

Minutes of the Cabinet

County Hall

Thursday, 28 March 2024, 10.00 am

Present:

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

Also attended:

Cllr Mel Allcott, Cllr Martin Allen, Cllr Dan Boatright-Greene, Cllr Andrew Cross, Cllr Tony Miller and Cllr Malcolm Victory

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 1 February 2024 (previously circulated).

2207 Apologies and Declarations of Interest

Apologies were received from Cllr Simon Geraghty.

Agenda item 5 – Worcestershire Environment Improvement Plan 2024 - Cllr Adrian Hardman declared an interest as his wife was a Wychavon Councillor and Portfolio Holder for Boosting Natural Capital.

2208 Public Participation

Robyn Norfolk commented on School Organisation and Education Sufficiency specifically in relation to sufficiency of Special Educational Needs and/or Disability (SEND) School Places and the need for future planning in order to meet demand. The capacity of the Fort Royal Community Primary school and the difficulties in maintaining average class sizes whilst balancing the safety needs of the school was also mentioned.

The Chairman thanked Robyn for the contribution.

2209 Confirmation of the Minutes of the previous meeting

RESOLVED that the Minutes of the meeting held on 1 February 2024 be confirmed as a correct record and signed by the Chairman.

2210 Market Position Statement and Commissioning Strategy, Adult Social Care

The Cabinet Member with Responsibility (CMR) for Adult Social Care introduced the Adult Social Care Strategy which was a five-year plan that set out how Worcestershire County Council (the Council) would deliver Adult Social Care (ASC) with the right support for residents, at the right place and at the right time, whilst working in partnership with local people and being future focussed to ensure sustainable and high-quality services.

The Strategy set out how the Council would achieve its statutory duties whilst enabling residents to achieve the best possible outcomes regarding care and support needs. The aim was to ensure that residents were supported to live as independently as possible whilst maintaining the least intrusive approach and keeping people safe.

The CMR for Health and Well being commented that all partner organisations had a role in working together to ensure the best possible outcome for the quality of life of local residents to enable them to live fulfilled independent lives.

The demand for ASC was growing and the number of adults (aged 18-64) requiring care was forecast to increase by 29% by 2038. For people over 65 years, the predictions were even higher with a forecast 57% increase in people who may require care and support by 2038.

Cabinet:

- a) Noted and endorsed the updated Market Position Statement 2024-2029 (final draft attached at Appendix 1)**
- b) Noted and endorsed the Commissioning Strategy 2024-2029 (final draft attached at Appendix 2)**
- c) Approved commencing the implementation of the above documents from April 2024.**

2211 Worcestershire Environment Improvement Plan 2024

The CMR for Environment introduced the report and advised that the heading of the report and recommendation 1A should read as 2024 (not 2023).

The CMR had requested that a plan be developed and approved by Cabinet which clearly illustrated how the Council was working towards the Corporate Plan Objective – Protecting the Environment, which aimed to deliver:

- A greener future;
- Our commitment to achieve Net Zero by 2050

- A resilient transport network
- Reducing our waste

There were 8 key priorities in the Plan each with its own objectives. The key priorities were the natural environment, energy, resources and waste, transport, net zero Council, the green economy, reducing the impact of climate change (Flooding) and Communities and Wellbeing.

It was noted that the Local Nature Recovery Strategy (LNRS) was currently out for consultation and was expected to be presented to Cabinet for adoption in March 2025, once the Council had adopted the new strategy, the Worcestershire Environment improvement Plan would be amended to include the LNRS.

The CMR for Adult Social Care believed that it was a coherent Environment Improvement Plan which would deliver a better and long-lasting environment. It was very important to highlight that the Council by working together with partners at a local and national level would aim to foster a sense of collective responsibility, drawing on combined resources, expertise and enthusiasm to drive positive impact.

During the ensuing discussion, the following main points were made by Members from outside of the Cabinet:

- Noting that the use of solar panels was part of the District Councils' planning function, it was questioned how agricultural land would be protected when solar was being used and planning permission had been granted by District Councils. In response, the CMR acknowledged that this was an important point and whilst it was important to have renewable energy, the Council would need to work with partners on the bigger picture.
- In response to a question about whether it was possible to harness heat from the Energy from Waste facility at Hartlebury, the CMR advised that details would be provided after the meeting.

Cabinet:

- a) **Approved the Worcestershire Environment Improvement Plan (EIP) 2024;**
- b) **Agreed that an annual progress report be returned to Cabinet;**
- c) **Agreed the Council will liaise with partners to gain feedback on the Environment Improvement Plan with the aim being to collaborate, and work together to deliver positive environmental impact in line with the EIP; and**
- d) **Approved the inclusion of the Local Nature Recovery Strategy once it has been adopted by Cabinet which is expected to be March 2025.**

2212 Net Zero Carbon Plan - County Council Emissions 2024-25

The CMR for Environment introduced the report and commented that reducing carbon emissions was key to slowing the impact of climate change, and the Council acknowledged that it had a significant role to play, not only in reducing its own emissions but also in influencing the reduction of countywide emissions working with partners and stakeholders and supporting wider adaptation.

In 2021, the Council declared a climate emergency and committed to:

- Endorsing the Council's ambitious Net Zero Carbon Plan.
- Continuing to work with partner authorities to review and update all relevant strategies.
- Establishing a Member Advisory Group to assist with the future revision of plan and report annually on actions taken.
- Reaffirming the target of reaching net carbon neutral by 2050 in line with the Government's target.

The CMR Adult Social Care commented that climate change was a driving force for the Council. The Council had been ambitious with its streetlighting by changing the lamps to light-emitting diodes (LEDs), but municipal waste was a big issue and it was important to continue to find ways to reduce carbon emissions in order for the Council to achieve net zero.

The Cabinet welcomed the Annual Monitoring Report which would be presented in Autumn 2025.

During the ensuing discussion, the following points were made by Members outside of the Cabinet:

- In response to a question about why the graph detailing the Progress of WCC Net and Absolute Emissions from Baseline (page 10 – Appendix 1 of the Agenda Report) had plateaued from 2020-21. The CMR advised that the Council was on the right trajectory and that the plateauing related to the positive actions taken.
- It was confirmed that there was a Green Car Scheme available to Council employees.
- Options were being considered for electric vehicle charging points at County Hall, Worcester.
- It was confirmed that the Energy from Waste Facility at Hartlebury was producing energy with 29 functioning windmills.

Cabinet:

- a) Approved the updated the Net Zero Carbon Plan 2024-2025; and**
- b) Agreed that a progress report be returned to Cabinet in Autumn 2025.**

2213 New Autism Special Free School

The CMR for Education introduced the report in respect of establishing a New Autism Special Free School in Worcestershire. The context around the rising numbers of children and young people with Special Educational Needs and/or disabilities (SEND) in Worcestershire and the priority of 'improving autistic

children and young people's access into education and supporting positive transitions into adulthood was explained.

The Council, at the time of developing the bid for the school, identified it had 83 Worcestershire children and young people with Education Health and Care Plans (EHCPs) and a primary need of Autism who were accessing their education in Independent, Non-Maintained Special schools in or out of county, costing on average £58k per place, a total of £4.8m per annum.

The CMR referenced the work undertaken by Worcestershire Children First (WCF) and the Department for Education (DfE) in respect of the process for establishing the new school. This included the proposed location and site being Poolbrook, Malvern, the revenue funding required for the number of school places and the Statutory Consultation process. The provisional opening date for the school was September 2027.

The DfE had recently announced that MacIntyre Academies had been chosen to run the new school.

The CMR for Children and Families further explained that the new school was needed to provide opportunities for young people in the Worcestershire community.

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

- The plans for the new school were welcomed both in terms of, the increased provision and the financial benefits it would bring for Worcestershire. In addition, the recent high needs capital funding announced by Government (£6m in 2023/24 and £2m for 2024/25) was also welcomed.
- The new school was good news for South Worcestershire as was the impact it would have on out of county placements and the wider County. Having more options and choice in Worcestershire was very important.
- It was noted that 83 children were in out of County placements and that Worcestershire had a higher number of children and young people in special schools than the national average.

Members from outside the Cabinet welcomed the plans for the new school as additional provision was needed in Worcestershire. The need for further future planning was emphasised.

Cabinet:

- a) Endorsed the work undertaken by Worcestershire Children First and the Department for Education in respect of the wave 14 process for establishing a Special free school in Worcestershire;**
- b) Noted that a final decision on the choice of sponsor academy trust for the new school rests with the Secretary of State for Education and is due to be announced during 2024;**
- c) Approved that the proposed location and site of the new school would be on the Poolbrook site in Malvern, agreed that the required land would be leased to the Secretary of State for Education to develop the**

- new free school on a 125-year lease, and authorised the Strategic Director of Commercial and Change in consultation with the CMR to agree the details of the lease;
- d) Approved the revenue funding set out in the report for the school places following the DfE intention for the new free school to open from September 2027. This is subject to the signing of the funding agreement between the Secretary of State for Education and the selected Academy Trust;
 - e) Noted the responsibilities that fall to the Council to meet abnormal site development costs; and
 - f) Noted that the statutory consultation under Section 10 of the Academies Act 2010 to enter into an agreement with the Secretary of State for Education to set up a free school rests with the chosen Academy Trust as part of the pre-opening phase.

2214 School Organisation and Education Sufficiency update including update on new Worcester City Secondary School

The CMR Education introduced the education sufficiency annual report and explained that the report brought the forward view of what mainstream and SEND school places would be needed across Worcestershire for the next five years, to ensure that the Council met its statutory duty to provide enough good quality school places. The statutory duty applied to mainstream places up to the age of 18 and for SEND up to the age of 25. Census and NHS information was used to review the sufficiency plan each year and was in turn used for negotiating with the DfE over school funding and with planning authorities around infrastructure such as new schools.

There were a number of challenges in Worcestershire resulting from a growing population, school organisation challenges, and evolving requirements to meet the needs of all children with special educational needs and disabilities (SEND), meaning that a continual programme of works was required to ensure the education estate evolves to meet the needs of Worcestershire families.

Additional funding, in excess of the current and forecast grant funding, to deliver the sufficiency of education provision would be required over the next 2 – 3 years.

The Council was able to meet its statutory duties relating to the provision of mainstream education places in 2022/23. For some children and young people with SEND there continued to be a lack of suitable education provision to meet their needs.

The report also provided an update on the progress of the new Worcester City Secondary school which was being built to address the shortfall in Worcester City and was scheduled to open in September 2028.

During the ensuing discussion, the following main points were noted:

- The plans for the new Worcester City Secondary School were welcomed.

- It was highlighted that there were also capacity issues in Bromsgrove which were creating major challenges. It was important to forward plan for future demand both in mainstream and SEND provision.
- There were concerns that the planning process for new houses didn't always deliver the funding that was required for education due to the many competing demands.
- With regard to the challenge to ensure small rural village schools remained sustainable, a Member suggested that decisions should be made on a rural basis.

Members from outside of the Cabinet made the following points:

- It was important to have more long term sustainable solutions for education sufficiency in Worcestershire.
- It was requested that the local member should always be advised of any changes happening to schools within their divisions.
- A briefing note was requested on the long term strategy for the 90 young people with EHCP's and no suitable placement – the CMR Education agreed to provide this.
- A Member referred to paragraph 63 of the agenda report and requested further detail about the complexity of the ecology, the linked biodiversity net gain requirements and highways capacity. It was agreed that a meeting would be arranged with the CMR Corporate Services and Communication.
- It was important to continue to lobby the Planning Authorities to ensure that education sufficiency was considered as part of the planning process.

Cabinet:

- Noted the updated annual sufficiency information for Mainstream school age and Specialist SEND education provision in line with the Cabinet decision in December 2018;**
- Noted the pressure on Mainstream and Specialist SEND educational provision and places, the Sufficiency duties highlighted in the reports and the indicative actions plans to address these pressures;**
- Noted the current and forecast education capital allocations and the financial pressure on the education capital programme to fund all the demands for additional provision and places, ahead of any further income from the Department for Education grants or Section 106 housing developer contributions;**
- Noted the work being undertaken to assess Early Years and Childcare sufficiency in light of the national expansion programme of childcare entitlements starting in April 2024 and noted a further report to Cabinet in Summer 2024 to detail sufficiency assessment and the actions being taken to respond to areas of sufficiency need;**
- Noted the progress to date on the Pershore Review, the next steps and noted a further report to Cabinet in 2024;**
- Approved the publication of the 2023/24 Mainstream and Specialist SEND Sufficiency reports as updates to the School Organisation Plan 2019 - 2024;**

- g) **Approved the publication of the 2024/25 Education Capital Investment Plan, that details how capital investment will be prioritised to meet education sufficiency needs;**
- h) **Approved (as detailed in paragraphs 51 – 72 of the report) to proceed with the delivery of the new Worcester City Secondary School including the revised timescales and that the Capital programme be amended for the increased costs to be funded by basic need grant with a recommendation to full Council. Other mitigations continue to be found within the Education Capital programme with further updates on progress included in future Resources Reports to Cabinet;**
- i) **Noted the development of a new Education Provision Strategy (formally School Organisation Plan) for 2025 – 2029 (date TBC); and**
- j) **Noted a further Cabinet report in 2024 to update the Education Provision Planning Obligations Policy to ensure it reflects the Worcestershire position with regards recent pupil yields from new housing developments, the latest forecasting methodology adopted in Worcestershire and updated DfE guidance.**

2215 Shrub Hill Quarter, Developer Procurement

The CMR for Economy, Infrastructure and Skills introduced the report and commented that the Council purchased the Shrub Hill Industrial Estate (SHIE) on 30 November 2020 through the delegation mandated in the 19 November 2020 Land Acquisition Cabinet paper.

In June 2021 an advisory group for developing the vision and leading the implementation of the Regeneration of Shrub Hill was formed. The representation was made up from Worcestershire County Council, Worcester City Council and Worcestershire Local Enterprise Partnership. This was not a formal decision-making body but provided consultative input to feed into the decision-making processes of the respective Councils. The Shrub Hill Quarter was a wider area than Worcestershire County Council's landholding and includes the Retail Park on Tallow Hill, Shrub Hill Station, Elgar House and the Cromwell Road Bus Depot.

The options for the site were detailed at paragraph 27 of the Agenda report. The CMR recommended Option 3:

Commence **procurement for a developer** to initially develop the Lower Yard in line with the Shrub Hill Blueprint, draft Supplementary Planning Document and Shrub Hill Vision with the ability to widen the development agreement for future phases of Shrub Hill and bring back a final recommendation to Cabinet for approval.

Cabinet:

- a) **Noted the feedback from the Soft Market Testing;**
- b) **Authorised the Strategic Director for Economy and Infrastructure in consultation with the CMR for Economy, Infrastructure and Skills to agree a set of evaluation criteria that reflect the Vision for Shrub Hill**

and County Council objectives set out in the Gamechanger 2 Land Acquisition Cabinet Paper;

- c) Authorised the Strategic Director for Economy and Infrastructure and the Strategic Director for Commercial and Change in consultation with the CMR for Economy, Infrastructure and Skills to commence the procurement of a developer for the Lower Yard (excluding Isaac Maddox House) of Shrub Hill Industrial Estate; and**
- d) Subject to a viable proposal, Cabinet receive a further report, including entering into a Development Agreement, following the procurement process.**

The meeting ended at 11.42 am

Chairman