and MPs. We continue to recover value from more than 71% of the waste deposited at our Household Recycling Centres, and more than 5,800 tonnes of road sweeper waste has also been recycled.

5. We also extract value from waste that is not reused or recycled. EnviRecover, our Energy from Waste (EfW) plant, continues to perform well exporting electricity to the grid. Air Pollution Control residues resulting from the processing of waste and metals that have passed through EnviRecover are all being recycled. Our contractor is also actively working with partners to find a solution for recycling the Incinerator Bottom Ash left after the process is complete.

6. The Waste Management Service has continued to operate throughout the Covid-19 response period with the key waste facilities remaining fully operational. Throughout the

period there has been regular dialogue with the Waste Collection Authorities in Worcestershire, including discussion and support to maintain collection rounds.

7. Following the initial “lockdown” in March 2020, all Household Recycling Centres (HRCs) in Worcestershire were closed reflecting the overall position of “Stay at Home” other than for food, health or work reasons. Between May - July 2020 all sites were progressively re-opened with additional safety measures in place. All sites have continued to be fully operational.

Waste Prevention

8. The One Waste Worcestershire group, made up of representatives from all the district councils and Worcestershire County Council, works to ensure consistency in branding and messages across the county with targeted activity at times where waste traditionally increases, e.g. Christmas.

9. Food waste continues to be a priority for Worcestershire County Council, as it makes up such a significant part of residual waste. Targeted communications and social media are used to promote the role of composting, ideas to reduce food waste and volunteers.

Flood Risk Management

10. The Council, as the Lead Local Flood Authority, continues to work closely with its partner Risk Management Authorities, other organisations and vulnerable communities to deliver a wide range of crucial flood risk management activities.

11. The early part of 2021 was dominated by continued recovery from the severe 2019 and 2020 flood events and multi-agency response to, and recovery from, further flood events in January and June 2021.

12. A number of flood mitigation schemes have been advanced over the last 12 months. They include the following schemes managed by the Environment Agency (EA) with support from WCC:

- Tenbury Flood Defence Scheme – delivery of the scheme is being fast tracked by the EA having received significant funding from the Government and local partners. The scheme design is almost complete and engagement carried out with the community and stakeholders. Works on the ground are due to start this year and the scheme is due to be completed in late 2023.
- Beale’s Corner, Bewdley Flood Defence Scheme – delivery of this scheme is also being fast tracked by the EA having had a significant funding allocation from the Government, matched by local partner contributions including from the County Council. Completion of the scheme is currently forecast to be in late 2023.
- Severn Stoke Flood Defence Scheme – This community / EA led scheme has received re-confirmed planning permission and is due to commence this year.
- Toronto Close Flood Defence Scheme, Worcester – this EA led scheme is due to commence this year.

13. The Natural Flood Management (NFM) Project continued through 2021 with a continued focus and positive progress on the River Avon tributaries (River Isbourne and Merry Brook), the Barbourne Brook and the Dowles Brook.

14. Significant County Council investment has seen a large number of small scale highway adaptation, flooding and drainage schemes being completed or further developed. Many are focussed on key flood spots which arose or were re-enforced during recent flood events including 'Wetspot' locations where there is water on the highway for large parts of the year causing a particular hazard in the winter months.

15. Other key, and in all cases ongoing, flood risk management activity over the last 12 months include:

- review and further development of flood emergency preparedness and response processes – learning lessons from recent flood events;
- completion and publishing of the s19 flood event investigation report for Hagley;
- contribution to the re-drafted River Severn catchment Flood Risk Management Plan;
- further development and implementation of local Flood Risk Management Plans at locations including Wythall, Hagley, Redditch and Bromsgrove;
- maintenance of flooding and drainage assets and infrastructure;
- scrutiny of planning applications to reduce the risk of future flooding on, and downstream of, new developments;
- discharge of powers and duties under the Flood & Water Management Act and the Land Drainage Act;
- further engagement with flood impacted communities and development of local resilience;
- further development of close partnership working with Risk Management Authorities and other organisations within Worcestershire and with neighbouring local authorities and relevant regional and national organisations; and
- taking an active role within the River Severn Partnership and Adaptive Planning.

Natural Environment

16. The Environment Act brings new requirements for biodiversity including Nature Recovery Strategies, monitoring and biodiversity net gain, with new requirements for the County Council.

17. We continue to work with district councils to contribute to the review of Local Plans providing data such as the habitat inventory to inform the plans and to assist in the development of biodiversity and landscape policy

18. Further to this, we have been awarded a grant of £83 000 from the Natural Environment Readiness Fund in preparation for biodiversity net gain requirements, primarily to develop an approach to securing contributions from developers and to deliver net gains in the county. The aim is to link with wider environmental initiatives such as nature-based solutions and the new Environmental Stewardship scheme to create, protect and enhance our most valuable habitats and biodiversity.

19. The refresh of the Worcestershire Habitat Inventory has been completed and is now on the County Council website. This maps our key biodiversity assets, networks and corridors using satellite data and artificial intelligence.

20. The ancient woodland wetland habitat on the former site of the gravel pit near Hallow is particularly important since it is one of only three in the country.

21. We continue to act as a lead member of the Local Nature Partnership and to provide the secretariat function. We also act as a key contributor to the sub-groups on green infrastructure / biodiversity and climate change.

22. The Council continues to review and improve management of some 8,000 km highway verges in Worcester. We have over 40 Roadside Verge Nature Reserves which are recognised for their high biodiversity value and managed accordingly.

23. The County Council's own developments, schemes such as Hoobrook Link Road in Kidderminster, Pershore Link Road, Worcestershire Parkway and A4440 Southern Link Road, deliver significant benefit for biodiversity. The Southern Link Road dualling (A4440) has created approximately 4 hectares of floodplain wetland (a national and local priority habitat) to benefit rare wildflowers, invertebrates and nationally scarce passage and waterfowl. Our routine maintenance projects, such as Public Rights of Way repair and bridge maintenance, also include enhancements for biodiversity.

Energy and Carbon Savings

24. In July 2021, the County Council declared a Climate Emergency, reconfirming its commitment to work with partners across Worcestershire to tackle the challenge of climate change and to reduce Council's operational carbon emissions to net zero by 2050. The Sustainability Team is co-ordinating work aimed at achieving this goal. There is a corporate Board in place to oversee this programme.

25. In September 2021 the Council was Highly Commended in the West Midlands Energy Efficiency Awards for its wide-ranging work, some of which is outlined below.

26. The Sustainability Team is working with Worcestershire Local Enterprise Partnership to deliver the LEP Energy Strategy. The Strategy's aims are to:

- halve the county's carbon emissions by 2030;
- double the size of Worcestershire's £1.1bn low carbon and environmental sector; and
- treble the amount of renewable energy generated in the county.

27. County carbon emissions have been cut by 34% since 2005 (latest figures are for 2019) and circa 12% of county electricity demand is generated from renewables.

28. In the last four years, over £18m European, central Government and private sector funding, has been secured, supporting businesses and communities across the county to save energy, save money, cut carbon emissions, enhance the natural environment and grow our low carbon economy. The following initiatives have been managed by the Sustainability Team.

29. **Warmer Worcestershire:** Co-ordination of a network of local partner organisations overseeing the County's Fuel Poverty Plan. The network helps the 14% of Worcestershire households in fuel poverty, giving practical help through access to home energy efficiency grants and free advice.

30. **Business Energy Efficiency Programme (BEEP):** This joint European-funded initiative with local councils and the Chamber of Commerce has, to date, supported 342 Worcestershire businesses through energy assessments identifying annual savings and

5,700 tonnes of greenhouse gas reduction since 2016. 161 grants, totalling over £1m have been awarded to install lighting, efficient heating, insulation, faster warehouse doors, solar panels and energy storage, leveraging circa £2.1m of private sector investment. As well as saving energy there have been improvements to the working environment and iproduction output.

31. **Low Carbon Opportunities Programme (LOCOP):** This European Regional Development (ERDF) funded programme has provided advice and grant support for SMEs to install renewable energy and develop innovative low carbon goods and services.

32. European funding for BEEP and LOCOP has been extended until June 2023.

33. **Natural Networks:** This £1.2m ERDF funded programme, in partnership with the Worcestershire Wildlife Trust, has offered free advice and grants to local organisations to improve the biodiversity of publicly accessible land across the County. The County Council itself has already benefited from this programme, obtaining funding for the wildflower meadow and biodiversity improvements at County Hall campus, and is looking at future funding bids for other WCC sites. The County Council has applied to extend the project beyond the end of 2022 to June 2023.

34. **Public-Sector Energy Efficiency Programme (PEEP):** This ERDF funded programme launched in October 2019 and aims to reduce the energy consumption of public buildings within Worcestershire. PEEP provides free energy assessments and grant funding to support energy efficiency and renewable energy projects. The project ends June 2023.

Community Renewal Fund

35. The Sustainability Team has recently secured funding via the UK Government Community Renewal Fund to run a pilot project - Zero Carbon Ready Worcestershire - building on the successes of the above programmes. This will mainly focus on providing decarbonisation advice to local businesses and organisations not eligible for ERDF funding and is intended to run until 30 June 2022.

County Council Carbon Reduction

36. Cabinet approved the County Council's Net Zero Carbon Plan in October 2020. The County Council's carbon emissions reduced by 42% from 2009/10 to 2020/21. The purchase of green electricity for all the Council's buildings and street lighting brings this reduction to 49%.

37. Last year the County Council committed to reducing its own operational Greenhouse Gas (GHG) emissions to net zero by 2050. The Sustainability Team is co-ordinating work aimed at achieving this goal and a Net Zero Carbon Board has been established.

38. Opportunities for investment in energy efficiency and renewable energy on the Council's estate have been developed. The Council has overseen many energy efficiency projects, including; major street lighting upgrades, installation of solar panels, improving the energy efficiency of buildings and the introduction of electric vehicles into the Council's fleet.

39. From April last year the Council began procuring 100% renewable electricity for its buildings, streetlights and schools.

40. Further capital funding has been committed by the Council in recent years to continue the transition to LED street lighting, contributing towards cutting both energy costs and carbon emissions.

41. Over the past 18 months the Council has been taking part in an Innovate UK funded EV vehicle to grid pilot using the electric pool cars at County Hall, Worcester.

Joint Impact Assessment (JIA)

42. The Council operates an online JIA screening tool for all projects which combines screenings for environmental sustainability, data protection, equality and health into one place. The JIA process identifies whether full impact assessments (FIA) are required for each of these discrete areas.

Summary

43. We have gone through extraordinary times throughout the past 2 years and I would like to thank all officers who have worked with me and our partners. We have had officers who have suffered personal loss and illness and have yet continued to carry out their duties and deliver, winning national awards and negotiating complex contracts. My personal thanks to you all.

Councillor Tony Miller
Cabinet Member for the Environment

COUNCIL
17 FEBRUARY 2022**QUESTION TIME**

Question 1 – Play Streets

1. Cllr Richard Udall will ask the Cabinet Member with Responsibility for Highways:

"Play Streets are neighbour-led short road closures, creating a safe space for children to play freely together on their doorstep. Play Streets typically allow children to play freely, without organised games or activities. In practice, this means children cycle, scoot, skate, chalk, skip, hopscotch, kick a ball around and make up games. They were first developed by parents on one street in Bristol in 2009; they have now been taken up by hundreds of street communities all over the UK, supported by councils and local organisations.

Would the Cabinet Member consider establishing the right for residents and communities to establish Play Streets in Worcestershire and would he agree to allow St John's or the whole of the west side of Worcester, to be a pilot area to test such schemes?"

Question 2 – Education, Health and Care Plans

2. Cllr Lynn Denham will ask the Cabinet Member with Responsibility for Education:

"How many EHCP (Education, Health and Care Plan) assessments have been completed within the 16 weeks, in 20/21 and 21/22 to date? How many plans have been completed within 20 weeks? What percentage of requests is that?"

Question 3 – Special Educational Needs and Disability (SEND) Tribunals

3. Cllr Dan Boatright will ask the Cabinet Member with Responsibility for Education:

"It is welcome that the Council and Worcestershire Children's First (WCF) has acknowledged a greater need for transparency in the actions of its SEND services. Whilst talking to stakeholders I have been directed to the legal proceedings that the Council and WCF has experienced as parents fight to get the right support for their children. With this in mind, how much has been spent on legal costs, both internally and externally, in fighting parents of children with SEND in the tribunals and other legal proceedings in last 5 financial years? How much of this money has been spent on cases where we have settled before a tribunal date? And how much was spent

on cases where the decisions of WCF and the Council was found to be wholly upheld?”

Question 4 – Measures to assess the mental capacity to consent to marriage

4. Cllr Richard Udall will ask the Cabinet Member with Responsibility for Communities:

"Is the Cabinet Member aware of growing concern about forced marriages of people who do not have the mental capacity to consent, either through mental health or dementia. Can he confirm what measures are in place in our registry offices to ensure all participants in marriage ceremonies have such mental capacity for consent?"

Contact Points

Contact Points for this report

Simon Lewis, Committee Officer

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) there are no background papers relating to the subject matter of this report.

COUNCIL
17 FEBRUARY 2022**REPORTS OF COMMITTEES****SUMMARY OF DECISIONS TAKEN BY THE PENSIONS
COMMITTEE**

**Local Government Pension Scheme Central (LGPSC) Budget and Strategic
Business Plan 2022/23**

1. Each year LGPSC is required to produce an updated budget and Strategic Business Plan. The intention of the Company and Practitioners Advisory Forum (PAF) which has key representation from lead officers for each of the Partner funds is to take an agreed set of papers to the Shareholder Forum which is being held on the 22 February 2022.
2. As in previous years, given the importance and financial implications for Worcestershire's Pension Fund (WPF), it was felt that the 2022/23 LGPSC budget and strategic business plan should come to the Committee for discussion and debate before it went to the Shareholders Forum meeting.
3. The Committee has noted the LGPSC Budget and Strategic Business Plan for 2022/23 update. The Committee felt that if LGPSC were able to provide evidence of improved performance efficiencies then WPF would be more comfortable with the proposed increase in its budget. The Committee has asked the Fund's Shareholder representative to take this view to the next Shareholders Forum Meeting on 22 February 2022.

Cllr Elizabeth Eyre
Chairman

Contact Points

Specific Contact Points for this report
Simon Lewis, Committee Officer
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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance), the following are the background papers relating to the subject matter of this report:

Agenda papers for the meeting of the Pensions Committee held on 2 February 2022.
[Agenda for Pensions Committee on Wednesday, 2nd February, 2022, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)