

## Minutes of the Cabinet

**Lakeview Room, County Hall, Worcester**

**Thursday, 23 November 2023, 10.00 am**

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### **Present:**

Cllr Simon Geraghty (Chairman), Cllr Marc Bayliss, Cllr Adrian Hardman, Cllr Marcus Hart (Vice Chairman), Cllr Adam Kent, Cllr Steve Mackay, Cllr Karen May, Cllr Richard Morris, Cllr Tracey Onslow and Cllr Mike Rouse

### **Also attended:**

Cllrs Peter Griffiths, Matt Jenkins and Emma Stokes were also present.

### **Available papers**

The Members had before them:

- A. The Agenda papers (previously circulated); and
- B. The Minutes of the meeting held on 26 October 2023 (previously circulated).

### **2182 Apologies and Declarations of Interest (Agenda item 1)**

Cllr Richard Morris declared an interest as a part of the task group at the initial stage but not at the recommendation stage.

### **2183 Public Participation (Agenda item 2)**

None.

### **2184 Confirmation of the Minutes of the previous meeting (Agenda item 3)**

**RESOLVED** that the Minutes of the meeting held on 26 October 2023 be confirmed as a correct record and signed by the Chairman.

## 2185 Local Nature Recovery Strategy (Agenda item 4)

The Cabinet Member with Responsibility for Environment introduced the report and commented that the preparation and publication of the Strategy was a requirement under the Environment Act 2021. The County Council was not solely responsible for delivering the Strategy and would be working with district councils, the public, private and voluntary sector partners accordingly. It was proposed that the Strategy 'Issues and Options' stage consultation would be undertaken during winter 2023/24 with the final Strategy being approved by Cabinet. It was an opportunity for the public to shape the Strategy and allow the Council to understand key priorities and opportunities. It was clear that wildlife was under threat and consequently, the Council had launched the 'State of Nature' report which provided a detailed assessment of the natural environment.

In the ensuing debate, the following points were made:

- The Council looked forward to hearing the views on the Strategy from stakeholder partners across the county. The final Strategy would be adopted by the Council in 2024/25 dependent on any input from the Secretary of State
- The Leader of the Council emphasised the forward-looking approach in the Strategy to look at ways to help protect and preserve nature and the environment.

### **Cabinet:**

- a) Authorised the Strategic Director for Economy and Infrastructure to undertake public consultation on the "Issues and Options draft" of the Local Nature Recovery Strategy (LNRS) as detailed in Appendix 1 attached to the report;**
- b) Delegated authority to the Cabinet Member with Responsibility for Environment to approve a Consultation Draft LNRS for the statutory consultation process;**
- c) Authorised the Strategic Director for Economy and Infrastructure to undertake the statutory consultation process of the consultation draft LNRS, including seeking the necessary written approval of Supporting Authorities and the Secretary of State; and**
- d) Agreed that the Final LNRS be returned to Cabinet for adoption in winter 2024/2025, subject to seeking the necessary permission of the Secretary of State to publish the Final LNRS.**

## 2186 Resources Report - Revenue Budget Monitoring - Month 6 (30 September) 2023/24 (Agenda item 5)

The Leader of the Council introduced the report and commented that it had been a challenging year in local government particularly in relation to the following demand-led forecasted areas of financial pressure which totalled £21.9m at the end of the financial year:

- Home to School Transport – The forecasted cost increase resulted not only from an increase in pupil numbers but also an increase in placement costs. The County Council’s Network had been lobbying the Government to change the way the school transport market operated.
- Home to School Transport - There had been an 18% increase in SEND Home to School Transport costs as well as a 12% increase in mainstream Home to School Transport cost over the last year.
- Adult Social Care – There was a longstanding financial pressure nationally as more people needed care. It was not just elderly/frail people but also people of working age for example, people with a learning disability that needed care to enable them to lead a full and rewarding life.

In respect of all these areas, the Council was actively managing processes to reduce costs.

He added that the local government settlement was not expected until 22 December 2023 which did not leave the Council much time to prepare its budget and report to Cabinet in the new year. The Council continued to work on a vast array of capital schemes. There were a number of changes to the capital scheme notably an increase to the forecast cost of the new school at Foxlydiate which would need to be reported to Council. The pressures on the Dedicated School Grant had increased with an overspend of £8m predicted against a total allocation of £249.2m. Despite these pressures, the Council was reporting one of the lower forecast overspends nationally.

In the ensuing debate, the following points were made:

- It continued to be a challenging time for local government. Some tough choices would need to be made by the Council, for example the Council was looking at staff voluntary redundancy and reduction in hours scheme. It was important to have open and honest conversations with the workforce and communities about these choices. The Council had lobbied the Government to get a financial settlement that addressed the demand pressures
- A member from outside the Cabinet expressed concern about the ongoing increase in financial pressures on demand-led services and queried how long the Council could continue to use its reserves to meet the funding gap. The Leader of the Council responded that the Council needed to wait for the Local Government settlement before assessing whether there would be any potential impact on service provision. The Council did still have reserves including a significant risk reserve but using reserves was only a short-term solution.
- The increase in the cost of children placements emphasised the importance of further promoting foster carering to help drive down these costs. There were many ways in which councillors could help promote foster caring. More needed to be done to make it easier for members of the community to become foster carers
- The Council was pursuing an approach that ensured that the right schools were provided in the right areas in order to reduce the cost of Home to School Transport.

**Cabinet:**

- a) **Noted the forecast year end position as at 30 September 2023 as outlined in paragraphs 11 and 43 of the report and as detailed in Appendix 1;**
- b) **Noted the current progress regarding savings plans approved by Council in February 2023 contained in paragraphs 44 and 45 of the report and as detailed in Appendix 2;**
- c) **Noted the current plan for use of the Public Health Reserve, as detailed in paragraphs 22 to 24 in the report and Appendix 3;**
- d) **Approved the use of reserves as detailed in paragraphs 46 to 55 of the report and noted the forecast year end position on reserves at Appendix 4; and**
- e) **Recommended to Council the variations to the Capital Programme as detailed in paragraphs 56 – 61 of the report and the updated Capital Programme at Appendix 5.**

## **2187 The New Foxlydiate First School (Agenda item 6)**

The Cabinet Member with Responsibility for Education introduced the report and commented that as a result of the strategic housing developments sites planned in Redditch (with an extra 2.5k of housing built by 2037), the requirement for additional school places had been identified at first school level in Redditch. It did not automatically mean that a new middle school or high school would be built as there were enough places at high school level and room to expand middle schools. The plans had been widely supported by local residents.

She added that the scheme would cost £14.5m for a three-form entry school with nursery. A two-form entry school at a cost of £11m had originally been considered but it was recognised that eventually a three-form entry school would be necessary and to expand the school at a later date would be more expensive. The scheme would be funded principally from a £9.4m Section 106 Education Obligations contribution (including RPI indexation) and the shortfall from Basic Need allocations ahead of any other S106 Agreements in the locality. If approved, the planned opening for the new school would be September 2027. The new school would have no impact on other schools in the local area.

The Cabinet Member with Responsibility for Corporate Services and Communication welcomed the additional housing and plans for a new first school in Redditch. He would make every effort to ensure that the new school was built within the proposed budget.

In the ensuing debate, the following points were made:

- It was important that the Council had taken into account of the impact of the potential additional housing in the Redditch area by increasing the proposed build from a two-form to a three-form entry first school
- The proposals for a new school would increase parental preference and ease the pressures on the Home to School Transport budget
- This new first school and the proposed new housing developments were important aspects for the growth of Redditch. However, the impact of the additional housing on neighbouring districts needed to be borne in mind.

**Cabinet:**

- a) **Agreed that a new First School in Foxlydiate Redditch will be built to address the impact of new housing as identified in the report;**
- b) **Noted the progress made to date on the delivery of a new First School and endorsed the pre-publication engagement with stakeholders undertaken between 4 July and 4 August 2023 as outlined in paragraphs 17-21 of the report and noted the outcome;**
- c) **Noted the funding sources identified to deliver the new school as detailed in the September 2023 Cabinet report;**
- d) **Noted that Full Council approved an increase to the capital programme from £11m to £14.52m in order to deliver a new three form entry first school and nursery, when it met on 9 November 2023;**
- e) **Authorised the consultation on the proposed school specification as outlined under paragraphs 22-24 of the report and Appendix 3;**
- f) **Authorised the Cabinet Member with Responsibility for Education, in consultation with the Director of Children's Services, to approve the specification having regard to any representations made during the consultation period;**
- g) **Authorised the procurement of support services as outlined under paragraphs 25 – 38 of the report; and**
- h) **Authorised the following delegations for the new Foxlydiate First School subject to Cabinet / Council approval of capital budget:**
  - i. **Cabinet Member with Responsibility for Education, in consultation with the Director of Children's Services, to approve the Academy Sponsor school specification having regard to any representations made during the consultation period; and Academy Sponsor presumption competition; and**
  - ii. **The Strategic Director of Commercial and Change in consultation with the Director of Children's Services to undertake all necessary steps to implement the project within the funding envelope agreed by Cabinet / Council including any regulatory consents and contracts required including the**

**completion of a pre-planning public engagement exercise and the preparation and submission of Planning Applications.**

**2188      Expansion of Car Park at Worcestershire Parkway Rail Station (Agenda item 7)**

The Cabinet Member with Responsibility for Economy, Infrastructure and Skills introduced the report and commented that the Worcestershire Parkway Station had proved to be a success since its opening with passenger journeys increasing significantly, well ahead of the business case. The challenge now was to address the car parking capacity issue at the station, which was now around 90% full on mid-weekdays. There was a strong business case for the expansion of the car park which would deliver clear benefits for the county. The Council would need to enter into an Access Agreement with the owner of the Land to facilitate all necessary surveys of the land required for the Project.

In the ensuing debate, the following points were made:

- A member from outside the Cabinet welcomed the benefits of the station in terms of the impact on Active Travel. However the parking facilities did need to be improved and it was queried whether the expansion of the car park would include further improvements to Active Travel facilities at the station
- The Leader of the Council responded that he wanted to encourage all modes of travel. There were plans to build a number of houses in the vicinity of the station which would help to increase Active Travel. He was keen to improve access to the cross-country line for local residents and did not want the car parking capacity at the station to be a limiting factor.

**Cabinet:**

- a) Noted progress to date and authorised the continuation of exploratory works, including surveys, necessary to progress the expansion of the Project;**
- b) Endorsed the allocation of funding earmarked within the approved capital programme to secure the land and associated rights shown edged red on the exempt plan (“the Land”) needed for the Project;**
- c) Authorised the Strategic Director for Commercial and Change to negotiate and enter into an Access Agreement with the owner of the Land to facilitate all necessary surveys of the land required for the Project and, if this cannot be agreed by negotiation, to serve the relevant notice to enable surveys to take place;**
- d) Authorised the Strategic Director for Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Economy, Infrastructure and Skills, to finalise the design of the Project and access links to the highway;**

- e) **Authorised the Strategic Director for Economy and Infrastructure to instruct the development of potential funding models for the construction and operation of the Project;**
- f) **Authorised the Strategic Director for Commercial and Change to endeavour to acquire the Land through negotiation, and delegated authority to the Strategic Director for Commercial and Change in consultation with the Cabinet Member with Responsibility for Economy, Infrastructure and Skills, to adjust the boundaries of the Land to be acquired;**
- g) **Should it not be possible to buy the Land through negotiation and, [subject to (e) above,] approved the preparation of a Compulsory Purchase Order (CPO) to acquire the Land for subsequent approval by Cabinet; and**
- h) **Noted that a further report will be presented to Cabinet to seek approval to enter into any funding agreements to enable the construction and operation of the car park.**

## **2189 Scrutiny Report: Developer Funded Highways Infrastructure (Agenda item 8)**

The Cabinet Member with Responsibility for Highways and Transport introduced the report and proposed a slight change to the wording of the recommendation to make reference to the “revised” response from the Cabinet Member. He welcomed the recommendations set out in the scrutiny report which allowed the Council flexibility to respond to the challenges of getting developer-funded highways infrastructure built quicker for the benefit of residents and road users going forward.

In the ensuing debate, the following points were made:

- The considerable amount of work undertaken by the Scrutiny Task Group in preparing this report should be recognised. The current delays in the system reflected badly on the Council and any measures that speeded up the process would be of great benefit
- A member of the Scrutiny Task Group recognised the hard work and tenacity of the Chairman of the Task Group in ensuring that this comprehensive and effective report came to fruition. The response of the Cabinet Member with Responsibility to the report was also welcomed
- A member of the Scrutiny Task Group commented that this was an important piece of work for residents of the County. There was a perception that delays associated with Section 278 agreements were the fault of this Council which was not the case. Officers who gave evidence to the Task Group and scrutiny officers were thanked for their contribution
- The Leader of the Council emphasised the importance of this area of work in terms of the impact on public perception and undertook to ensure that the report’s recommendations would be followed through.

He also thanked the Chairman and Task Group members for their contributions to the report.

**Cabinet:**

- a) Received the Scrutiny Report about Developer Funded Highways Infrastructure, together with the revised response from the Cabinet Member with Responsibility; and**
- b) Noted the Scrutiny Report's findings and recommendations and adopted the revised response of the Cabinet Member with Responsibility as the way forward.**

The meeting ended at 10.55am.

Chairman .....