

**Cabinet****Monday, 20 December 2004, County Hall, Worcester (2.00 p.m.)****Minutes****Present:**

Dr G H Lord (Chairman), Mr C R Beardwood, Mr A E Davies, Mrs E A Eyre, Mr J L Gordon, Mr A I Hardman, Miss J A H Longmuir, Mr P J Pinfield, Mr V J Smith, Mr T A L Wells.

**Also attended:**

Mr J W Buckley; Mr P G Carter; Mr R Clayton; Mrs P E Davey; Mrs M L Drinkwater; Mr P H Fallows; Mr M H Martin; Mrs P M Norton; Mrs B Passingham; Mr T G Porter; Mr E J Sheldon; Mr J H Smith; Mrs E B Tucker; Mr J R Webb.

**Available papers:**

The Members had before them:-

- A. The Agenda papers and Appendices referred to therein (previously circulated);
- B. Additional Urgent Item 11 relating to Property Rationalisation – Bridgewater House, Worcester (previously circulated);
- C. Scrutiny Report - 'Safer Routes to Schools' (previously circulated);
- D. The Minutes of the meeting of the Cabinet held on 9 December 2004 (previously circulated).

(A copy of documents A -C will be attached to the signed Minutes).

**408. Chairman's  
Announcement**

The Chairman referred to the recent announcement from the Audit Commission that Worcestershire County Council had achieved an 'Excellent' rating following a Comprehensive Performance Assessment inspection. The Chairman and the Cabinet congratulated all the members and officers of the Council on this sterling achievement.

**409. (Agenda item 1)  
Declarations of  
Interest**

No interests were declared.

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

Speaker

Subject

- Mrs Jenny Oliver  
(Alexander Patterson  
School) Concern about  
replacement provision  
following the closure of the  
school.
- Mr Stephen Jackson  
(Chairman of Governors  
Thornton House  
School) Need for clarity on future  
provision before changes  
are made.
- Mrs Carole Johnson  
(Thornton House  
School Parents' Action  
Group) Need for clarity on future  
provision before changes  
are made.
- Mrs Mary Dhonau  
(Thornton House  
School Parents' Action  
Group) Need for clarity on future  
provision before changes  
are made.

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

**RESOLVED: that the minutes of the meeting held on 9 December 2004 be confirmed as a correct record and signed by the Chairman.**

**412. (Agenda item 4)  
Wyre Forest  
Schools Area  
Review**

The Cabinet had before it a report describing a consultation being undertaken jointly between the County Council and the Worcester Diocesan Board of Education. The report focussed on the nature and extent of Church of England involvement with schools within the Wyre Forest Area and how these links would be affected by the Wyre Forest Schools Area Review. Concern had been expressed previously about retaining the balance within the area between Community Schools and Church Schools and this was addressed in some detail within the consultation document.

The report also set out developments since the meeting of the Cabinet on 5 July; essentially this related to Church status schools in the secondary sector, and the proposal that Wolverley High School should become a Church school rather than the previous proposal that it should be Baxter College.

In the ensuing discussion the following main points were raised:-

- it was proposed that the LEA's preferred option for a Church secondary school in Wyre Forest should be on the Wolverley High School site;

- that arithmetical formulae ought not to be the sole determinant of denominational places and schools. It was suggested that if there was support for both church school status at the Marlpool site and also the Windmill site in Stourport then this should be supported;
- regret that formal church school status could not be established at Baxter College with the broader aim of achieving new and comprehensive community support and improvement schemes;
- no school, or school community should have church status imposed upon it against the wishes of local people;
- the Council and the Diocesan Authorities should strive to achieve concord so as to begin the implementation of the proposals resulting from the Review in the Wyre Forest area.

**RESOLVED: that:-**

- (a) the establishment of an 11-18 Voluntary Controlled Church of England Secondary School on the Wolverley High School site be supported;**
- (b) the response to the consultation paper issued by the Worcester Diocesan Board of Education as set out in Appendix 1 to these Minutes be approved; and**
- (c) the Director of Educational Services be authorised in consultation with the Cabinet Member with responsibility for Education and Lifelong Learning to agree any further amendments to the Wyre Forest proposals agreed by Cabinet on 11 November 2004 which may be required as a result of the consultation being undertaken by the Worcester Diocesan Board of Education.**

**413. (Agenda item 5)  
Review of  
Special  
Educational  
Provision in  
Worcestershire -  
South  
Worcestershire  
Area**

The Cabinet had before it a report which set out the background to the review of special educational provision across the Authority.

The report explored in some detail the current provision in both Worcester City and South Worcestershire and also the proposals considered at previous meetings.

The report included the proposed timeframe for the implementation.

The proposed timetable had been discussed with the Headteachers of the three special schools within the city of Worcester and the newly formed SEN Implementation Advisory Group. The overall timescale had been accepted along with the acknowledgement of the need for rapid early action in terms of proposals for closure in order to maximise the time available for planning, building and development. The proposed timeframe extended from publication of statutory notices in January 2005 to the new schools opening in September 2007.

The report clarified that if the proposals were not agreed by the SOC then in April 2005 the proposals would be referred to the Schools Adjudicator for decision. There would be a minimum of a six-week period before any decision was known. The timetable would then be rescheduled accordingly.

The report also included the financial implications of the proposals. In addition, the Cabinet had also previously received representations from the public under Minute Number 410 above generally expressing unease at the planned implementation programme.

A discussion ensued during which the following principal points were made:-

- there was growing unease, both in the community and amongst councillors, that the agreed strategy for change was being implemented without due diligence. There was a feeling that this was particularly true given the pupils who would face this change;
- some disquiet was expressed about the lack of financial detail contained in the report which might have been used to illustrate that the County Council was committed to providing an improved and enhanced service to pupils with special educational needs. It was explained that it was normal practice to provide only headline figures in reports of this kind and some members commented that Cabinet members could always seek more detail from officers before meetings took place;
- that the SEN Implementation Advisory Group could and should be used as a vehicle for laying to rest many of the concerns and for reaching consensus on achieving the best operational outcomes from the Review proposals. There was also some disquiet about the composition of this Group;
- that whilst the overall policy decision had already been taken and 'no change' was now an option dismissed by the Council, implementation should be considered

in a careful and measured way. Indeed it was suggested that there would be some merit in further consultation with key stakeholders to ensure the greatest possible support on the way to implement the changes;

- it was therefore proposed that consideration of the implementation programme for the proposals be deferred to the next meeting in February 2005.

**RESOLVED:** that, following the overall policy decision made at the Cabinet meeting on 15 July 2004, consideration of the planned implementation programme be deferred until the Cabinet meeting in February 2005 to allow further consultation with key stakeholders to take place.

#### 414. (Agenda item 6) Budget Policy

The Cabinet had before it a report setting out the draft revenue budget and Council Tax proposals.

The report set out a proposed budget policy framework to form the basis of consultation during January and early February prior to the submission of the final budget proposals to the Council on 17 February 2005.

The significant risks which could have implications for the Council's financial standing were also outlined. The current year's net revenue budget had been set at £453.345m. The general working balance stood at £13.630m on 31 March 2004. Specific reserves and provisions stood at over £34m with a further £14m held on behalf of schools.

The Cabinet had received regular reports on financial progress throughout the year. The report also:-

- provided details of those main areas where there were variations;
- illustrated the funding consequences of the proposed budget policy, highlighting areas of service and cost pressures, efficiency measures and some refinement of priorities;
- referred to an anticipated £1.5m Performance Reward Grant through completing the first round of the Local Public Service Agreements;
- outlined the proposed budget consultation arrangements;
- suggested a Band D Council Tax rise of 4.25% or so; and
- the main points of the Government's provisional financial settlement for local government for 2005/06 announced on 2 December 2004.

In the ensuing debate the following principal points were made:-

- thanks were offered to the Director of Financial Services and his staff for their work in delivering a draft budget statement for consultation in the time allowed, given that the Government had delayed its announcements by about a month;
- that the document before the Cabinet attempted to address the anomalies and vagaries of Government funding system;
- the proposals strengthened the Council's commitment to provide the best possible services for the people of Worcestershire;
- that there was little in the budget proposals to challenge and much work had been done to listen to the views of members from across the political spectrum;
- the proposals before the Cabinet were a good vehicle for consultation, a consultation which would inform the final decision-making process in February;
- it was proposed that the Council should restate its commitment to encouraging and maximising benefit take up by people entitled to it.

**RESOLVED: that the Cabinet**

**(a) consults on:-**

**(1) the following policy towards next year's budget and beyond:**

- (i) priority will be given to the work of schools (including early years provision) and supporting the raising of standards;**
- (ii) the Social Services budget will continue to be strengthened in real terms;**
- (iii) the restoration and improvement of the county's roads will be continued;**
- (iv) increasing emphasis will be given to strengthening budgets for Community Safety and the Youth Service (including the promotion of the arts to young people);**
- (v) efficiency measures will be promoted through sound service delivery planning, staff development and training productivity improvement, focused performance**

measurement and strengthened capacity;

(vi) the real purchasing power of current revenue budgets will be preserved over the life of the Council;

(vii) budgets will be set at realistic levels recognising that the Council faces complex risks that need prudent management;

(viii) it is intended that the rate of increase in the council tax moderates in 2005/06; and

(ix) to continue to encourage and maximise benefit take-up by people entitled to it.

(2) a consequential council tax rise in 2005/06 of 4.25% or so.

(b) informs the Deputy Prime Minister that the Council disagrees with his proposals:

(i) to continue not to recognise Worcestershire as being part of the greater West Midlands labour market for the purposes of calculating Area Cost Adjustment; and

(ii) to use retrospective legislation to claw back Revenue Support Grant (RSG) of £1.099 million for 2003/04 that has been used in good faith consistent with Government priorities.

#### **415. (Agenda item 7) Local Management of Schools**

The Cabinet had before it a report setting out proposed changes to the schools' funding formula and scheme 2005/06 consequent upon the required annual consultation. The report summarised the consultation results especially the role played by the Schools Forum. The conclusion of the report highlighted that there was no strong desire for further delegation and drew attention to disagreements raised during the consultation particularly High Schools not supporting the Year 5 Age Weighted Pupils Units (AWPU) nor the releasing of the AWPU.

The Cabinet Member with Responsibility for Education and Lifelong Learning was supportive of the tenor of the proposed change as was the Cabinet generally.

**RESOLVED:** that as a result of the consultation undertaken in October and November 2004, the changes to the schools' funding formula and scheme for 2005/06 outlined in Appendix 2 to the Minutes be approved.

**416. (Agenda item 8)  
Scrutiny Report -  
Safer Routes to  
Schools**

The Cabinet had before it a report on the conclusions of the Environment Scrutiny Panel following the scrutiny exercise concerning safer routes to schools.

The Cabinet Member with Responsibility for Economic Development and Regeneration, Environment and Sustainability had provided an outline response to the Scrutiny Report and the Chairman of the Environment Scrutiny Panel attended the meeting to present the report.

A discussion ensued during which the following main points were made:-

- there was general agreement that a more specific response by the Cabinet Member with Responsibility would have been more appropriate and helpful. The Chairman of the Scrutiny Panel suggested that a meeting with the Cabinet Member with Responsibility to discuss a more detailed response might help the process. Some members felt that it would be more appropriate, if, after such a meeting, the Cabinet Member with Responsibility were to attend a meeting of the Environment Scrutiny Panel to discuss his response to the 19 individual recommendations made in the final scrutiny report;
- some members suggested that the wording of the Scrutiny Report had been restrained and careful which had led some of them to feel somewhat dispirited by the Cabinet Member with Responsibility 's apparently superficial response;
- the Cabinet Member with Responsibility explained that it had not been his intention to appear dismissive but simply to point out the changing environment in which the Council would operate and that many of the recommendations would be picked up in LTP2;
- there was a great potential in the area covered by the scrutiny exercise to apply resources in a more meaningful and cost-effective way, which would benefit the Council and the wider community;
- the role of the local member had been identified as being crucial and this was felt to be healthy and should be endorsed.

**RESOLVED:** that:

- (a) the Environment Scrutiny Panel's Scrutiny Report on Safer Routes to Schools together with the response from the Cabinet Member with responsibility for Economic Development and Regeneration, Environment and Sustainability be**

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received; and

- (b) the recommendations be used to inform the formulation of future policy direction, on the basis that, following a meeting between the Chairman and Vice-Chairman of the Environment Scrutiny Panel and the Cabinet Member with Responsibility, the Environment Scrutiny Panel receives a report clarifying what recommendations the Cabinet Member with Responsibility accepts and those on which he takes a differing view, together with any proposed action; the report to be circulated also to members of the Cabinet.

**417. (Agenda item 9)  
Best Value  
Review of the  
Council's  
relationship with  
the Voluntary  
and Community  
Sector**

The Cabinet had before it a report on the Best Value Review of the Council's relationship with the Voluntary and Community Sector. The Cabinet had the benefit of a copy of the Best Value report and the views of the Scrutiny Steering Group including the debate in that forum. The report made reference to the draft Action Plan and the comments made at a Member Seminar on 19 November 2004.

The report also contained details on how the County Council could progress the recommendations contained in the Review document and how they would be resourced. It was concluded that the implementation of the Best Value Review recommendations would form a solid basis for the development of a compact between the County Council and the Voluntary and Community Sector.

A discussion raised the following main points:-

- this was a robust piece of work and highlighted and examined a key area where future activity would impinge on service delivery;
- that account should also be taken of the District Councils' relationships with the voluntary sector to ensure the maximum possible benefits;
- that this had to be seen as a useful exercise for the voluntary sector and others included in service delivery.

**RESOLVED: that**

- (a) the draft Best Value Report and its recommendation be approved; and
- (b) the outline Action Plan be approved for further development and implementation.

**418. Exclusion of Public and Press**

**RESOLVED:** that pursuant to Section 100A of the Local Government Act 1972 the public and press shall be excluded from the meeting during the consideration of these items on the grounds that there would be disclosure to them, in both cases, of information relating to any terms proposed or to be proposed by or to the Authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

Summary of the Proceedings of the Meeting during which the Press and Public were excluded

**419. (Agenda item 10) Former Magistrates' Court Building in Droitwich**

The Cabinet supported proposals for the use of the former Magistrates' Court building in Droitwich for the development of healthcare facilities together with a Worcestershire Hub Contact Centre.

**420. (Agenda item 11) Property Rationalisation**

The Cabinet agreed with the business case for the acquisition of a specific property and a potential future use of that building.

The meeting ended at 4.25 p.m.

Chairman.....