

**Cabinet****Monday, 2 November 2009, County Hall, Worcester (10.00 a.m.)****Minutes****Present:**

Dr G H Lord (Chairman), Mr A N Blagg, Mrs E A Eyre (from item 10), Mr W P Gretton, Mr A I Hardman, Mr M J Hart (for items 1-3 and 8-11), Mr D W Prodger, Mr J H Smith

**Also attended:**

Mr R C Adams, Mrs S Askin, Mr M H Broomfield, Mr A E Davies, Mrs M L Drinkwater, Mrs P J M Morgan, Mrs F M Oborski, Dr K A Pollock, Mr C T Smith, Mr T Spencer, Mr D F O Thain, Mrs E B Tucker.

**Available papers:**

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the meeting of the Cabinet held on 17 September 2009 (previously circulated).

(A copy of document A will be attached to the signed Minutes).

**967. Apologies and  
Declarations of  
Interest  
(Agenda item 1)**

Apologies were received from Mr S J M Clee and Mr S E Geraghty.

Mr M J Hart declared personal and non-prejudicial interests in item 9 as a school governor of the special school in Wyre Forest and in item 10 as a school governor of Baxter College.

**968. Public  
Participation  
(Agenda item 2)**

None.

**969. Confirmation of  
Minutes  
(Agenda item 3)**

**RESOLVED:** that the Minutes of the meeting held on 17 September 2009 be confirmed as a correct record and signed by the Chairman.

**970. Children's  
Services 'Next  
Steps'  
Programme  
(Agenda item 8)**

The aim of the 'Next Steps' programme was, within a climate of reduced funding, to further develop and improve the Children's Service to ensure children, young people and their families or carers got the support they needed and at the right time. It was the ambition of Worcestershire Children's Service to become a top-quartile performing service by ensuring its work

contributed to the two overarching priorities of keeping children and young people safe and raising educational attainment and achievement.

The origins of the 'Next Steps' programme were to further integrate the Children's Service and deliver the Medium Term Financial Plan (MTFP) savings for 2010/11. As it was anticipated that local government funding would reduce in the coming years, these improvements would need to be made using less money. The 'Next Steps' work had therefore been extended to cover the MTFP period to 2014 and was planned to fit within the wider corporate agenda of the Council, in particular it would contribute to the BOLD (Better Outcomes, Lean Delivery) programme.

There were a number of underpinning principles which guided the changes required for the Children's Services. In March 2008, the Cabinet supported the principle of local commissioning of support services for children and young people. Both this and the development of the broader Children's Trust partnership through the Children and Young People's Strategic Partnership (CYPSP) informed and guided the direction of the Children's Service developments. Statutory guidance introduced last year in respect of 'Children's Trusts' required the establishment of a Children's Trust Board designed to ensure all partners coming together through membership of Children's Trusts across England were equally effective in driving the Children and Young People's Plan. Worcestershire was currently achieving these objectives. A report of the planned changes for Worcestershire Children's Trust Board and CYPSP constitution was scheduled for the February 2010 Cabinet.

The reconfiguration of the Children's Services Directorate as part of the 'Next Steps' programme would take account of the proposed Children's Trust arrangements. The 'Next Steps' programme built on work previously undertaken within the Children's Service as part of its annual service and financial planning processes. Further work had been undertaken to identify emerging themes and issues to take forward and six initial work streams had been scoped which would produce recommendations no later than March 2010. A Programme Board had been established and all six work streams had been identified to be included in the first phase of the BOLD programme and the 'Next Steps' programme would report to the BOLD Programme Board as required.

An indicative timeline for the programme was set out in the report. Trade union representatives, managers and other staff had been made aware of this work. A key part

of the programme would be a communication strategy and plan for staff, wider partners and service users.

**RESOLVED that:**

- (a) **the challenge facing the service during the current and next Medium Term Financial Plan (MTFP) period and the progress of the 'Next Steps' work to address this be noted;**
- (b) **the focus for future service prioritisation on the two key priorities of keeping children and young people safe and raising educational attainment and achievement be noted;**
- (c) **the direction of travel in respect of developing work with partners to provide early intervention and prevention support through a more localised approach in line with the broader Children's Trust partnership developments be endorsed;**
- (d) **the direction of travel in respect of the Children's Service developing its commissioning role by moving away from directly providing services as appropriate, to ensuring quality services are provided be endorsed; and**
- (e) **further reports through the BOLD (Better Outcomes, Lean Delivery) programme be received.**

**971. Proposed Consultation on a Revised Education Inclusion Policy Framework (Agenda item 9)**

As part of the Building Schools for the Future (BSF) programme, work had taken place on a range of policies in order to ensure that educational transformation could be embedded in practice through the new buildings and facilities being provided. In particular, it had been necessary to review, update and integrate the Council's policies for Children and Young People 0-19 (25) with a learning difficulty, disability, disadvantage or Special Education Needs (SEN) i.e. the Council's Education Inclusion Policy. Part of the BSF programme was the provision of a new 2-19 generic Special School tailored to meet age and learning specific needs.

**Education Inclusion Policy**

Work on revising and updating the current SEN and Education Inclusion policies in line with current DCSF regulations and guidance, the wider transformation agenda and initial ideas from the review of Children's Services had been taking place since January 2009. Whilst it was recognised that the vast majority of children and young people had their needs met in universal



settings, there would be a number who required more targeted or specialist support. A detailed needs analysis was therefore being undertaken which would inform the need for and distribution of specialist provision across the County. The strategy and provision would flow from the Policy Framework. It was therefore important that the Council undertook consultation with all stakeholders to ensure there was collective agreement to the Policy Framework.

### **Weekly Boarding Provision**

Evidence gathered supported the parental case that there was a requirement for additional residential provision in the north of the County for young people with complex learning needs. This proposed provision would fit the policy direction of meeting young people's educational needs within their local communities wherever possible. It was proposed that the new Wyre Forest Special School should manage the boarding provision which would be the same model successfully used by the Vale of Evesham Special School. Boarding provision would reduce the burden on families, and support young people's learning needs. By intervening earlier it would reduce the number of young people placed out of County. Rather than wait a further six months the Cabinet was asked to consider a formal consultation on this proposal. This consultation would also ask for the views of neighbouring local authorities.

The business case for developing increased capacity in County was that it would save money in the long term on out of County educational placements. The revenue funding for weekly boarding came from the Dedicated Schools Grant and would be delegated to the school to manage the provision. There would therefore be no additional call on the Council's resources but there may be a saving on travel and staff time as more young people would be provided for in County. As a spend to save initiative it was proposed that the Schools Forum be consulted specifically on the possibility of funding the capital costs of the proposed boarding provision through prudential borrowing.

SEN was identified as a priority area for scrutiny by the Overview and Scrutiny Performance Board on 10 September 2009. The Children and Young People Panel had a number of main areas of concern but noted that the revision of the Education Inclusion Policy was an opportunity for its concerns to be taken into account and it would do further work during the consultation period to ensure that the revised policy addressed these areas.

**RESOLVED that:**

- (a) going to consultation on a revised Education Inclusion Policy Framework be approved;
- (b) going to consultation on Weekly Boarding provision in North Worcestershire for pupils with complex needs be approved;
- (c) the Cabinet Members with Responsibility for Children and Young People be requested to review the consultation processes in advance of reporting back to the Cabinet;
- (d) neighbouring authorities be included in the consultation on weekly boarding provision to identify any potential opportunities for efficiencies through sub-regional provision; and
- (e) the Cabinet receives a separate report on each issue on the outcome of the two consultations.

**972. Pupil Admissions Policy for Community and Voluntary Controlled Schools and Home to School Transport Policy - Academic Year 2011/12 (Agenda item 10)**

**Admissions Policy Revisions for 2011/12**

Since approval of the 2010/11 admissions policy the Schools Adjudicator had undertaken a compliance exercise on all admissions policies against the requirements in the Admissions Code of Practice published in February 2009. A number of modifications had been introduced into the policy in relation to the detail of how distance measurements were taken (and the systems used) and the availability of copies of catchment areas for implementation in 2011/12. Overall the admissions policies in all the schools in Worcestershire were in line with the Code of Practice.

**Co-ordinated Admissions**

There were revised Regulations covering the admissions process for children being admitted to Primary and Middle Schools with effect from the 2011/12 academic year. As a result, a number of key alterations to the admissions process would affect the allocation of pupil places to Middle Schools. These variations would be incorporated in the schemes for co-ordinated admissions.

**Revisions to Published Admission Numbers (PANs)**

The Council kept under review the PANs of all community and voluntary controlled schools. In recent years pupil numbers had been falling across the County and the



strategy had been to remove surplus places. The birth rate had however held about steady after 2007 with perhaps a small increase (the latter most noticeable in the urban areas particularly in northwest Redditch, east of the river in Worcester City and east Kidderminster). Additionally, there were some early signs of the impact of the economic changes with a greater percentage take-up of places by some parents who previously would have considered private education. The Council had a responsibility to provide a school place if required and therefore some increases in PANs for 2011/12 were suggested for consultation.

### **Home to School Travel and Transport Policy 2011/12**

The introduction of the 14-19 diplomas across Worcestershire and their continued roll-out over the next 3-4 years had inevitably involved the introduction of new transport services to move students around to alternative establishments for their education provision. The methodology for provision of 14-19 transport was not currently covered in the Home to School transport policy. Transport was currently provided for 14-19 students using the same basic policy background as Home to School transport to ensure a consistency of approach. As 14-19 education provision often resulted in students travelling outside of their normal school catchment area, most students had received some sort of transport due to distance. It was not proposed to make any immediate changes for the inclusion of 14-19 transport within the Home to School transport policy but to aim for inclusion within the policy by 2012/2013 as this would allow work with partners to be developed to ensure there was a sustainable and affordable longer term strategy for 14-19 transport.

### **Performance Indicators**

There were key aspects of the admissions process which were regularly monitored and returns made to the DCSF e.g. number of applications received at the closing date, number of first preferences met and number of Admission appeals heard, dismissed and upheld. Details of Worcestershire's results over the last four years were set out in the report.

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

- (a) of the 15,000 admissions dealt with each year approximately two a year were found to be fraudulent applications;

- (b) it was clearly more difficult to gain a place at a school as a late applicant as all the places may already have been allocated;
- (c) around one in four admission appeals heard were successful;
- (d) it was important to consult on the variations to PANs, particularly where the Council could not support a school's request to vary it;
- (e) the reduction in PANs in parts of the Evesham area reflected the lower numbers of children coming through the system although it was acknowledged that the fact that Simon de Montfort Middle School was in special measures may also have had an impact;
- (f) the highest acceptable level of vacant places in primary schools was 12%, in middle schools 10% and in secondary schools 8%. This year the return for primary schools was 11% and for secondary schools was 6%.

**RESOLVED that:**

- (a) the current (2010/11) admissions policy, as modified to take account of the Schools Adjudicator's comments, be consulted upon for the academic year 2011/12;**
- (b) the proposed variations to the co-ordinated admission arrangements that bring Primary Schools in line with Secondary Schools as set out at Appendix 2 to the report, be consulted on;**
- (c) the list of revised Published Admission Numbers (PANs) for the academic year 2011/12 as set out in Appendix 3 to the report, be approved for consultation;**
- (d) the current (2010/11) Home to School Transport and Travel Policy be consulted upon for the academic year 2011/12 and the possible changes for 2012/13 as part of the 14-19 roll out of diplomas be noted; and**
- (e) the Performance Indicators for the operation of Admission Arrangements for Community and Voluntary Controlled Schools as set out in Appendix 4 to the report, be noted.**



**973. Fair Funding Consultation Outcomes 2009 - New Single Funding Formula for Early Years (Agenda item 11)**

The Council was required to consult schools and other consultees on any changes to the Fair Funding Formula. The Government announced in June 2007 that local authorities were required to design and implement across all sectors a single local formula for funding the free entitlement to Early Years (EY) defined as the existing provision for 3 and 4 year olds. In the Autumn Term 2007, consultees were initially alerted to the requirement for a new local needs led Single Funding Formula (SFF) for EY and that there would be a period of consultation. This change was to cover provision across all providers in both the Maintained and Private, Voluntary and Independent (PVI) sectors. However, as this change was to take place during the current 3-year multi-budget period there was a requirement for further specific consultation on the detailed proposals.

A consultation document had been widely circulated and three area meetings also held. The consultation paper provided information on the statutory changes that the DCSF were introducing at a national level for the EY funding contained within the Dedicated Schools Grant (DSG). In total, consultees were requested to respond to nine questions (as set out in Appendix 1 to the report) that related to specific issues for the introduction of the new SFF for EY. Recommendations resulting from the consultation were detailed in Appendix 2 to the report.

The current budget for delivering the free entitlement for 3 and 4 year olds in 2009/10 was £16m. This consisted of £3m in the maintained and £8.5m in the PVI sector resourced from the DSG, together with £4.5m of Standards Fund Grant to support the increase to 15 hours of free entitlement and the introduction of flexible provision. At the strategic level, the current advice was that the above funding streams would continue until the end of 2010/11. However, given the DCSF review of the DSG and all grant funding streams to be introduced from April 2011, there was uncertainty on both the overall funding levels and the likely amounts to support early years and the free entitlement.

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

- (a) for the maintained sector, the significant financial implication would be the change from place-led to participation-led funding;
- (b) take up of early years provision was not statutory and therefore assessment of the number of children and hours could only be made by consideration of

historic data. This made it very difficult to forecast budgetary needs;

- (c) it was not known if the sum of £16m currently available in 2009/10 would continue after this period;
- (d) initial indications for the future were that the Standards Fund Grant would be mainstreamed into the DSG.

**RESOLVED that having regard to the consultation undertaken in June and July 2009 and the endorsement of the Worcestershire Schools Forum, the changes to the schools' funding formula to introduce a new local needs led Single Funding Formula for Early Years from April 2010 as outlined in Appendices 1 and 2 to the report be approved.**

**974. Consultation on the Future of Pershore Day Centre (Agenda item 4)**

Following formal consultation and the identification of significant under-occupancy at Pershore Day Centre and two Day Centres in Worcester, the Cabinet on 8 February 2009 approved a recommendation to close Perryfields Day Centre and Pershore Day Centre and reconfigure Cherry Orchard Day Centre. Perryfields Day Centre had subsequently closed and Cherry Orchard Day Centre had been refurbished to allow the service to meet the needs of combined Perryfields and Cherry Orchard service users. However, permission to seek Judicial Review of the Council's decision to close Pershore Day Centre was granted to three of the four service users of the Centre.

The decision to close the Centre was quashed. The Judge found that the consultation exercise in relation to Pershore Day Centre had been conducted appropriately and was lawful. The Judge found that the Council was entitled to have regard to the high cost of places at Pershore Day Centre when making a decision about it. The Judge did not find that the needs of the service users could only be met at the Centre or that they could not be met at alternative day centres in the County, but in order to be satisfied that their needs could be met at an alternative centre a detailed analysis of their needs and the support required to meet them would be required.

Since the Judicial Review there were now only three people receiving support at Pershore Day Care Centre. In the light of consideration of the most appropriate service model to meet the needs of people with profound and multiple learning disabilities and the high cost of the current provision it was proposed to look again at future options for the Centre and the necessary support there. If this approach was approved a range of factors would

need to be considered as part of this process.

The Director of Adult and Community Services had met with the parents of the Pershore Day Centre service users and with the local member. He advised the parents that authorisation from the Cabinet would be sought to look again at options for Pershore consulting with the users and their parents and carers to establish what those options might be. He gave a commitment that full Community Care Assessments would be undertaken for the three men at the Centre, and that a wide range of options would be considered for the future of the service.

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

- (a) the current intention was that the report brought back to the Cabinet would not be proposing a preferred option but would provide a number of options for the Cabinet to look at before further consultation took place;
- (b) the Director of Adult and Community Services confirmed his intention to continue to work closely with users and their parents and carers in order to take on board all their views in determining the future of the Service;
- (c) the local member commented that a detailed assessment of the needs of users, particularly in terms of staffing requirements for their care, was necessary this time round together with better clarification of the financial aspects of any proposals;
- (d) the Director of Adult and Community Services clarified that the exact legal costs arising from the Judicial Review were as yet unknown;
- (e) the emphasis in identifying and developing options should be the specific health and social needs of the three service users at Pershore and how these needs could most appropriately be met.

**RESOLVED that:**

- (a) the outcome of the Pershore Day Centre Judicial Review be noted;**
- (b) that it be noted that options for the future of Pershore Day Care Centre may be reconsidered; and**

**975. Being Different Together Project (Agenda item 5)**

- (c) the Director of Adult and Community Services be authorised to identify and develop the detail of the available options with a view to presenting a further report to the Cabinet.**

The County Council was working in partnership with the six District Councils on the Being Different Together Project. The project had successfully applied for £230,000 which would be used for a range of initiatives which would support capacity to engage with and deliver services to diverse communities, drive more collaborative working, and avoid duplication amongst the seven Councils in Worcestershire, each of which had the same statutory requirements in relation to equality and diversity. The benefits of the project were set out in the report. The project had a number of stages and would end in March 2010.

The first stage was to produce a mapping report to gather information about communities in Worcestershire. Waterhouse Consulting Group were commissioned to consider the population by the six equality strands, looking at their housing tenure, household makeup, employment opportunity, income, and to identify their perceptions and aspirations. In addition, they evaluated the performance of the seven Councils on equality and diversity and recommended how they should work together to meet the needs of communities. The Waterhouse report contained 26 recommendations. The Corporate Equalities Board had developed responses to each recommendation.

The Project Steering Group for the Being Different Together project had highlighted five specific key recommendations which it was asking all seven Councils to adopt at this stage. By working together the Councils were demonstrating a more efficient way of supporting equality and diversity work across the County. In addition to the mapping report, the project had invested £48,000 into community engagement projects within the Districts, and £33,000 had been allocated for training on equality and diversity. The project would also fund the Diversity Peer challenges for all seven Councils and support from I&DeA on the Equality Framework for Local Government.

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

- (a) the Director of Adult and Community Services reported that so far, Bromsgrove and Malvern Hills District Councils had approved the proposals. The other District Councils would be considering the



mapping report and recommendations over the coming months;

- (b) in terms of the continued resourcing of this work, it was anticipated that the County Council and District Councils would attempt to work within existing resources after the end of the project grant in 2010 and that any efficiencies realised as a result of the project would be considered for either reinvestment or savings.

**RESOLVED that:**

- (a) **the report prepared by Waterhouse Consulting Group be noted; and**
- (b) **the response to the report's recommendations as set out in Appendix 2 to the report to Cabinet be adopted.**

**976. Scrutiny Report:  
Tackling Climate  
Change  
(Agenda item 6)**

The former Overview and Scrutiny Steering Committee (OSSC) agreed to undertake a scrutiny on climate change following an online poll asking for the public's views on which issue the Council should scrutinise. A scrutiny task group was established in September 2008 with the following terms of reference:

- to find out people's views on what they thought the County Council should be doing to combat the effects of climate change
- to identify gaps between this and what the County Council was already doing to combat the effects of climate change
- to identify the top priorities
- to contribute to (not duplicate) the review of the Climate Change Strategy due to be agreed in January 2009
- to establish how climate change related to the County Council's Corporate priorities.

In reaching its conclusions and recommendations the scrutiny task group heard from a wide range of people. The Tackling Climate Change Scrutiny report was published in April 2009, agreed by the OSSC on 28 April 2009 and initially considered by the Cabinet on 7 May 2009. The Cabinet believed that, as major issues were raised in the report, it was inappropriate just prior to the Council Elections in June 2009 to deal with the recommendations within it. The Cabinet Member with Responsibility for Planning Economy and Performance recommended that the report should be considered by the new Cabinet early in the life of the new Council so that the financial and corporate implications of recommendations

could be factored into the future Corporate Plan and budget deliberations.

As the recommendations of the Scrutiny Report worked across a number of different directorates, the relevant Cabinet Members' responses to the Report had been co-ordinated and collated into one document.

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

- (a) Dr Pollock presented the Scrutiny Report and reminded members that the Council had already been awarded Climate Change Beacon Status in 2008 for its positive actions in this area and it was encouraging that the Council wanted to do even more;
- (b) the Cabinet Member with Responsibility for Waste and Sustainability led on the response to the Scrutiny recommendations highlighting in particular the Council's support for the transition movement and the proposal to employ an Energy Manager;
- (c) it was acknowledged that the appointment of an Energy Manager should provide savings. However, regular scrutiny of the work the Manager carried out would be necessary to ensure those savings continued to be realised;
- (d) it was clarified that any decision to become a transition authority was an executive one and therefore would be for the Cabinet to make;
- (e) the Council had made very good progress in reducing carbon emissions. However, work in this area was likely to become more challenging as continued success would probably require behavioural changes.

**RESOLVED that:**

- (a) the scrutiny report on Tackling Climate Change, together with the responses from the relevant Cabinet Members with Responsibility be received; and**
- (b) the scrutiny report be welcomed and the response of the relevant Cabinet Members with Responsibility be adopted as the way forward.**



**977. Notice of Motion -  
Climate Change  
(Agenda item 7)**

Having been moved and seconded, the following Notice of Motion standing in the names of Mrs E B Tucker, Mr T A L Wells, Mrs P J M Morgan, Mr C T Smith, Mrs S Askin, Mr T J Bean and Mr S Brown stood referred to the Cabinet from Council on 1 October 2009 for advice before returning to Council.

"In view of our Beacon Status on climate change and Dr Lord's having recommitted the Council to the Nottingham Declaration, Council requests that Cabinet gives serious consideration to signing up to the 10:10 Campaign which will commit us to reducing our carbon footprint by 10% by the end of 2010. Council further requests that Cabinet considers resolving to urge all County Council suppliers and all local schools to join us in signing up to the campaign."

The decision as to whether to sign up to the 10:10 Campaign was one for the executive i.e. the Cabinet. However, Council was seeking advice as to whether it should recommend such adoption. The Cabinet was therefore being asked to advise how Council should determine the Motion and the desirability of signing up to the 10:10 Campaign.

The 10:10 Campaign, launched in September this year, asked individuals and organisations to sign up to reducing their carbon dioxide (CO<sub>2</sub>) emissions by 10% in 2010. The Campaign recognised that organisations that had already made significant cuts in CO<sub>2</sub> may find it virtually impossible to achieve a 10% cut in 2010 and in this case it was asked that they make a commitment to reduce emissions by at least 3%. Local authorities were asked to use NI185 (National indicator, CO<sub>2</sub> emissions from Council operations) figures for reporting to the Campaign which would mean that the Council would report to the 10:10 Campaign on reductions made during 2010/11.

The Council's carbon management programme began in 2003 with support from the Carbon Trust. A 52% reduction of CO<sub>2</sub> emissions from 2002 – 2008 was recorded. With the advent of NI185, the Carbon Reduction Commitment and the recent Climate Change Scrutiny, it was felt a good time to review the carbon management programme. The Council had successfully applied for support from the Energy Savings Trust (EST) to help do this. This programme was likely to focus on reducing emissions caused by energy use in buildings, fleet and business mileage and street lighting; the emissions that would be reported via the 10:10 Campaign.

The recent climate change scrutiny report detailed much of the activity that had already taken place to reduce the Council's CO<sub>2</sub> emissions. A number of further measures would need to be in place in order to achieve significant CO<sub>2</sub> reduction; many of which were recommended in the Climate Change scrutiny report. While some measures would initially require extra resource, all should mean financial (as well as CO<sub>2</sub>) savings over time.

It was recommended that the Council signed up to the Campaign and aim to reduce emissions for 2010/11 by at least 3% from 2009/10 figures. This would still be demanding. Adopting a reduction target through the high profile 10:10 Campaign would be an excellent way of adding impetus to the EST "one to one" support programme the Council was shortly due to start. It was also recommended that the Council encouraged all schools and partners to sign up to the 10:10 Campaign.

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

- (a) the Mover of the Notice of Motion briefly introduced it and was delighted that the Cabinet intended to sign up to the 10:10 Campaign;
- (b) the Head of Legal and Democratic Services clarified that the decision whether to sign up to the 10:10 Campaign was one for the executive i.e. the Cabinet. The Council had sought advice as to whether it should recommend such adoption back to Cabinet. The Cabinet's decision and advice would go back to Council for it to determine the Notice of Motion. Clearly, any Cabinet decision to sign up to the 10:10 Campaign went to the heart of the Notice of Motion and Council would have to take that into account;
- (c) the proposal to sign up to the 10:10 Campaign immediately was warmly welcomed. A 3% reduction was more appropriate given the progress the Council had already made;
- (d) in order to make a real impact, it was felt by some that all schools and partners (including suppliers) should sign up to the Campaign;
- (e) it was suggested that the Notice of Motion should specify the period for reducing the carbon footprint;
- (f) the Leader considered that the proposed resolution was right, and no further action was required of the



Notice of Motion to flow from.

**RESOLVED: that the Cabinet**

- (a) signs up to the 10:10 Campaign and because of its recent achievements for which the Council was awarded Climate Change Beacon Status the Council should aim to make carbon reductions at the 3% level; and**
- (b) recommends to Council that this is the most appropriate course of action to take in response to the Notice of Motion.**

**978. Highway Policies for Residents' Parking and Speed Management Strategy (Agenda item 12)**

**Residents' Parking Schemes Policy**

A residents' parking scheme was a means of controlling on-street parking through the issue of permits to residents together with provision for short-term parking. The policy had been altered to reflect the fact that the enforcement authority in connection with such schemes could now be altered from the Police to second tier authorities through Civil Parking Enforcement legislation. Consultation with key stakeholders had been undertaken including the police and second tier authorities for their comments which had been incorporated into the policy. Further scheme specific consultation would be carried out prior to implementation of any scheme.

**Speed Management Strategy**

The speed management strategy was produced following Government direction in 2005-6 to provide consistency and reduce accidents. Consultation had been carried out on the Strategy with numerous parties. As a result, an updated Strategy had been produced. Additional scheme specific consultation would follow the normal traffic regulation order consultation process. Implementation of this Strategy would allow the Council to pursue a reduction in road casualties through a series of engineering, enforcement and education measures. Additionally, it identified a review of speed limits to ensure consistency, which should improve compliance to further reduce road casualties.

**RESOLVED that:**

- (a) the revised residents' parking scheme policy as set out at Appendix 1 to the report be approved; and**
- (b) the speed management strategy as set out at**



**Appendix 2 to the report be approved.**

**979. Winter Service Policy (Agenda item 13)**

The current Highway Maintenance Policy, derived from the Code of Practice for Highway Maintenance, was approved by the Cabinet in September 2005 and included a section on Winter Service. The Winter Service budget was £1.25m annually. The revised Winter Service Policy updated the current policy and revisions had been carried out with reference to other highway authorities and accepted good practice through active participation in the Midlands Service Improvement Group.

Changes to the policy were at the margins and were as a result of experience delivering the service and securing operational effectiveness. The revised policy also made provision for reciprocal arrangements with neighbouring authorities. In addition, following the national salt supply shortage in February 2009, the capacity of rock salt held in stock had been increased (purchased in advance at summer supply rates). This had been achieved using existing covered salt barn storage. This provided an acceptable level of resilience for events that, in the case of events in 2009, had not occurred for 20 years.

There had been some necessary additions to precautionary gritting route lengths due to changes in the policy that had been accommodated by reconfiguring existing routes and without needing to increase the number of routes. Almost all routes were operating on the limit of capacity. There was no significant financial implication. The refinement of grit bin assessment to better target resources to where they were most beneficial was expected to increase provision in some locations and this would need to be off-set by removal of provision that was not in accordance with existing and the revised policy. The financial implication was expected to be neutral. There was insufficient revenue resource to increase the overall provision of grit bins.

**RESOLVED that the revised Winter Service Policy as set out in Appendix 1 to the report be approved.**

**980. Money Matters (Agenda item 14)**

**Budget Monitoring and Revised Cash Limits for 2009-10**

The pay award of 1% from 1 April for local government staff had now been agreed and would result in a reduction in the use of the Council's general reserves of £1.374m. Directorate revenue cash limits for the current financial year had been adjusted to reflect this change. Treasury management operations continued to indicate that there would be a favourable variance this year in the region of £1.9m. The Council's share of the operating

surplus from West Mercia Supplies Joint Committee was still in line to rise by around £0.4m. Other Directorate budget pressures were being managed within the revised cash limit together with the one-off use of Directorate reserves. The Council had been successful in bids for funding from the following: Future Jobs Fund; Connections to Opportunities and Transferable Skills Project.

The Council was to embark on an extensive review of services to meet the curbs that would be placed on public spending. It was proposed to earmark reserves of £1.7m (from the favourable financial variation mentioned earlier) to be used on the reshaping and redesign of services with the aim of reducing budget requirements over the period 2011 to 2014 by around £45m. Ring fenced and time limited funding over a three year period would provide the staffing flexibility essential to achieving better outcomes and lean delivery systems to service users within the extremely demanding curbs on public expenditure that were expected.

### **Capital Programme Update**

The Department of Transport had approved capital grant funding of £2.150m in 2010/11 for structural maintenance work on detrunked roads within the County for the A449 - Ombersley Bypass Bridge and the A449 - Talbot Bridge. A joint scheme with Wychavon District Council had been developed for significant improvements to Evesham High Street. The overall cost of this scheme was £1.352m and would be funded from a number of sources.

### **Treasury Management - Half Yearly Progress Report**

Total Council debt outstanding stood at £225.7m at 30 September 2009, well within the Capital Financing Requirement estimated for 2009/10 of £380.8m. The shortfall was temporarily funded by cash backed reserves and working capital. The level of debt reduced from £266.7m during the half year. Seven PWLB loans totalling £41m were repaid from April to June 2009.

The temporary lending transactions for the first-half of 2009/10 of the Council's cash balances were summarised as follows:

	<b>£m</b>	<b>£m</b>
<b>Balance at 01/04/2009</b>		73
Investments made during the half-year (198)	1,239	
<b>Less</b>		
Investments recalled during	1,232	

The average rate earned on investments during the first-half of 2009/10 was 0.47%. The gross interest earned on investments totalled £0.390m. There was a favourable variance on the capital financing budget of £1.9m.

### **Pension Fund - Half Yearly Progress Report**

Pension fund activity in the last financial year had produced a surplus of around £40.4m. The value of assets in the fund at 31 March 2009 was £920.9m. In the current year indications were that an accounting surplus of around £40m or so was likely. The value of assets in the fund at 9 October 2009 was £1.223 billion. The fund value had recovered £390m (46.8%) since a low point of £833m on 6 March 2009. The next statutory actuarial review took place at 31 March 2010. Although the pension fund continued to have positive cash flows and was likely to do so for the foreseeable future this was unlikely to be the case indefinitely. The actuary's latest informal guidance on the long term liability of the fund was in the region of £1.8 billion.

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

- (a) it was felt to be a prudent measure to realign the budget in the light of the lower pay settlement;
- (b) the pension fund was currently at a reasonably high level. However, the level may well fall in the future given that the pension fund was an extremely long-term scheme and therefore was inevitably subject to some short term variances;
- (c) under Section 106 agreements, where developer contributions were made available to support County Council infrastructure the funding should go directly to the County Council through the developer agreement and be used for the particular purpose specified. Such contributions were for specific purposes and were not part of a 'nest egg' to be used for other purposes;
- (d) it was essential that any spending as a result of successful funding bids needed to be monitored carefully to avoid duplication;
- (e) the Director of Financial Services clarified that the favourable variance on treasury management and

the Council's share of the operating surplus from West Mercia Supplies Joint Committee would flow into reserves whilst the staff pay award would result in a lower call on reserves. He therefore concluded that reserves were unlikely to fall during 2009-10.

**RESOLVED** that the Director of Financial Services' conclusions be endorsed concerning:

- (a) **budget monitoring and that Council be recommended to approve revised cash limits for 2009-10 as set out in the Appendix to the report, together with the earmarking of reserves of £1.7million to be used in accordance with paragraph 8 of the report;**
- (b) **the Capital programme update and that Council be recommended to approve the new capital schemes;**
- (c) **Treasury Management – half yearly progress; and**
- (d) **the pension fund – half yearly progress.**

**981. Waste Core Strategy for Worcestershire - Emerging Preferred Options (Agenda item 15)**

The Waste Core Strategy was the statutory planning document for how all the wastes produced in Worcestershire would be managed. Once adopted, the Waste Core Strategy would be a statutory "Local Development Document" and part of the Development Plan for Worcestershire. This meant that it would be taken into account by the City, Borough and District Councils in the county in their decision making and used by the County Council to determine planning applications for waste management related development. It would cover the whole of Worcestershire and apply until at least 2027, although in practice it should be regularly reviewed.

In accordance with the timetable in the Local Development Scheme for Worcestershire, endorsement to consult over a twelve week period on "Emerging Preferred Options" was sought. A Submission Draft should be ready for referral to the Cabinet late in 2010. The Emerging Preferred Options took into account the considerable work undertaken previously on an earlier draft of the Strategy, the lessons learned from other Councils and in particular included much more technical work. The proposed emerging Strategy also had to comply with national and regional planning policy. It was emphasised however, that this was only a stage in the development of the Strategy. It presented preferences and referred to alternatives and invited comment and



asked questions. It did not represent and was not presented as any final position, only emerging ideas which would be worked up into Preferred Options for further consideration by the Cabinet.

The Joint Municipal Waste Management Strategy (JMWMS) was a separate plan setting out how all six of the City, Borough and District Councils in Worcestershire and Herefordshire (Unitary) Council would collect municipal waste and how the County Council and Herefordshire Council would dispose of it between now and 2034. The JMWMS and Waste Core Strategy did however take account of each other.

In the ensuing discussion, it was noted that there would be 12 weeks consultation between November and February 2010, and the Strategy would eventually go to Council for approval.

**RESOLVED that the proposal to consult the public on the Waste Core Strategy for Worcestershire: Emerging Preferred Options report be endorsed.**

**982. Proposed Policy -  
Community  
Management and  
Ownership of  
Assets  
(Agenda item 16)**

The White Paper Strong and Prosperous Communities set out a clear direction to enable local people and local communities to have more influence and power to improve their lives by giving people a bigger stake in the future of their areas. The Government saw community management and ownership of assets as one mechanism by which communities could be empowered. In May 2007 'Making Assets Work - The Quirk Review of Community Management and Ownership of Public Assets' was published. It recommended ways to create an environment to encourage more community management and ownership of assets. The Government's response to the Quirk report set out some specific actions to be delivered as part of a co-ordinated implementation plan. The emphasis of the report was to promote a change in culture rather than introduce more legislation through the publication of new guidance.

In response, the County and Districts' Chief Executives Group commissioned a project to consider the legal and financial implications for Councils in Worcestershire in responding to communities' requests for community asset transfer and to consider whether the process and criteria used in decision-making and the range of options available to community organisations could be standardised across Worcestershire Councils. At present within the County Council such requests were dealt with by the Head of Property Services.



The Worcestershire Councils' Project Group had been established. The aim was for Councils to have the appropriate approvals process for the Policy and related Appendices completed by the end of 2009. The Project Group recognised that there was already a significant body of practice in Worcestershire on which to build and it had shared best practice and learnt from experience across the Councils of previous examples of asset transfer and sale in Worcestershire. The Councils had worked together to produce a draft Community Management and Ownership of Assets Policy. The policy covered scenarios where the management/ownership of a building, or piece of land was required by a Voluntary or Community Sector (VCS) organisation in order to promote a particular community benefit. The policy set out that the Councils would deal with all proposals for asset transfer on a case-by-case basis, but with a common methodology.

The policy recognised that the asset transfer decision was essentially a choice between: retention of the asset; the expenditure on other services or priorities made possible as a result of a purely 'commercial' disposal and the benefits generated by the transfer of the asset to the community. In assessing proposals for asset transfer the Council would want to carefully consider the relative risks and benefits of these options. In order to make this assessment a clear business case was required.

The Worcestershire Infrastructure Consortium (WIC), a consortia of 12 voluntary organisations that provided infrastructure support (e.g. governance, funding, quality assurance etc) to voluntary and community sector organisations across the County, were invited to comment on the Draft Policy and a number of changes were made to the draft documentation in response to this. It was proposed to review the documentation in the light of operational experience and in any case to have a "light touch" review after six months and a more formal process after the first year.

In the ensuing debate, it was queried whether the Quirk report was that relevant to this Council with its very efficient asset management, but it was right to have a policy setting out how we would approach matters.

**RESOLVED that:**

- (a) the proposed Policy on Community Management and Ownership of Assets (as set out at Appendix 1 to the report) be endorsed;**

- (b) it be noted that other Councils in the Project Team will be asked to endorse this Policy;**
- (c) the views of Worcestershire Infrastructure Consortium and the response of the Project Team on this Policy be noted; and**
- (d) the intention to review the Policy in the light of operational experience be noted.**

The meeting ended at 11.47am

Chairman .....