

# Cabinet

## Agenda

17 December 2009

The Cabinet will meet at the **SHIRE HALL, WARWICK** on **THURSDAY 17 December at 1.45 p.m.** The agenda will be:

**1. General**

**(1) Apologies for absence.**

**(2) Members' Disclosures of Personal and Prejudicial Interests.**

Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room unless one of the exceptions applies.

Membership of a district or borough council is classed as a personal interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

**(3) Minutes of the meeting held on the 26 November 2009 and Matters Arising.**

**(4) Requests for Discussion of En Bloc Items (listed under PART B below)**

**PART A - ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)**

**2. Building Schools for the Future – Readiness to Deliver Submission**

Report of the Strategic Director of Children, Young People and Families

Cabinet Portfolio Holder: Councillor Izzi Seccombe

The report seeks approval to submit a Readiness to Deliver proposal to the Department for Children, Schools & Families (DCSF) and Partnership for Schools (PfS) to enter the Building Schools for the Future Programme. The report also outlines the major financial and legal implications of BSF, including the need to work via a Local Education Partnership.

**Recommendations:**

- (1) That Cabinet acknowledges the requirements from the Department for Children, Schools & Families and Partnerships for Schools for the submission of a Readiness to Deliver (RtD) Statement to enter the Building Schools for the Future programme and approves or comments on the contents of the draft RtD enclosed as Appendix A, delegating authority for any substantive changes to be approved by the Leader of the Council, Portfolio Holder for Children, Young People and Families and Portfolio Holder for Resources, in consultation with Group Spokespersons.
- (2) That Cabinet notes that there would be a commitment to support revenue funding for the delivery of the BSF project at a rate at least equivalent to 3% to 4% of the estimated capital project value and supports consideration of this as part of the Authority's budget setting process.
- (3) That Cabinet commits to following the BSF model laid out by Partnership for Schools, noting that new build schemes are expected to be delivered predominantly through the Private Finance Initiative and the Local Education Partnership procurement route (unless otherwise agreed with the DCSF) and the presumption of a managed ICT service.
- (4) That Cabinet agrees to the appointment of consultants and of other relevant expertise, with all such appointments to be carried out in accordance with Contract Standing Orders or national framework contracts.

For further information please contact: Mark Gore, Head of Service - Transforming Education. Tel: 01926 742588, email [markgore@warwickshire.gov.uk](mailto:markgore@warwickshire.gov.uk) or John Betts, Head of Service - Resources. Tel: 01926 742076, email [johnbetts@warwickshire.gov.uk](mailto:johnbetts@warwickshire.gov.uk)

**3. Kingsbury Swimming Pool**

Report of the Strategic Director of Children, Young People and Families.

Cabinet Portfolio Holder: Councillor Izzi Seccombe.

Local Member: Councillor Brian Moss

The report seeks consideration whether to support the recommendation of the North Warwickshire Area Committee that continued funding for Kingsbury Swimming Pool is made available whilst alternatives are explored through a Steering Group of partners as supported by the North Warwickshire Area Committee to find a long term sustainable strategy.

### **Recommendation:**

That Cabinet considers the following recommendations of the North Warwickshire Area Committee

- (1) That funding be continued for the Kingsbury Swimming Pool for a minimum of a further 12 months from 1 April 2010.
- (2) That a Steering Group of key partners is established with the remit of :
  - a) reviewing pricing and marketing strategies;
  - b) seeking grant applications for capital investment; and
  - c) exploring all funding and management opportunities that will secure the long term future of the Kingsbury swimming pool.
- (3) That a progress report to be brought back to the Area Committee as the Steering Group develops proposals for consultation.

For further information please contact: Peter Hatcher, County Youth and Community Officer, Youth & Community Service. Tel: 01926 742485, email [peterhatcher@warwickshire.gov.uk](mailto:peterhatcher@warwickshire.gov.uk)

#### **4. Bedworth Early Years Children's Centre and Nursery School and St Michael's C of E (Voluntary Aided) Primary School, Bedworth**

Report of the Strategic Director of Children, Young People and Families.

Cabinet Portfolio Holder: Councillor Izzi Seccombe.

Local Member: Councillor Julie Jackson.

The report seeks approval to undertake formal consultations on a proposal to transfer existing provision at Bedworth Early Years and Children's Centre to St Michael's C of E (Voluntary Aided) Primary School.

### **Recommendation:**

That Cabinet give approval to the Strategic Director for Children, Young People and Families to conduct formal consultations with relevant stakeholders concerning the proposal to close Bedworth Early Years Children's Centre and Nursery School and transfer that provision to St Michael's C of E (Voluntary Aided) Primary School (the School), Bedworth, conditional upon the Governing Body of the School changing its age range from 4 – 11 years to 3 – 11 years).

For further information please contact: Phil Astle, Assistant Head of Service – Service Planning. Tel: 01926 742166, email [philastle@warwickshire.gov.uk](mailto:philastle@warwickshire.gov.uk)

## 5. Admissions to Rugby Selective Schools

Report of the Strategic Director of Children, Young People and Families.

Cabinet Portfolio Holder: Councillor Izzi Seccombe

The report requests that Cabinet, as Admission Authority for Ashlawn School, to consider the proposed admission arrangements for the selective schools in Rugby for 2011 and seeks approval to consult on a proposal to continue with the revised arrangements as set out in Appendix A and that Cabinet asks the Governing Bodies of Lawrence Sheriff and Rugby High Schools to consult upon similar arrangements.

### **Recommendation:**

That Cabinet, as Admission Authority for Ashlawn School, considers the proposed admission arrangements for the selective schools in Rugby for September 2011 and agrees to consult on a proposal to continue with the revised arrangements as set out in Appendix A and that Cabinet asks the Governing Bodies of Lawrence Sheriff and Rugby High schools to consult upon similar arrangements.

For further information please contact: Nick Williams, Assistant Head of Service – (Pupil and Student Services), Education Partnerships and School Development. Tel: 01926 742071, email [nickwilliams@warwickshire.gov.uk](mailto:nickwilliams@warwickshire.gov.uk) or Mark Gore, Head of Service – Transforming Education. Tel: 01926 742588, email [markgore@warwickshire.gov.uk](mailto:markgore@warwickshire.gov.uk)

## 6. Admissions to Southern Area Grammar Schools

Report of the Strategic Director of children, Young People and Families.

Cabinet Portfolio Holder: Councillor Izzi Seccombe.

The report sets out the admission arrangements proposed for the Southern Area Grammar Schools having taken account of the decisions of the Schools Adjudicator in respect of admissions to Grammar Schools in Rugby.

### **Recommendation:**

That Cabinet, as Admission Authority for Stratford upon Avon Girls Grammar School, considers the proposed admission arrangements for September 2011 and agrees to consult on continuing with the current admission arrangements, amended to take account of looked after children in line with similar proposals from the Governing Bodies of King Edward VI Grammar School, Stratford and Alcester Grammar School.

For further information please contact: Nick Williams, Assistant Head of Service (Pupil and Student Services), Education Partnerships and School Development. Tel: 01926 742071, email [nickwilliams@warwickshire.gov.uk](mailto:nickwilliams@warwickshire.gov.uk) or Bob Hooper, Acting Head of Service – Education Partnerships & School Development Division. Tel: 01926 742008, email [bobhooper@warwickshire.gov.uk](mailto:bobhooper@warwickshire.gov.uk)

## 7. **Comprehensive Area Assessment – the findings and next steps**

Report of the Assistant Chief Executive.

Cabinet Portfolio Holder: Councillor Alan Farnell.

The report presents Cabinet with the key messages from the first CAA judgements – at the Organisational level for Warwickshire County council and Warwickshire Fire and Rescue Authority as well as the Area Assessment findings.

### **Recommendations:**

- (1) That Cabinet receive the key messages from the first Comprehensive Area Assessment judgements and endorse the proposed way forward.
- (2) That Cabinet encourage all WCC Members to consider and reflect upon the first CAA findings as it informs their roles as Elected Members,

For further information please contact: Tricia Morrison, Head of Performance. Tel: 01926 736319, email [triciamorrison@warwickshire.gov.uk](mailto:triciamorrison@warwickshire.gov.uk) or Nicole North, Performance and Improvement Officer. Tel: 01926 412753, email [nicolenorth@warwickshire.gov.uk](mailto:nicolenorth@warwickshire.gov.uk)

## 8. **2010/11 Budget and 2010-14 Medium Term Financial Plan**

Report of the Strategic Director of Resources.

Cabinet Portfolio Holder: Councillor Martin Heatley

**This report is being circulated separately.**

## 9. **Corporate Business Planning 2010-2013**

Report of the Assistant Chief Executive.

Cabinet Portfolio Holder: Councillor Alan Farnell.

The report presents the proposed approach to developing the 2010-2013 Corporate Business Plan.

### **Recommendation:**

That Cabinet endorse the approach and timetable for preparing the 2010/13 Corporate Business Plan outlined in the report.

For further information please contact: Gereint Stoneman, Corporate Planning Manager. Tel: 01926 412378, email [gereintstoneman@warwickshire.gov.uk](mailto:gereintstoneman@warwickshire.gov.uk) or Emma Curtis, Performance and Improvement Officer. Tel: 01926 412805, email [emmacurtis@warwickshire.gov.uk](mailto:emmacurtis@warwickshire.gov.uk)

## **PART B – ITEMS FOR EN BLOC DECISION (YELLOW PAPER)**

### **10. Transfer of New Dimension Assets**

Report of the Chief Fire Officer.

Cabinet Portfolio Holder: Councillor Richard Hobbs.

The report informs Members of the publication of Fire & Rescue Service Circular 59/2009 which requests that fire and Rescue Authorities sign up to the final agreement for the transfer of ownership of New Dimension assets.

#### **Recommendation:**

That Cabinet approves the proposed transfer of ownership of New Dimensions Assets from the Department of Communities and Local Government to Warwickshire Fire and Rescue Authority on terms acceptable to the Chief Fire Officer, the Strategic Director of customers, Workforce and Governance, and the Strategic Director of Resources.

For further information please contact: Graeme Smith, chief Fire Officer. Tel: 01926 423231, email [graemesmith@warwickshire.gov.uk](mailto:graemesmith@warwickshire.gov.uk)

### **11. Project Transform – Sub-Regional Residual Waste Treatment Solution – Evaluation Criteria**

Report of the Strategic Director of Environment and Economy.

Cabinet Portfolio Holder: Councillor Alan Cockburn.

The report outlines the evaluation criteria to be used throughout the procurement process to evaluate submissions proposed by tenderers for permission for a new residual waste treatment solution to serve the needs of the sub-region (Coventry Solihull and Warwickshire).

#### **Recommendation:**

That Cabinet approve the criteria for the contract award decision as detailed in this report.

For further information please contact: John Daly, Director – Project Transform. Tel: 01926 418138, email [johndaly@warwickshire.gov.uk](mailto:johndaly@warwickshire.gov.uk)

## 12. The Use of Traffic Regulation Orders (TROs) on Recreational Highways

Report of the Strategic Director of Environment and Economy.

Cabinet Portfolio Holder: Councillor Alan Cockburn.

The Road Traffic Regulation Act 1984 permits Warwickshire County Council as the highway authority to implement restrictions on public highways. This report outlines the legislation, proposes Policy and sets out guidance to enable this Policy to be delivered.

### **Recommendation:**

That Cabinet approves the document contained as Appendix 3 as Warwickshire County Council Policy, to take immediate effect, and to be included in the next revision of the Countryside Access and Rights of Way Improvement Plan (CAROWIP).

For further information please contact: Jo Cooper, Principal Access Officer. Tel: 01926 413424, email [jocooper@warwickshire.gov.uk](mailto:jocooper@warwickshire.gov.uk)

## 13. Future Use of Old Shire Hall, Courts and Associated Facilities

Report of the Strategic Director of Resources.

Cabinet Portfolio Holder: Councillor Martin Heatley.

The report seeks to update Members with progress on establishing an outline business case in connection with the future use of Old Shire Hall, Courts and associated facilities following the relocation of the Courts Service to the Southern Justice Centre in December 2010.

### **Recommendation:**

That Cabinet notes the progress to date in preparing an outline business case in relation to the future use of Old Shire Hall, Courts and associated facilities (included as Appendix A) and delegates approval to the Portfolio Holder for Resources, in conjunction with the established Member Panel, to oversee the next stage of feasibility work and receive update reports as required.

For further information please contact: Phil Evans, Head of Facilities and Asset Management. Tel: 01926 412293, email [philevans@warwickshire.gov.uk](mailto:philevans@warwickshire.gov.uk) or David Soanes, Group Manager – Strategic Asset Management. Tel: 01926 736128, email [davidsoanes@warwickshire.gov.uk](mailto:davidsoanes@warwickshire.gov.uk)

## 14. Any Other Items

Any other items the Chair considers are urgent.

## **EXEMPT ITEMS (PURPLE PAPERS)**

### **15. Reports Containing Confidential or Exempt Information**

To consider passing the following resolution:

‘That members of the public be excluded from the meeting for the item mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraphs 3, 4 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972’.

### **16. Exempt minutes of the meeting of Cabinet held on 26 November 2009**

### **17. The Tender for Community Support Services for People with Learning Disabilities**

Report of the Strategic Director of Adult, Health and Community Services.

Cabinet Portfolio Holder: Councillor Colin Hayfield.

The report seeks authority to award the recently completed tender for framework agreements to provide Community Support Services for people with learning disabilities.

**Jim Graham  
Chief Executive  
Shire Hall  
Warwick  
December 2009**



## **Cabinet Membership and portfolio responsibilities**

Councillor Alan Farnell (**Leader of the Council and Chair of Cabinet**)  
[cllrfarnell@warwickshire.gov.uk](mailto:cllrfarnell@warwickshire.gov.uk)

Councillor Bob Stevens (**Deputy Leader**)  
[cllrstevens@warwickshire.gov.uk](mailto:cllrstevens@warwickshire.gov.uk)

Councillor Alan Cockburn (**Environment**)  
[cllrcockburn@warwickshire.gov.uk](mailto:cllrcockburn@warwickshire.gov.uk)

Councillor Peter Fowler (**Economic Development**)  
[cllrfowler@warwickshire.gov.uk](mailto:cllrfowler@warwickshire.gov.uk)

Councillor Colin Hayfield (**Adult Social Care**)  
[cllrhayfield@warwickshire.gov.uk](mailto:cllrhayfield@warwickshire.gov.uk)

Councillor Martin Heatley (**Resources**)  
[cllrheatley@warwickshire.gov.uk](mailto:cllrheatley@warwickshire.gov.uk)

Councillor Richard Hobbs (**Community Safety**),  
[cllrhobbs@warwickshire.gov.uk](mailto:cllrhobbs@warwickshire.gov.uk)

Councillor Chris Saint (**Leisure, Culture and Housing**)  
[cllrsaint@warwickshire.gov.uk](mailto:cllrsaint@warwickshire.gov.uk)

Councillor Izzi Seccombe (**Children, Young People and Families**)  
[cllrmsseccombe@warwickshire.gov.uk](mailto:cllrmsseccombe@warwickshire.gov.uk)

Councillor Heather Timms (**Customers, Workforce & Partnerships**)  
[cllrtimms@warwickshire.gov.uk](mailto:cllrtimms@warwickshire.gov.uk)

**Non-voting Invitees** - Councillor Jerry Roodhouse (**Leader of the Liberal Democrat Group**), [cllrroodhouse@warwickshire.gov.uk](mailto:cllrroodhouse@warwickshire.gov.uk) Councillor June Tandy (**Leader of the Labour Group**) [cllmrstandy@warwickshire.gov.uk](mailto:cllmrstandy@warwickshire.gov.uk) or their representatives.

**General Enquiries:** Please contact Janet Purcell, Executive and Member Support Manager. Tel 01926 413716 or email: [janetpurcell@warwickshire.gov.uk](mailto:janetpurcell@warwickshire.gov.uk)

**The reports referred to are available in large print  
if requested**

## Minutes of the meeting of Cabinet held on 26 November 2009

### Present

#### Cabinet Members:

Councillors Alan Farnell (Leader and Chair)  
Bob Stevens (Deputy Leader, Performance and Health)  
Alan Cockburn (Environment)  
Peter Fowler (Economic Development)  
Colin Hayfield (Adult Social Care)  
Martin Heatley (Resources)  
Richard Hobbs (Community Safety)  
Chris Saint (Leisure, Culture and Housing)  
Izzi Seccombe (Children, Young People and Families)  
Heather Timms (Customers, Workforce and Partnerships)

#### Non-Voting Invitees:

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group)  
Councillor Tim Naylor (Deputy Leader – representing the Leader of the Labour Group)

#### Other Members:

Councillors: John Appleton, Richard Chattaway, Jim Foster, Barry Longden, Ray Sweet, Sid Tooth and Chris Williams.

### 1. General

#### (1) Apologies for absence.

Councillor June Tandy (Leader of the Labour Group).

#### (2) Members' Disclosures of Personal and Prejudicial Interests.

Items where there may be reference to NHS Warwickshire PCT (Item 2 Corporate performance and Item 10 Introducing a Reablement Service and Transforming Internal Home Care

Councillor Colin Hayfield, personal interest as non-executive member of NHS Warwickshire.

#### (3) Minutes of the meeting held on the 15 October 2009

#### Resolved

That the minutes of the meeting of Cabinet held on 15 October 2009 be approved as a correct record.

**(4) Requests for Discussion of En Bloc Items (listed under PART B of the agenda)**

None.

**(5) Announcements**

Councillor Alan Farnell, Leader of the Council, announced that Coventry City Council had decided not to proceed with their bid to be part of a City Region but preferred to focus on continued working with Warwickshire County Council and Solihull Metropolitan Borough Council. Cabinet welcomed this news and looked forward to furthering their positive partnership working with both councils.

**2. Early Years Funding Formula**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Children, Young People and Families) presented proposals for an Early Years Funding Formula (and corresponding adjustments to mainstream and special schools funding formula). Councillor Seccombe explained that a new funding formula was required in response to forthcoming legislation that will change the funding arrangements for all early year providers. She added that the proposals had been the subject of consultation with all providers and the Schools Forum and that their responses had been considered in arriving at the final recommendations set out in the report.

During discussion, Cabinet was advised that it would be possible to review the scheme in future, but that the Government's Department of Children, Schools and Families advised that this should normally take place only after a wider comprehensive review of spending so that the earliest this should be undertaken is 2011.

**Resolved**

That Cabinet approves the proposed Early Years Funding Formula and the corresponding adjustments to the Mainstream and Special Schools Funding Formula to meet new legislative requirements.

**3. Proposal to Establish an Academy to replace both Alderman Smith School and Manor Park School**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Children, Young People and Families) presented a report which informed members of the outcome of the consultation process regarding the proposal to establish an Academy to replace Manor Park and Alderman Smith Schools. Councillor Izzi Seccombe advised that there had been 82 responses including 33 pro-forma letters to the consultation. A petition containing over 1700 signatures had also been submitted to the Nuneaton and Bedworth Area Committee on 18 November. That Committee had considered responses to the consultation and the issues and responses made at that meeting were set out in draft minutes circulated to all members before this Cabinet meeting. It was noted that the Area Committee had voted against the proposal to establish an Academy to replace Manor Park and Alderman Smith schools on the Alderman Smith site. (Eight members of the Area Committee had voted against the proposal and five had abstained).

Councillor Izzi Seccombe reminded Cabinet that the proposal sought to address the issues of low levels of educational attainment in Nuneaton and Bedworth, the high level of surplus places and provided an opportunity to replace poor school buildings.

Councillor Seccombe stressed that three of the schools had been in national challenge last year; that Alderman Smith still had vacant places and Manor Park had around 60 entrants this year which raised concern at the school's continued viability. She added that, although schools were supported for a time when they come out of national challenge, this support was only short term and could not be sustained.

Councillor Izzi Seccombe stated her view that the proposal offered a fresh start for one of the most deprived areas of the County, with the support of an outstanding college who are committed to the school and the community.

The following issues were raised during the discussion.

#### Disruption for existing pupils

In response to questions regarding the disruption for existing pupils, Councillor Seccombe recognised that there would be disruption but that this would be managed to minimise this.

Councillor Richard Chattaway expressed concern that the transitional arrangements had still not been published. Mark Gore, Head of Service for Transforming Education, assured that this would be made clear very soon and that the College and the Local Authority were working together to seek to accommodate Year 7 on the Alderman Smith Site during the transition, in response to potential concerns.

#### Cost

Councillor Izzi Seccombe explained that the DCSF funding had been set at £18.5m to reflect the fall in contract prices and reminded members that the project was a 90% build (as the new sports facilities would remain). Councillor Seccombe assured the meeting that the DCSF had said that if it appeared that the contract could not be agreed at that price then they would look at renegotiation of the cost.

#### Views of Area Committee and Local Members

Councillor Tim Naylor (Deputy Leader of the Labour Group) expressed his view that the arguments put forward had failed to persuade the Area Committee and that he remained opposed to the proposal.

Councillor Richard Chattaway (local member) added that the residents and parents had also not been persuaded that this was a good proposal. He did not consider the schools to be failing schools and stated that examination results at Manor Park School had improved by 153% over two years and that the Head Teacher and staff were turning the school round.

Councillor Barry Longden expressed his view that the decision had already been made prior to consultation and that views and opposition of the local community had not been taken into account. He was concerned that the figures were not accurate

and that the proposed Academy would not be big enough (and therefore questioned what would happen to the children displaced by the proposal). He added that 95% of the parents, children and residents were opposed to the proposal and that if it is agreed then the Council sets itself up as knowing better than its residents, and puts councillors above the people that elected them.

### Project Viability and Management

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) requested assurance that the project could be met within the reduced level of funding being offered and that there would be robust project management of the scheme.

Councillor Izzi Seccombe gave assurance that the figure was appropriate to the proposed size of the school and that she had looked at other school builds – including a school of 900 capacity in Leicestershire that had been delivered to a £15m contract. Mark Gore added that the procurement process included the transfer of risk to the contractor who would manage the project and ensure delivery to budget. Mark also gave assurance that the minister had indicated that if funding appeared insufficient, then they would be able to renegotiate and that this had been confirmed by the Partnership for Schools and he believed it had been in writing. The written confirmation would be made available to the Leader and elected members.

### Conclusion

Cabinet members expressed their support for the proposal. Councillor Richard Hobbs (Cabinet Portfolio Holder for Community Safety) cited Stratford High School as an example of the benefits that a new school can bring to an area. Councillor Peter Fowler (Cabinet Portfolio Holder for Economic Development) added that the project supported the Council's priority of narrowing the gaps and improving the opportunities for children in Nuneaton.

Cabinet concluded that, having considered the issues raised in the consultation and the responses, the proposal should go forward.

### **Resolved**

- (1) That Cabinet notes the findings of the consultation.
- (2) That Cabinet supports the proposal to establish an Academy to replace Manor Park and Alderman Smith schools on the Alderman Smith site.
- (3) That Cabinet agrees to the closure of Manor Park School and Alderman Smith School with effect from 31 August 2010 conditional on the Secretary of State giving approval to the opening of the new Academy with effect from 1 September 2010.
- (4) That Cabinet agrees to the issue of the appropriate statutory notices.
- (5) That Cabinet endorses the Local Authority's intention to assist the North Warwickshire and Hinckley College in preparing plans for the new Academy for agreement by the Secretary of State, to take account of comments expressed during the consultation and to seek to address the

concerns of parents/carers, students and staff.

#### **4. Quarter 2 – Corporate Performance Report 2009/10**

Councillor Bob Stevens (Cabinet Portfolio Holder for Performance and Health) presented a report setting out the results of the mid-year performance for 2009/10 which Cabinet considered was generally good but had recognised that there were areas in which they should focus on improving.

Councillor Stevens advised that a 'review and refresh' of the indicators would be undertaken over the coming months and would provide an opportunity to ensure the targets were both realistic and challenging and matched the council's priorities.

Councillor Stevens added that it was his intention that future reports would become more streamlined and accessible and include the performance information relating to educational attainment. Monica Fogarty, Assistant Chief Executive, gave assurance that the roll out to all members of the IT performance plus system would replace the need for bulky reports.

Councillor Colin Hayfield (Cabinet Portfolio Holder for Adult Social Care) suggested that the performance information would be more meaningful if it gave more information on whether the Council was meeting its aspirations on 'narrowing the gaps.' Councillor John Appleton, Chair of the Overview and Scrutiny Board, suggested that this could be looked at by the forthcoming round of overview and scrutiny committee meetings referred to in paragraph 7 of the report. (See *additional comments at minute 5 below*). Councillor Richard Hobbs (Cabinet Portfolio Holder for Community Safety) added that he received weekly data on performance that he found useful in his portfolio, although he recognised that the data collection for the report card varied as it came from a range of places (including other agencies) and that it was not possible for all to represent the same point in time but was intended to show trends.

#### **Resolved**

- (1) That Cabinet notes the performance figures
- (2) That the performance documents are streamlined and the Assistant Chief Executive continues to revise their format to avoid areas of ambiguity.
- (3) That the performance overall shows mixed progress and that Cabinet portfolio holders, together with their strategic directors, should continue to strive energetically towards improvement.

#### **5. Performance of Warwickshire Pupils in 2009 Public Examinations**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Children, Young People and Families) presented a report on the examination results of Warwickshire pupils in 2009 compared with national results and those of similar local authorities, and drew attention to areas of improvement.

It was noted that pupil absence had increased in the primary sector (although was still below the national average). Marion Davis (Strategic Director for Children, Families and Schools) explained that there had been a focus on the secondary

sector which had been targeted by staff to achieve a reduction in absence to the national level.

Councillor Colin Hayfield (Cabinet Portfolio Holder for Adult Social Care) suggested that, as with the information in the corporate performance report, it would be useful to have information by super output area, that again would show whether educational attainment was improving in particular areas.

### **Resolved**

- (1) That Cabinet notes the overall performance of Warwickshire pupils in their public examinations.
- (2) That Cabinet agrees that the reporting of educational attainment should be integrated into the main corporate performance report.

## **6. PwC Benchmarking Report 2008/09**

Councillor Bob Stevens (Cabinet Portfolio Holder for Performance and Health) presented a report which provided members with an analysis of the Council's benchmarked performance within the PwC set for 2007/08. Councillor Stevens expressed concern that the information was less useful than it used to be, given that there was more local up to date data available. He also considered the Best Value Performance Indicators to be less useful, particularly as only 18 authorities had submitted their indicators.

Members discussed the value of the report, and whilst some members had reservations about its value and accuracy, it was recognised that this was currently the only means by which the authority could compare itself with other authorities and that this year it provided a benchmark on the new national indicator set. It was noted that the information could be reported quarterly and had been in the past.

Councillor John Appleton, Chair of the Overview and Scrutiny Board, suggested that the figures be looked at against the council's priorities, with a view to improving performance in areas of priority but being less concerned if performance is lower in those areas that the Council has agreed are not priorities.

Jim Graham (Chief Executive) advised that, if the performance data was not giving members the information they wanted or that they felt was relevant, then it may be necessary to look for another vehicle for this.

### **Resolved**

That Cabinet notes the Council's performance against the National Indicators for 2008/09 in the context of the performance of all County Councils, as facilitated by the PwC Benchmarking Club.

## **7. 2009/10 Projected Capital Outturn as at Quarter 2**

Councillor Martin Heatley (Cabinet Portfolio Holder for Resources) presented a report which provided members with an update on the variations in projected capital spending for 2009/10 and total programme costs.

During discussion, Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) questioned when the outcome of investigation into Rugby Relief Road project would be known and also asked that the Cabinet portfolio holder investigate the placing and workmanship of road signs in areas of Rugby.

Councillor Alan Cockburn (Cabinet Portfolio Holder for Environment) advised that there would be a report regarding Rugby Relief Road to Cabinet in January 2010 and also gave assurance that he would investigate the signage in Rugby.

### **Resolved**

- (1) That Cabinet note the revised spending forecast for capital schemes in 2009/10 and over the total programme.
- (2) That Cabinet approve changes to budgets relating to Coleshill Multi-modal Exchange as described in paragraph 1.3.

## **8. 2009/10 Projected Revenue Outturn – Quarter 2**

Councillor Martin Heatley (Cabinet Portfolio Holder for Resources) presented a report summarising the projected revenue outturn at the end of quarter 2 and explaining the main reasons for any variations from the approved budget.

### **Resolved**

- (1) That Cabinet notes the 2009/10 projected revenue outturn position and the projected reserves at year-end, and requests directorates to take appropriate management action to try to ensure that spending remains within budget.
- (2) That Cabinet approves an internal virement of £0.220 million within the Adult, Health and Community Services directorate from Strategic Commissioning to Local Commissioning for Carers Area Based Grant as detailed in paragraph 4.3 of the report.
- (3) That Cabinet approves the net contributions to and from reserves totalling £0.250 million in 2009/10 as detailed in paragraph 5.2 of the report.

## **9. 2009/10 Savings Plan – Projected Outturn as at Quarter 2**

Councillor Martin Heatley (Cabinet Portfolio Holder for Resources) presented a report which informed members of the progress on the delivery of the 2009/10 savings plan.

### **Resolved**

- (1) That Cabinet notes the quarter 2 performance against the 2009/10 Savings Plan.
- (2) That Cabinet notes the forecast for National Indicator 179 of £18.994 million as detailed in paragraph 5 of the report.



## **10. Introducing a Reablement Service and Transforming Internal Home Care**

Councillor Colin Hayfield (Cabinet Portfolio Holder for Adult Social Care) presented a report which provided an update on the progress on the Home Care Change Programme and asks Cabinet to agree an option for the remainder of the internal home care service. It was noted that an additional note had been sent to all members setting out the views from the trade unions and that the report on the website had been amended accordingly (at paragraph 2.4 and 7.8 of the report).

Councillor Alan Farnell (Leader of the Council) referred to the Free Care Bill which placed an emphasis on reablement.

It was noted that the progress would be monitored and reported to the Adult and Community Services Overview and Scrutiny Committee.

Councillor Colin Hayfield welcomed the report and paid tribute to Liz Bruce for her work with the directorate. The Cabinet wished Liz well in her future post.

### **Resolved**

- (1) That Cabinet notes the progress and current position of the Home Care Change Programme.
- (2) That Cabinet supports the proposals for the remaining Home Care Service as set out in section 7 of the report.
- (3) That Cabinet agrees to receive a report on the evaluation of Reablement implementation in October 2010.

## **11. Leading for Warwickshire – Identification of Mandatory Elements of the Member Development Programme**

Councillor Heather Timms (Cabinet Portfolio Holder for Customers, Workforce and Partnerships) presented a report that had been prepared in response to the Council's decision that there should be elements of the member development programme that members must complete before they receive their full annual basic allowance.

The Member Development Steering Group had considered how this could be implemented and concluded with proposals set out in the report.

During discussion, members expressed the view that previous training, including training undertaken elsewhere, would be taken into account. Members also requested that all training provided is of the highest quality.

### **Recommendation**

That Cabinet propose to the Council

- (1) That the following elements of the Member Development Programme (as explained in paragraph 4.1 of the report) be mandatory for all members:

- (i) Code of Conduct \*

- (ii) Governance
- (iii) IT/Communication
- (iv) Finance and Performance
- (v) Equality and Diversity\*

- (2) That those members who have undertaken the training marked \* above in 2009/10 will not be required to undertake the training in 2010/11 for the purpose of receiving the full year basic allowance.
- (3) That those members of Regulatory Committee (including replacement members) must undertake planning training before they can take up their place on the Committee.
- (4) That members listed in the pool of members for appointment to Staff Appointments and Appeals Committees must undertake training before they can take part in such committees, but that this is not part of the requirement for the purpose of claiming basic allowance.
- (5) That the following elements of the Member Development Programme be mandatory for Cabinet Members:
  - (i) Chairing skills
  - (ii) Communication/Media skills
  - (iii) Partnership working
  - (iv) Effective working with O&S
- (6) That Chairing Skills be mandatory for all members who chair meetings.
- (7) That all of the above elements must be undertaken within 2009/10 or 2010/11 before the final 15% of basic allowance is paid in 2010/11.
- (8) That the detail of each element of the programme for each of the next three years be agreed annually by the Member Development Steering Group.
- (9) That previous training is taken into account, provided it has been undertaken within the current life of the Council, is up to date and appropriate and evidence of completion is provided.
- (10) That, where appropriate, alternative forms of delivery be allowed, as set out in paragraph 4.2 of the report.

## **12. 2011 Highway Maintenance Contract**

Councillor Alan Cockburn (Cabinet Portfolio Holder for Environment) presented a report informing members that the existing seven year highway maintenance contract finishes in May 2011 and seeking approval to the procurement strategy for the 2011 contract.

Cabinet welcomed the news that Coventry City Council had agreed to join Warwickshire County Council in procurement for part of the contract.

During discussion it was noted that a seminar would be held for members that would brief members on the contract and also provide an opportunity for members to give their views on what works well.

### **Resolved**

- (1) That Cabinet approves the strategy outlined in the report for the provision of a replacement Highway Maintenance Contract which will be effective from May 2011.
- (2) That Cabinet supports the adoption of an 'Alliance' model for the new 2011 Highway Maintenance Contract.
- (3) That Cabinet supports the development of the Highways Maintenance Contract to include work for Coventry City Council as part of delivering efficiency savings for both authorities.
- (4) That Cabinet supports a new Highway Maintenance Contract of up to nine years in duration based upon a five year initial term and performance related extensions thereafter.
- (5) That Cabinet support a quality: price evaluation of 30:70.
- (6) That Cabinet delegates authority to the Strategic Director of Environment and Economy in consultation with the Highway Maintenance Contract Executive Board to finalise the scope of the works for inclusion within the contract.

### **13. Addition to the Capital Programme in Respect of Grant for School Kitchen and Dining Rooms**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Children, Young People and Families) presented a report seeking approval to increase the Capital Programme by £3,362,200 in respect of a grant of £2,099,950 and matched funding of £1,262,250. The grant supported the improvement of kitchen and dining facilities at schools with the intention of increasing the uptake of school meals.

### **Resolved**

That Cabinet recommend to Council that the Capital Programme be increased in accordance with the details set out in paragraph 3 of the report.

### **14. Delegation of Section 46 of the Environmental Protection Act 1990**

Councillor Alan Cockburn (Cabinet Portfolio Holder for Environment) presented a report seeking a delegation to the Strategic Director of Environment and Economy to give consent to requirements under section 46 Environmental Protection Act 1990 for placing receptacles in the highway.

## **Resolved**

That Cabinet authorises the Strategic Director of Environment and Economy and his nominees to give consents under section 46(5) of the Environmental Protection Act 1990 and that Part 2, Section 10 of the Constitution be amended accordingly by adding to the Rights of Way, Traffic Regulation, Planning and Environment functions of the Strategic Director the words in the appendix to the report.

### **15. Any Other Urgent Items**

There were no other items.

### **16. Reports Containing Confidential or Exempt Information**

## **Resolved**

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraphs 3, 4 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

### **17. Exempt minutes of the meeting of Cabinet held on 15 October 2009**

## **Resolved**

That the minutes of the meeting held on 15 October 2009 be approved as a correct record.

### **18. Contract with Biffa Waste Services Limited for the In-Vessel Composting of Biowaste at Ufton**

Councillor Alan Cockburn (Cabinet Portfolio Holder for Environment) presented a report requesting Cabinet consider renegotiated contractual arrangements.

Cabinet discussed the report and concluded, for the reasons set out in the report, that option 1 provided good value and the best way forward.

During discussion, Paul Galland, Strategic Director of Environment and Economy, gave his assurance that the planning conditions would be required to be met.

## **Resolved**

That Cabinet endorses Option 1, as set out in the report, as the preferred way in which to resolve the difficulties outlined in relation to the composting of biowaste at Ufton.

### **19. The Future of Employment Training Warwickshire**

Councillor Peter Fowler (Cabinet Portfolio Holder for Economic Development) presented a report which set out the results of a review of options for the service. Cabinet considered the recommendation of the Staff and Pensions Committee and

noted that further correspondence had taken place between officers and the LSC to the issues outlined in the report.

Cabinet agreed to take action as set out in the exempt minutes of this meeting.

The meeting concluded at 3.45 p.m.

.....  
Chair

**AGENDA MANAGEMENT SHEET**

**Name of Committee**

**Cabinet**

**Date of Committee**

**17 December 2009**

**Report Title**

**Building Schools for the Future –  
Readiness to Deliver Submission**

**Summary**

The report seeks Cabinet’s approval to submit a Readiness To Deliver proposal to the Department for Children, Schools & Families (DCSF) and Partnership for Schools (PFS) to enter the Building Schools for the Future Programme. The report also outlines the major financial and legal implications of BSF, including the need to work via a Local Education Partnership.

**For further information  
please contact:**

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**Would the recommended  
decision be contrary to the  
Budget and Policy  
Framework? [please identify  
relevant plan/budget provision]**

No – but the report does highlight the need for the 2010-11 Budget resolution to explicitly identify sufficient resources to manage the BSF process.

**Background papers**

Readiness To Deliver Guidance For Local Authorities in BSF Waves 7 and Beyond (Partnership For Schools – February 2009)  
Cabinet Report “Secondary School Provision in Nuneaton & Bedworth” 06.11.08

**CONSULTATION ALREADY UNDERTAKEN:**

Details to be specified

Other Committees

.....

Local Member(s)

Not applicable

Other Elected Members

CYP&F O&S Chair and Vice-Chair for information:  
Cllr John Ross  
Cllr Carolyn Robbins

CYP&F O&S Spokespersons for information:

Cllr Peter Balaam  
Cllr Tim Naylor  
Cllr Carolyn Robbins

- Cabinet Member  Cllr Izzi Seccombe  
Cllr Martin Heatley
- Other Cabinet Members consulted
- Chief Executive  .....
- Legal  Victoria Gould
- Finance  David Clarke, Strategic Director of Resources *“no comment”*
- Other Strategic Directors  Paul Galland, Strategic Director for Environment & Economy *“comments incorporated into the report”*  
David Carter, Strategic Director for Customers, Workforce & Governance
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  .....

**FINAL DECISION** **YES**

**SUGGESTED NEXT STEPS:** Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  Public Service Board

**Cabinet – 17 December 2009**

**Building Schools for the Future – Readiness to Deliver  
Submission**

**Report of the Strategic Director for Children,  
Young People and Families**

**Recommendation:**

That Cabinet:

- (1) Acknowledges the requirements from the Department for Children, Schools & Families and Partnerships for Schools for the submission of a Readiness to Deliver (RtD) Statement to enter the Building Schools for the Future programme and approves or comments on the contents of the draft RtD enclosed as **Appendix A**, delegating authority for any substantive changes to be approved by the Leader of the Council, Portfolio Holder for Children, Young People & Families and Portfolio Holder for Resources.
- (2) Notes that there would be a commitment to support revenue funding for the delivery of the BSF project at a rate at least equivalent to 3% to 4% of the estimated capital project value and supports consideration of this as part of the Authority's budget setting process
- (3) Commits to following the BSF model laid out by Partnership for Schools, noting that new build schemes are expected to be delivered predominantly through the Private Finance Initiative and the Local Education Partnership procurement route (unless otherwise agreed with the DCSF) and the presumption of a managed ICT service.
- (4) Agrees to the appointment of consultants and of other relevant expertise, with all such appointments to be carried out in accordance with Contract Standing Orders or national framework contracts.

**1. Purpose of Report**

- 1.1 The Council has been invited to apply to the Department for Children, Schools and Families (DCSF) and Partnership for Schools (PFS) to be considered for entry into the Building Schools for the Future programme. To do this, it has to submit a Readiness to Deliver Statement (RtD).



- 1.2 This report provides Cabinet with details of the requirements of the RtD submission and seeks endorsement of that submission as well as outlining the key implications if the RtD is successful.

## 2. Background

- 2.1 Building Schools for the Future (BSF) is a national programme intended to modernise all secondary schools, which will help transform education for secondary age students by providing 21<sup>st</sup> century learning environments that engage and inspire young people, their teachers and the wider community. For Warwickshire, BSF investment will not only deliver improved learning spaces but contribute towards regeneration, Narrowing the Gaps, provide 'greener' more efficient buildings and provide opportunity for localised, multi-agency, multi-disciplinary service delivery, thus having an ambition to not only transform education but transform communities. This will require the engagement of partners such as Health, Police, District Councils to maximise investment opportunities and ensure that BSF is used to address social, physical environment and economic issues as well as reduce education attainment gaps.
- 2.2 In Warwickshire, the programme is expected to deliver investment of the order of £120 million (in the initial phase in Nuneaton) and in excess of £500 million overall, depending on the final scope of the programme.
- 2.3 The RtD must provide a clear and concise statement on the progress that the Local Authority has made in preparing for entry into the BSF programme. It is a commitment from the Local Authority that it fully supports the BSF programme as defined by Partnerships for Schools; will have the required funding and resources available as appropriate; has started the consultation process with schools and stakeholders; once invited can enter the programme having recognised and mitigated initial programme risks.
- 2.4 The RtD attached at **Appendix A** sets out the Authority's plans for implementing the BSF programme. It constitutes the Authority's response to a number of criteria set by the DCSF / PfS. At the time of writing the RtD is still in draft form, as the Authority is working to a tight timescale to ensure it is considered at the earliest opportunity. Partnerships for Schools have indicated that this will be "in the Spring".
- 2.5 A significant part of being ready to deliver this programme is the commitment of the Council to provide necessary funding; complete a detailed Outline Business Case (OBC); establishment of an appropriate delivery vehicle such as a Local Education Partnership (LEP); and have in place a project team to manage the programme.
- 2.6 Following the submission of our RtD document the Council will then be invited to a Remit meeting with PfS to discuss any further questions PfS have regarding our proposed developments. Once the Readiness to Deliver proposals have been accepted by PfS the Council will then be invited onto the programme and will prepare an Outline Business Case (OBC). This is expected to take 12 months. From OBC, the procurement process, up to financial close, is likely to take a further 12 - 18 months.

### **3. Key Issues Arising for Warwickshire in its RtD Submission**

3.1 The RtD needs to demonstrate a clear relationship between the estates strategy and the Authority's vision and strategy for raising education standards and how BSF can help in the process. In addition, it should underpin the Authority's wider strategic approach towards Narrowing the Gaps, regeneration and the local delivery of joined-up services. The RtD includes statements on:

- Diversity, Choice and Access
- Underperforming Schools
- Personalising Learning
- 14-19 curriculum
- Inclusion including disability access
- Integrated Services
- Change management

and more detail on these areas is outlined in the draft RtD itself. The rest of this report highlights particular issues associated with the BSF process.

#### **ICT**

3.2 The RtD recognises that ICT links buildings with teaching and learning; it therefore sets out an initial vision for transforming the ICT services at school level. To reflect the importance of ICT in schools, about 10% of the national BSF resource is allocated to ICT. PfS expect a full ICT managed service across the Local Authority as a default position within BSF. Alternatively the Authority will "be expected to demonstrate that any alternative approach will achieve better value for money and be sustainable". As Warwickshire already has a common, flexible platform for all its schools ("We-Learn" - which is the PFI project run in conjunction with the company RM) it is proposed that this is explored further with the DCSF/PfS, but with the recognition of the default position.

#### **Existing and Planned Consultations**

3.3 The RtD summarises a number of plans, policies and strategies which have been the subject of consultation and discussion with schools and other key stakeholders and approved as appropriate by Elected Members. Further work needs to be carried out in the early part of the New year on the Strategy for Change with schools, Governors, parents, the Borough and District Councils, to ensure maximum 'buy-in' to the Strategy for Change. The assessment by Government of our submission, referred to in paragraphs 2.6, is a competitive process. The more the Authority can demonstrate the engagement of 'stakeholders' the more likely the submission will be accepted.

3.4 The recent two day conference for Headteachers has been very helpful in shaping the vision and Strategy for Change which will further inform the RtD.

3.5 The Local Authority has also started to work with a number of sub-groups looking at key areas such as SEN and Inclusion, ICT, Sport & Culture, (with

District Councils and others) and the 14-19 curriculum and delivery. The Local Authority has undertaken preliminary master-planning work on the initial school sites to inform the development of proposals and ensure that risks and issues are identified early.

### **Commitment to BSF Model**

- 3.6 The PfS default procurement model is the “Local Education Partnership” (LEP), which is a joint venture company owned by the private sector consortium that wins the BSF contract, the Local Authority and PfS. It is important to note that the Council remains the client for the LEP and specifies the services and outcomes required. The LEP and the PfS standard documentation are intended to provide advantages in terms of efficiencies and economies in this procurement process and there is an expectation that this documentation is used.
- 3.7 One of the key purposes of the LEP is to reduce costs by reducing the number of competitive processes that have to be carried out and by streamlining the procurement process and to group schools together into larger, higher value packages.
- 3.8 As part of the RtD, the Authority must confirm its commitment to funding arrangements, including that new build schools will be predominantly built through the Private Finance Initiative (PFI), but refurbishment may be through conventional capital funding. In PFI, a private sector partner is awarded a contract to design and build a school and then to operate and maintain that school usually for 25 years or more. Often that private sector partner is a consortium of organisations, working together and co-ordinated under one umbrella, called a Special Purpose Vehicle (SPV). The PFI contract transfers significant risk to the SPV. If the SPV does not meet required service performance standards the Local Authority can reduce the amount it pays the SPV.

### **Wider Community Benefits**

- 3.9 It is important to recognise that while the starting point for this programme relates to the education of children, there will be significant community benefits from the extended services developed by schools and the co-location of a range of public services on schools sites. The BSF programme therefore provides the opportunity to implement the Council’s strategy to develop a ‘one front door’ for communities to access the range of public services. In addition, communities will have access to high quality facilities for sports, arts and culture. It should be noted that the Authority will need to bring together other capital funding streams to fund these developments on school sites.

### **Project Management**

- 3.10 Although the Council has increasingly been delivering complex and challenging investment schemes in a corporate setting, it will have to demonstrate that it has the capacity and resources necessary to manage BSF as a major package of inward investment. The DCSF and PfS will expect governance and management arrangements to ensure effective decision making.

- 3.11 The Council needs to provide a commitment to setting up a project team led by a project director. Work is underway to develop the scope and remit of this team. Resources will need to be made available for the project team, external advisers, site surveys and detailed investigations and set up costs for an LEP. Currently the Authority has provided £145,000 for one year only, primarily to prepare the RtD. PfS will expect to see in the Authority's budget resolution resources equivalent to 3% to 4% of the capital expenditure (referred to as Capex) to fund this adequately.
- 3.12 The complex nature of delivering BSF will require sufficient expertise and capacity within the Council, beyond what is currently in place.

### **Support Network**

- 3.13 Warwickshire's RtD sets out the support network for delivering BSF. This includes internal support including Council expertise in Finance, Legal, Property and Asset Management, and Corporate Procurement. Central to the success of the BSF operation is the effective case of the existing Authority and schools' expertise.
- 3.14 If the Council is selected to be part of BSF, resources will need to be identified within the overall Council budget over the life of the project. Members need to recognise the financial commitment required over a number of years.

### **Financial Implications & Risk Management**

- 3.15 It is important to note that BSF is a key element for delivering the Council's statutory requirement to provide sufficient school places. As noted earlier, significant capital resources will be available, so any upfront investment represents good value for money. However, these are early range forecasts of resources likely to flow to support the Council in BSF delivery and are subject to change as the preparatory work continues to evolve. The amount of funding that is finally awarded will also depend on the Outline Business Case and any subsequent Comprehensive Spending Review decisions.
- 3.16 Funding will be awarded as a whole in the proportion of 50% new build, 35% refurbishment and 15% minor works.
- 3.17 It is anticipated that because of the way that BSF is funded there may be affordability gaps, in both capital and revenue terms, that mean the Authority may have to identify strategies to bridge the gap between the funding allocated and the cost of the schemes. This has been the experience of other Authorities. There is also likely to be a link between a lower specification building (i.e. capital costs) and higher running costs (i.e. revenue costs) and *vice versa* that will need to be explored further into the Outline Business Case.
- 3.18 The working assumption is that the Authority will seek to minimise any capital affordability gap. However, if there is a capital affordability gap then the options for bridging this gap include existing and future capital resources, receipts from asset disposals and Section 106 funding. An affordability gap may also be mitigated by capital contributions from other services co-located on the school

site (for example, libraries; One Front Door operations; multi-agency childrens services). The Project Team responsible for BSF will manage the specification with the LEP to minimise any gap. It is not possible to quantify this yet, as further negotiations are required with PfS (on funding) and, in due course, with the LEP (on costs). The Authority can review the situation up until the delivery of the Outline Business Case.

- 3.19 It is also likely that there will be a revenue affordability gap. Other local authorities have also experienced this. With new build schools, PFI credits will be awarded which will contribute to the cost of the new buildings and the lifecycle maintenance for the lifetime of the PFI contract. While this contribution is substantial it is intended to cover only that part of the unitary charge relating to the repayment of capital and lifecycle costs. With PFI the school agrees to pay the Local Authority, from its delegated budget, that part of the Unitary Charge that relates to the operation and management of the school facilities – such as maintenance and cleaning – that would otherwise be paid for by the school.
- 3.20 However, the combination of the PFI credits and the school contribution towards the facilities management element are still unlikely to cover the total cost of the Unitary charge. So, the Local Authority may therefore need to find a way to cover the remainder of the charge. It is proposed that this will need to be explored further with (in priority order): the schools in the programme; the Schools Forum via the use of the Dedicated Schools Grant; CYPF directorate revenue budgets; other directorate budgets that support school building and maintenance; external partners where they propose using school sites for service delivery; corporate resources.
- 3.21 The BSF programme will potentially result in a number of contracts and/or partnerships, for example a Local Education Partnership (LEP), which will require the Local Authority to provide an equity stake. These are repayable at the end of the contract/partnership (typically 25 years) Equity stakes are not yet known, but based on the experience of other Authorities are expected to total £0.500 million.
- 3.22 The Council and schools will also need to decide the arrangements for the long-term maintenance of non-PFI schools, including the use of school budgets currently devoted to building maintenance.

### **Legal Implications**

- 3.23 Implementing a BSF programme is complicated and legal involvement will be required at all stages. The engagement and commitment of internal and external legal resources to implementation is clearly something to be taken account of very carefully at all stages.
- 3.24 The RtD document does not establish binding commitments on either the part of the Council or DCSF. It is anticipated that a further report will be submitted to the Cabinet for a decision on whether to proceed once the DCSF has considered the Authority's RtD, as the Authority will then need to produce an Outline Business Case.

- 3.25 Paragraph 3.5 of this report refers to a LEP. This is a local joint venture and strategic partnership between the Local Authority and a private sector partner [PSP] focussed on the investment programme to be set out in the Strategy for Change and would be a company limited by shares. The PSP in the LEP would be selected under the “competitive dialogue”, which is the EU procurement method for complex public sector projects and the evaluation criteria would include ability to provide long-term partnering services. The LEP would work with the Local Authority and local stakeholders on strategic investment plans, act as the point of contact for the procurement and delivery of the required services eg. design, construction and ICT, manage the supply chain and enable project delivery.
- 3.26 Establishment of the LEP will require careful consideration of the regulatory regime and financial controls relating to Local Authority companies.

#### **4. Conclusion**

- 4.1 Building Schools for the Future provides an opportunity for the Authority to transform the way in which education is delivered and regenerate communities and, in doing so, raise aspirations and narrow attainment gaps. It will also, through the engagement of wider partner agencies have the potential to make a significant contribution to community regeneration. It is, however, a complex process.
- 4.2 Clearly there is some uncertainty about the future of the BSF programme given the prospect of a General Election and the current national economic situation. However, both main political parties are supportive of the programme which is likely therefore to continue. The pace at which the programme is implemented is, however, uncertain. It is recommended that we should seek to enter the programme as soon as possible and work on the basis that the programme will continue.
- 4.3 As indicated earlier, further reports will be submitted to Cabinet at key future stages for decisions on whether to proceed with early entry to the BSF programme, on procurement decisions and on other legal issues, as and when they arise.

MARION DAVIS  
Strategic Director for Children, Young People and Families

Saltisford Office Park  
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Warwick

3 December 2009

D R A F T

Warwickshire County Council  
Building Schools for the Future  
Readiness to Deliver  
December 2009

Version 3a, 03.12.09

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**Warwickshire County Council Building Schools for the Future  
Readiness to Deliver Submission**

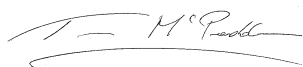
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Document Title	BSF Readiness to Deliver Submission Document
Document Owner	Mark Gore
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**Purpose of Document:**

The document contains Warwickshire County Council's Statement of Readiness to Deliver with respect to the requirements of Partnerships for School (PFS) for Wave 7 authorities under the Building Schools for the Future (BSF) national programme.

**Approvals:**

This document requires the following approvals. Signed Approval Forms are filed in the Management Section of the project files.

Name	Signature	Title	Date	Version	
Tam McPadden		BSF Consultant	03/12/09	3a	

Date of draft 3a	03/12/2009
Date Approved	03/12/2009
Approved by	Tam Mc Padden
Next Scheduled Review Date	08/12/2009

**Version Record**

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03.12.2009	3a	Live – draft	Tam McPadden	Draft 3a

**Distribution:** This document has been distributed to the following people

Name	Title	Date of Issue	
Mark Gore	Head of Service, Transforming Education	03/12/2009	
Paul Galland	Strategic Director, Economy & Environment	03/12/2009	
David Carter	Strategic Director Customers, Workforce and Governance	03/12/2009	
John Betts	Head of Service, Resources	03/12/2009	
Dave Clarke	Strategic Director, Resources	03/12/2009	

**Document Location:**

The source of this document is located within the Transforming Education- BSF-RTD shared drive under the heading Readiness to Deliver Submission Document



**Readiness to Deliver Submission**  
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### 3.1. Transformational Overview

#### 3.1.1. Context and Vision

Warwickshire County Council and its partners are committed to the Building Schools for the Future programme, seeing it as a means to deliver the key aims of the Sustainable Community Strategy: to give access to services, choice and opportunity, to tackle inequality and to promote a sustainable environment. Investment in our schools will support the transformation of schools and of the communities they serve. In particular, it will enable the Council and its partners in the Children's Trust to move towards its vision set out in the multi-agency Children and Young People's Plan (CYPP) that 'every child and young person including those who are vulnerable and disadvantaged has the greatest possible opportunity to be the best they can be'.

The delivery of the BSF programme will be underpinned by the three principles set out in the CYPP: that we should be ambitious, raising aspirations and improving outcomes for children and young people and their families and communities; that we should ensure the full participation of children and young people and their families; and that they should be supported by a skilled, effective and flexible workforce.

Warwickshire is a diverse county with high levels of deprivation, in particular in the north of the county, and high levels of affluence in the south of the county. The county has a number of large settlements: Nuneaton and Bedworth, Rugby, Warwick and Leamington, Kenilworth and Stratford but also large rural areas. Almost every indicator points to worse outcomes for people in the more deprived areas in the north of the county and there is a commitment from public services in Warwickshire to narrow the gaps whether between different geographical communities or between particular groups and the majority.

The County Council services provided by the Children's Trust have generally been judged to be 'good', and outcomes for children and young people improving. Levels of attainment and achievement in Key Stages 1 and 2 are at least as good as the best result of our statistical neighbours: 'best in class'. In 2009 provisional figures show a continued rise in the percentage of young people achieving 5 A\*-C and 5 A\*-C including English and Maths, up from 51% to 53%. However, this remains 6 percentage points below the target and is a focus for the Authority. The results this year showed an improvement in levels of attainment of both Looked After Children and of young people registered and entitled to free school meals. However the gap in attainment between these two groups and the majority remains too high. Results in KS5 are improving but there is very significant variance in success rates which needs to be addressed. Only one school remains below the Government's benchmark figure of 30% 5 A\*-C including English and Maths. Support will be given to this school, and to the two schools currently judged to require 'special measures'. There are too many schools judged 'satisfactory' and the Council is committed to ensuring that they become at least 'good'.

Our vision for education in the twenty first century will be based on five key themes:

teaching and learning – enabling children and young people to be resilient, confident, curious and independent learners

inclusion and social cohesion – enabling every child and young person to be supported to be the best they can be

partnership – schools working together and with other agencies to improve outcomes for children and young people, their families and communities

ICT – flexible, reliable and safe ICT to support a strategy for change

Capital investment – high quality school buildings in support of the strategy for change

Building Schools for the Future will contribute to implementing this vision for education and the Council's commitment to narrowing the gap, social cohesion and regeneration with priority for the most deprived areas of the county.

### **3.1.2. Choice, Diversity and Access**

BSF is key to the Council's strategy of ensuring a pattern of strong, viable and successful schools across the county working in partnership to deliver better outcomes for young people and their families, and offering real choice to parents. There is considerable diversity in secondary provision in the county including, in two areas of the county, a selective system with grammar and high schools and elsewhere in the county 11-16 or 11-18 all ability schools. The Council will shortly complete its programme of change for special schools which has seen the establishment of generic special schools in each of the five areas of the county in modern purpose built accommodation and investment in two schools for pupils with educational, social and behavioural difficulties and one for pupils with a visual or sensory impairment. There is a single Learning Centre operating on three sites across the county, working with excluded young people but increasingly working with schools to prevent exclusion. Our schools include community, voluntary aided and foundation schools. Three schools have more recently, with the support of the Council, become Trust schools. The Council opened a National Challenge Trust School in September 2009 and is proposing to establish an Academy, to replace two existing schools, with effect from September 2010. These two schools are part of the Council's strategy for Nuneaton which addresses the serious issues in this area of low levels of attainment and achievement compared with elsewhere in the county, very poor school buildings and high levels of surplus places. Four of the seven schools in Warwickshire identified as part of the National Challenge in 2007 are in Nuneaton. Nuneaton, the most deprived area of the county, is the highest priority for the Building Schools for the Future programme, recognising the contribution that investment in buildings makes to raising aspirations of children and young people and their communities, improving outcomes by providing high quality learning environments and facilities giving access to services and narrowing the gaps.

The Council has a good record in relation to the National Challenge with all but one school in 2009 achieving more than 30% of pupils achieving 5 A\*-C including English and Maths. The Council's plan, with the support of BSF, will ensure good schools across Nuneaton. The College of Further Education judged 'outstanding' by OfSTED is the educational partner for the National Challenge Trust School and the Sponsor for the Academy.

The development of a strong partnership of schools, colleges and training providers is key to ensuring the entitlement of young people to the broadest range of courses and programmes. Across the county there are four Area Partnerships focussing on the 14-19 curriculum and the development of diplomas, taking account of the specialisms of schools and colleges. Every secondary school in Warwickshire has at least one specialism. The development of specialisms has been facilitated by the Council and agreed through the Area Partnerships. Post-16 provision is also coordinated through the Area Partnerships. Provision is made in 17 school sixth forms, three colleges of Further Education, and a sixth form college which principally serves the north of the county. The Council has agreed the development of sixth forms at three high performing vocational specialist schools: St Thomas More and Etone schools in Nuneaton, and St Benedict's Roman Catholic School, Alcester in the south; this provision will open in September 2011. In addition the Sponsor's proposal is that there will

be 150 post-16 places in the Nuneaton Academy. In order to maximise access for students all the sixth form providers in Nuneaton and Bedworth are committed to developing a 'federated' approach.

The Council has implemented a very successful strategy for extended services – every school is delivering the core offer and working in clusters to develop services responsive to local needs. On a number of school sites sports facilities are run by local leisure trusts and there is a commitment to extending community use of school facilities.

The BSF programme will support the development of high quality facilities for use by the school and community which will support the strategy for extended services and community use and the 14 – 19 strategy.

### **3.1.3. Identifying and Tackling Underperformance of schools and groups**

Levels of attainment and achievement in secondary schools are above national averages and improving but are lower than the target and not in line with the average of our statistical neighbours. There is a significant gap in levels of attainment between the more deprived areas in the north of the county, and between the performance of some groups of young people and the majority; for example, Looked After Children, Gypsy / Travellers, young people entitled to free school meals. There is a gap more generally in terms of the performance of boys and girls.

As at November 2009 two secondary schools are judged to require 'special measures', with a significant number judged only 'satisfactory'. In 2007, 7 schools were included in the National Challenge programme, 6 of them in the north of the county. All but one National Challenge schools have made very significant progress since then and only one school now achieves below the Government's benchmark figure of 30% 5+ A\*-C including English and Maths. Our aim is to ensure that every secondary school is at least 'good'. All our special schools have been judged to be 'good'.

The Authority has a clear Support and Intervention Policy which provides robust challenge and support to schools. School Improvement Partners (SIPs) play a key role in the monitoring of data, the gathering of information and the provision of support to schools. The implementation of the SIP programme and the deployment of SIPs has been judged at 'good'.

We have used a range of intervention and strategies to ensure our schools continue to improve. Detailed support plans were developed for the National Challenge schools; four schools are part of the 'Gaining Ground' initiative, seven in a 'Leading to Good and Outstanding' programme. We have brokered additional support for less successful schools and departments from more successful schools including the appointment of Executive Heads. We have also used 'structural' solutions including the establishment of a National Challenge Trust School and proposals to replace two schools with an Academy.

We have identified with schools underperforming groups and have in place strategies to support those groups – for example a virtual school for Looked After Children which has begun to make an impact. Narrowing the gap for boys from more deprived areas is a key part of the 'Gaining Ground' programmes. Our support services have been refocused on new arrivals and asylum seekers and on Gypsy / Traveller children.

Investment through BSF is crucial to a strategy of tackling the underperformance of schools and of particular groups of young people by providing high quality learning environments which support high quality teaching and learning and buildings which inspire and motivate

young people. The priority for BSF in Warwickshire is schools in the north of the county where aspirations and achievement are lowest.

#### **3.1.4. Learning**

The County Council and its partners are committed to improving outcomes for children and young people and will continue to focus on raising levels of attainment and achievement. Children and young people will be supported to become resilient, confident, curious and capable learners willing and unafraid to make choices about their own learning and able, as a result, to respond to the challenges of a rapidly changing world. In order to do this young people have told us we need to make lessons more interesting with more of them taking place outside the classroom; help them see the relevance of their learning; challenge outdated teaching styles and focus on skills and competencies rather than knowledge; and ICT to support their learning. There is a recognition that for all young people to be the best they can be, we must encourage learners to have high self esteem and high aspirations and ambitions. Children and young people should enjoy their childhood and their education and move into adulthood with a sense of achievement and optimism. Children and young people should take responsibility for their own behaviour and feel safe and secure in schools which are orderly, calm and purposeful.

Support from the National Strategy team is already supporting the development of a personalised curriculum, assessment to support learning skills, for example personal learning and thinking skills. The development of We-learn, a common learning platform as part of a wider strategy for ICT supported by a PFI project in almost every secondary school, will support the development of new approaches to teaching and learning, to a more personalised curriculum and to the development of skills and competencies, as well as providing a means to engage, more fully, students and their parents. There is a recognition that to achieve radical change in teaching and learning there has to be a significant programme of professional development and training for staff working in schools. Investment in school buildings and ICT through the Building Schools for the Future programme will provide school buildings which inspire, motivate and raise aspirations of students, their families and the community. New buildings will have high quality, flexible learning spaces to support new methods of teaching and learning, a differential and personalised curriculum and a focus on skills and 'learning to learn'. ICT will make resources for learning more accessible and enable the progress of students to be monitored and parents to be involved. The opening up of schools and the provision of learning opportunities for the whole community will give an important message about the value and importance of life long learning.

#### **3.1.5. Curriculum**

The County Council and its partners recognise the need for a varied and broad curriculum which young people find relevant, motivating and of high quality and which equips them with the knowledge, skills and personal qualities they need. That curriculum will include opportunities to participate in sport, music, culture, the arts, and to develop an understanding of the diversity of cultures, beliefs and ethnicity.

Key to giving young people access to the curriculum to which they are entitled are the partnerships of schools, colleges and training providers in each of the four areas of the county supported by the County Council and the Learning and Skills Council, and steered by the County 14-19 Partnership. Those partnerships in each area will allow access for all young people in the area to a range of learning opportunities including GCSEs and A-Levels, Diplomas, Apprenticeships, and the Foundation Learning Tier, and to a range of functional

skills. In order to do so, the partnerships will build on the strengths and specialisms of schools, colleges and training providers.

The Area Partnerships are leading the development of the new learning pathways supported by the development of collaborative protocols in relation to transport, attendance and monitoring of quality. Plans for the roll out of the Foundation Learning Tier across the county are progressing.

Learners will be supported in making the right choices of courses and programmes with excellent and impartial information, advice and guidance through the Connexions Service which is closely linked to the Integrated Youth Support Service and through access to a common 14-19 on-line prospectus. A particular focus is those young people not in employment, education or training or at risk of falling into that category. The Connexions Service have an excellent record in ensuring that all 16-17 year olds have an offer of a suitable placement in learning and provide targeted support to help those most in need.

Capital investment through Building Schools for the Future will help deliver across Area Partnerships high quality learning environments for each learning pathway including areas of applied learning to complement existing facilities, particularly in colleges of further education which are well situated geographically across the County. It will also provide continued investment in ICT as part of a county strategy to support teaching and learning across institutions.

Similarly, Building Schools for the Future gives the opportunity to develop across each area of the county high quality facilities for the arts, culture and sport as part of a coordinated strategy for the arts and for sport, including the Schools Sports Strategy based around the specialist sports colleges in each area.

### **3.1.6. Integrated Children's Services, ECM and Extended Schools**

The Children and Young People's Plan sets out the Trust's commitment to the focus on prevention and early intervention, building on the success of the roll out of the Early Intervention Network and the use of the Common Assessment Framework to give children, young people and their families swift and easy access to coordinated multi-agency services. More than 800 CAFs have now been completed across the county. This success will be built on by the creation of multi-agency teams in each locality with a focus on prevention and early intervention. The Pupil Reintegration Unit and services in support of learning and behaviour have, for example, been re-engineered to form part of an Early Intervention Service to promote positive behaviour in schools and prevent exclusion. The aim is for these teams to be co-located in each locality, where possible in school sites.

These arrangements will link with the further development of extended services and the extension of the healthy schools initiative to support for healthier communities. All schools in Warwickshire make the core offer in terms of extended services and this strategy will be maintained through the devolution of responsibility and resources to local clusters. Similarly the Healthy School initiative has seen considerable success with more than 80% having achieved 'healthy school' status and 47 more schools working toward this standard. This initiative has been well supported by the NHS Warwickshire Trust which is supporting the integration of health services into multi-agency teams. Other agencies are similarly involved, for example the Police through the 'Safer Schools' partnership which has led to a Police Community Support Officer being based in a number of secondary schools across the county with very positive results for the school and community.

There is continuing work with voluntary groups and public agencies including District and Borough Councils to develop a coordinated strategy for the development of sport building on the success of the existing school sports partnership, centred round specialist sports college. A similar strategy is being developed round the Arts. Both these strategies will help deliver the core offer for sport and culture for young people but also to deliver greater participation of all in sport and the arts.

Children's Centres already offer a model for the delivery or signposting of a range of services from a number of different agencies to children, their families and communities. Investment in school buildings through the Primary Strategy for Change and BSF will be key to extending this good practice to primary and secondary schools, with access to the highest quality facilities for arts, culture and sport.

### **3.1.7. Inclusion**

The Children's Trust vision means that there is a strong focus within the work of the Trust to remove barriers to learning whether for children who may have a learning disability or difficulty or groups of children and young people who are underperforming.

This includes ensuring access to school buildings, a differentiated and personalised curriculum, early intervention and an emphasis on prevention with dedicated teams offering support to particular groups of learners, for example, the Virtual School for Looked After Children has significantly improved outcomes; Warwickshire is part of the four year programme of targeted support for Gifted and Talented children and young people; the support provided for Gypsy and Travellers and for boys of Afro-Caribbean origin who underperform in comparison with the majority. Our aim is that as many children and young people should have their needs met in their local mainstream schools whilst recognising that some of the most vulnerable may need specialist support in a special school. There is an inclusion development programme in place to support this strategy with the role of special schools planned to develop to offer support to mainstream schools. The creation of the Early Intervention Service will give increased opportunities to build the capacity of schools to meet the diversity of learning and behaviour needs, to focus on transition, to provide intervention within schools, for example to support Learning Support Units and to provide support programmes for some young people unable to access mainstream provision. The Education Social Work Service will continue their support to clusters of schools and their targeted programme of support to promote better attendance.

Investment through the BSF programme will allow us to provide differentially to meet the needs of vulnerable or underperforming groups providing flexible learning spaces and, where appropriate, specialist facilities as well as high quality ICT systems in support of teaching and learning. It will also support the co-location of services within schools.

Similarly, it is envisaged that schools will be at the heart of the community they serve offering access to high quality facilities and to opportunities for learning for all.

### **3.1.8. SEN**

The County Council and its partners are committed to promoting inclusive education and to removing barriers to achievement for all children and young people, including those with special educational needs or learning disabilities and difficulties. In order to do so, the Council and its partners has focussed on early intervention, supporting and enabling schools to identify children and young people who may be falling behind and providing appropriate support within schools or through the support of multi-agency 'teams around the child'.. There is a commitment to meeting the needs of children with learning disabilities and



difficulties within mainstream schools but recognising the need for a specialist setting for some children and young people with severe and complex needs.

The Council has recently completed a reorganisation of its special school provision to establish a pattern of generic special schools across the county in new purpose built accommodation located on or near mainstream school sites in order to facilitate shared placements. There is also a school for pupils with behavioural, emotional and social difficulties and a school for pupils with a sensory or physical disability. These schools will increasingly share their specialist skills and expertise to support inclusion in mainstream schools. The Council has identified the need for additional specialist provision to make better provision for children and young people with BESD, and with autism and to reduce the dependence on independent out-county provision. Special schools work closely together, for example in coordinating the development of specialisms. Two schools are already federated and the Council are looking at different models of governance and leadership of special schools to ensure their contribution to the range of specialist provision available.

At the same time a strategy of promoting inclusion in mainstream schools is being developed and promoted. An Inclusion Development Programme across all Warwickshire schools is having a positive impact on teaching and learning. Extended services are being developed within special schools, and special schools form part of local clusters of school developing a range of services in particular localities. The development of policy and practice is informed by the views of a forum of children and young people with SEN and learning difficulties, the 'Wacky Forum'.

ICT is already playing a significant role in delivering an individualised curriculum and to meet the widest range of needs. Improved access tools for students with sensory impairments are available on the We-Learn Virtual Learning Environment (VLE). Areas within the Council's VLE enable staff working with pupils with SEN and LDD to discuss and share good practice and to have access to materials and documents. The portal gives parents easy access to information and how they can best support their child.

The Strategy for Change and investment through the Building Schools for the Future programme will enable further investment in ICT to support teaching and learning; the engagement of children and young people and the involvement of parents and carers; and the provision of specialist facilities within schools; and well designed and appropriate learning environments which will promote inclusion and support the education of children with special education needs and learning difficulties, for example for students with Autistic Spectrum Disorder.

### **3.1.9. Leadership and Change Management**

The Local Authority organises regular area based and county wide meetings for school leaders including headteachers and governors. There have already been residential conferences for all secondary headteachers and other key stakeholders where the vision for secondary education has been shaped.

The Local Authority has established a Local Strategic partnership (LSP) that brings together stakeholders including professional associations, headteachers, school governors and others to monitor and promote workforce reform. The Local Authority has an advisory team that organises a well planned, high quality training programmes for all Warwickshire secondary and special schools.

The local Authority works closely with school and college leaders through a variety of well established strategic groups. The Local Authority is developing system leadership. One

secondary headteacher has been used in a position of Executive Headteacher across two other schools and is a National leader in Education. The Authority has experience of developing a number of soft federations that have been successful in improving standards at Campion, Hartshill and Ash Green Secondary Schools. The Authority is working closely with the NCSL on its developing policies to support federations and Warwickshire has recently been sponsored to participate in the development of federations. The Authority is also part of the NCSL leadership succession planning programme and has made significant recent strides in policies to grow school leaders of the future.

The Authority has in place a well established governor development programme. There are regular and routine meetings for school governors in all areas of the county and collectively as a whole county. Governors have had opportunities for training on system leadership and how collaboration can improve performance in an area rather than in just one school. There are two Interim Executive Boards in Warwickshire led by experienced governors who have the ability to make rapid improvements in difficult circumstances.

There are well established processes in place to gather the views of young people and involve them in decision making. The Authority conducts an extensive pupil survey on an annual basis and takes action as a result of this feedback. The Local Youth Parliament is influential at a local and national level. At the recent secondary headteacher BSF conference a representative group of young people gave a very powerful input to stakeholders on their views on schools of the future.

Warwickshire has an effective and increasingly influential Children's Trust. This body is able to draw together all partners and has helped shape our vision of secondary education. A key driver has been the promotion of early intervention with coordinated action across a range of service providers including health and social care to improve outcomes for children and young people in Warwickshire.

### **3.1.10. ICT**

The headline strategic vision for ICT is that:

All schools will have flexible, reliable and safe ICT systems to support effective teaching and learning, communication and administration. Schools will benefit from an integrated infrastructure and access to the Warwickshire Learning Platform strengthening communication, collaboration and interoperability.

The effective and appropriate use of ICT is implicit in any consideration of learning in the 21st century. It cannot be seen as supplementary, or additional, or as a separate aspect of the learning process. In a world where most learners have grown up with technology as an integral part of their lives it is imperative that schools and learning communities utilise every opportunity to engage them. Learners and teachers will be able to access appropriate ICT tools to allow continuous access to motivational, differentiated, interactive and global learning opportunities any time and anywhere. They will have their own learning space on an integrated County-wide Learning Platform.

The Learning Platform provides the interoperability to exchange information seamlessly between learners, teachers, school leaders and parents. Using SIF technologies together with appropriate authentication of users, there will be seamless transfer of data between systems and users to aid school leadership teams to monitor attendance, behaviour and continual assessment which will inform users on progress and attainment and allow parents access to data to support the learning process.

The Learning Platform and our secure Management Information Systems will also provide access to multi-disciplinary and inter-agency teams which, in turn, will create the 'single view of the child', where all appropriate information is visible to those who have the authority to view it. This will allow them to further support schools, learners and their parents as they progress through their education.

In Warwickshire, we are already implementing innovative technologies into schools, including virtualised systems, ubiquitous wireless networks, and SIF compliant technologies. The ICT funding within the BSF programme will allow us to spread these technologies on a much wider basis providing greater equality of provision to the communities within Warwickshire and will consolidate the systems which are already making a significant impact on raising standards within our schools.

### **3.1.11. Sustainable Schools**

For the last five years the Council has been promoting the Eco-Schools programme in schools: more than 85% of schools are now designated eco-schools with 70% having achieved awards. We are now building on this programme with a strategy for 'Education for sustainable development'. This programme includes training for heads, premises managers and governors, promotion of sustainability within the curriculum and of sustainability and energy champions in schools.

In order to reduce energy needs by schools, there is a programme to provide schools with accessible data on energy use, to work with 'Act on Energy', promote energy efficiency and to develop particular projects to reduce energy use. The most recent secondary school built by the Authority, opened in September 2009, has achieved BREAMM 'excellent' status. Other schools have looked at ways of reducing energy, for example one school has built a small wind turbine.

BSF will allow the development of energy efficient buildings designed to reduce energy use and carbon emissions and to provide an exemplar of good practice.

## 3.2. Deliverability

### 3.2.1. Pupil Place Planning

The timing of Warwickshire's anticipated entry to BSF will coincide with the planning for significant growth in Secondary School numbers in Nuneaton and Bedworth, East and Central Warwickshire. South Warwickshire is forecast to see a more modest growth in numbers, although this may have an impact in areas such as Stratford-on-Avon. North Warwickshire is forecast to have the smallest growth in secondary school pupil numbers. The implementation of the West Midlands Regional Spatial Strategy is planned to establish over 40,000 new homes up to 2026.

Primary school numbers are forecast to grow from 38,500 in 2010 to 45,500 by 2020, an increase of 12%.

Details of the changes in overall pupil and student numbers in the County, up to 2020 are projected to be as follows:

	2009 Residential based		2020 Residential based forecast	
<b>WARWICKSHIRE</b>				
Primary	38531		45656	
	Pre 16	Post 16	Pre 16	Post 16
Secondary	29736	4238	34156	
<b>Secondary</b>	Pre 16	Post 16	Pre 16	Post 16
Northern	3220	366	3473	
Nuneaton/Bedworth	8044	<b>211</b>	9172	
Eastern	5348	950	6314	
Central	5745	1425	7263	
Southern	7379	1286	7934	

Numbers planned for Complex Needs schools in 2020 will be 78, representing 0.98% of overall pupil numbers.

Forecasts are moderated by an internal, cross-Departmental whilst the organisational implications are dealt with internally by our Capital and School Organisation Board. The forecasting model is based on recent patterns of attendance, demographic changes and planned housing growth using our standard formula multiplier of 2.8 per 100 new dwellings.

*\*PFS Step by Step Guidance has been used to develop the forecast numbers and capacities for the schools in the Initial Project as they appear in this RtD. There is full cross-referencing to the Academy Expressions of Interest. Appendices 1 and 2 of the Step by Step Guidance to Pupil Place Planning are appended to this RtD.*

Underpinning these and the other schools in the Initial project is the conclusion that no further major organisational change will be required in the local areas of the Initial Project schools. The forecasts for the long-term do indicate a need for a new school in Nuneaton and possibly Bedworth partially as a result of new housing we have assumed that surplus capacity up to 2015/16 will absorb some of the impact of growth.

### 3.2.2. Estate Planning

- The Asset Management Plan

Warwickshire County Council has a comprehensive and detailed Asset Management Plan (AMP) which is embedded in its decision making processes and underpins its Capital spending plans.

The Council seeks to join-up all available sources of funding including capital allocations, corporate resources, developer contributions, capital receipts, school resources and external sources of funding and considers every opportunity to rationalise, re-use or dispose of its surplus assets. Warwickshire has a track record of providing new and improved schools through amalgamations and reinvestment of capital receipts and has experience of a variety of methods of procurement including traditional, design and build, PFI and partnering contracts. The council operates a number of framework arrangements for construction, maintenance and professional services and maintains an in-house team of property and construction professionals who compile the AMP and provide design and project management expertise.

- School number and Location

Warwickshire has 36 mainstream Secondary Schools, 3 Secondary Special schools and 4 all age special schools. There are 5 grammar schools; 1 Church of England and 3 Roman Catholic Schools. In addition there is a Warwickshire PRU which provides secondary school provision from three separate sites in the Northern, Eastern and Central areas of the County. The school estate is predominantly 20<sup>th</sup> century and contains a variety of CLASP, Hallam or similar system buildings as single blocks, clusters of blocks or whole schools but also includes buildings from 15<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> centuries including a number of listed buildings.

Mainstream secondary schools range in size from 350 to 1780 (including post 16) with planned admission numbers from 77 to 300 and organised as 3 FE to 10FE.

There are 18 schools with post 16 provision, 3 with approval to establish a sixth form. Post 16 numbers on school rolls ranges from 1 school with 60 students, 7 with fewer than 200 students, 4 with up to 300 students, 4 with around 350 students and 2 with more than 450 students. Schools seeking to establish post-16 provision will provide up to a further 750 places.

The authority has replaced 3 secondary schools at Stratford-upon-Avon High School, Stratford; The Avon Valley School, Rugby; and North Leamington School, Leamington Spa. The Council is currently considering a proposal to close Manor Park and Alderman Smith schools in Nuneaton and to replace them with a single Academy.

- Proposals

#### Size and number of schools

Our proposal under BSF is largely to retain the current pattern and distribution of schools and to rebuild, alter, extend or refurbish most mainstream secondary schools on their existing sites.

The proposal for an academy will require the closure of two secondary schools and the establishment of a single new Academy.

Pupils from already agreed housing developments can be met through our existing school. However, the Regional Spatial Strategy has identified the need for up to 42,000 new homes within Warwickshire which will increase the demand for school places over the life of the programme. There is also likely to be demand for places in Warwickshire schools from neighbouring authorities particularly when there is additional development.

### Sites

Schools will generally be redeveloped within their existing sites. Initial studies have indicated that for the majority of proposed new builds this could be accommodated by relocating the buildings within the existing site; for others a phased demolition and construct approach will be required.

### Costs

We have completed the Funding Allocation Model and are satisfied that our proposals match the New Build: Remodel: Minor Works ratio of 50:35:15.

Further work is required on the implications of any funding gap that arises through the PFI credits route.

Clarification of the availability of S106 or CIL contributions and the proposed development dates of new housing is required.

#### ▪ Rationale For Local Prioritisation Decision

In order to deliver our programme for transforming education, Warwickshire County Council will be targeting resources received from BSF to ensure that they are used in the areas of highest need.

In line with its PSfC, Warwickshire County Council identifies need based upon four main criteria:

- Educational attainment (*measured by achievement of 5 A\*-C GCSEs awarded including English and Maths*)
- Deprivation (*measured by Tax Credit Indicators supplemented by reference to IDACI indicators*)
- Physical condition of building and suitability for teaching (*measured by a range of local indicators through the Asset Management Plan*)
- Demographic changes (*including parental demand, surplus places and denominational provision*)

As part of its strategy for 'narrowing the gaps' the Council has undertaken a review of secondary provision in Nuneaton and Bedworth. In line with the above criteria, the review was prompted by concerns about:

#### Low levels of attainment and achievement

In 2008, 42% of pupils in schools in Nuneaton and Bedworth achieved 5 A\*-C GCSEs including English and Maths compared with a county average of 51%. Five of the 7 Warwickshire schools identified as part of the National Challenge are in this area.

#### Deprivation

This area is the most socially deprived area of the county. Over half the schools in this area have Tax Credit Indicators above 50%.

#### Poor school buildings

The Authority's Asset Management Plan identifies that the school buildings in this area are the worst in the county, the majority of which require substantial rebuilds.

#### Surplus places

There are currently 869 surplus places in the area (9.5 %). Because of the exercise of parental choice, the impact of falling rolls impacts particularly on two schools identified as being in the National Challenge.

The Council has identified the need to develop a coherent strategic plan for Nuneaton and Bedworth and this is currently the subject of consultation. As part of that strategic plan the County has formally proposed to establish a new Academy to replace two secondary schools in the National Challenge, in advance of BSF funding. One further school has become a National Challenge Trust School. Ministers have given support to this plan. The Council has also assessed the building needs of each secondary school across the County. Overall, our needs closely match the PfS funding model (50% new build, 35% alteration and extension, 15% minor works), however there is a disproportionate need to rebuild and update school buildings in the areas of Nuneaton and Bedworth and North Warwickshire.

In light of the evidence of need, the initial project will be carried out in Nuneaton focused on five schools. This is subject to the formal and statutory consultation process. The project will rebuild three schools and substantially refurbish two schools. It is estimated that this project will cost above the recommended allocation for an initial project, due to the most urgent building need being in this area of the County (i.e. follow-on projects will require proportionately less new build). By investing in this area first, BSF funding will support our strategic plan for narrowing the gap, regeneration, and other investment in public services in the most socially and educationally deprived area of the County.

The investment will produce well designed and sustainable schools, built on time and at a reasonable cost to the taxpayer.

The project in Nuneaton will be the first of five BSF projects across the County. Warwickshire County Council, together with schools and other partners in the Children's Trust have embedded the philosophy of *Every Child Matters* in services for children, young people and families across the County. Building on this firm foundation, the County Council is confident that it can deliver these projects, together with other programmes within our CYPP, to raise the aspirations and achievement of children and young people and their families and communities. In this way, we will achieve the vision of Warwickshire Children's Trust and increase progress towards the Children's Plan 2020 goals.

#### Section 77 and S106

Warwickshire does not propose to discontinue any schools under BSF or to otherwise dispose of any sites. There may however be technical reasons why an application to the Secretary of State is still required. The circumstances of each proposal will be examined against guidance and legislation pertaining at the time.

The proposal to rebuild on and within existing school sites will, in many instances, mean building over existing play areas or playing fields. Where this occurs the proposal is that the site of the current buildings will be reclaimed and remediated as playing fields.

It may in some instances, be possible to increase the availability of playing fields by reducing the footprint of new buildings and by a more efficient site layout. Consideration will also be given to the provision of All-Weather Surfaces that will have the effect of increasing the area available for sport and recreation and improving community access to sports provision.

The need to make applications for disposal under Section 77 SSFA., Section 35A or section 22 will be continuously monitored throughout design development.

### 3.2.3. Sustainability

Crucial to generations of children and young people – is the embedding of sustainability into the attitudes, behaviours and actions of all those engaged in supporting and inspiring them through the education system. As important to those young people - is how we design, build and reshape the physical fabric of our schools - demonstrating sustainability in every classroom, corridor, and washroom across whole sites.

*The aim of sustainability is to improve the resource efficiency, overall effectiveness and social responsibility of the country's businesses which are involved in creating our built environment. Through this we can all have a better quality of life and ensure that sufficient resources remain for future generations.*

*(<http://www.berr.gov.uk/sectors/construction/sustainability>)*

This is one of many definitions of sustainability in essence the driver is to reduce the impact of schools on natural resources both during construction and in operation. Key to this is the integration of sustainable objectives at all stages of the project so as to deliver social, economic and environmental sustainability both in the direct school community but also in the wider community surrounding the school.

Our objective is to inspire future generations, building their sense of identity and creativity - sending them out confident and well prepared to influence and build a more sustainable future than created by their parents. In Warwickshire sustainability has to simultaneously deal with the global environmental issues, social issues (skills / employment) and getting best value for the public purse across the life cycle of each and every school.

This needs to happen at different levels and stages.

1. Talking with the users / stakeholders and understanding how the school environment can best become a part of what, and how, children learn;
2. How we design, procure and construct those schools; and
3. How we integrate, review and reintegrate the lessons holistically.

Fundamental will be how we address reducing energy demand, carbon emissions, designing for a different climate - and how seriously we tackle resource efficiency. Understanding and delivering on the recommendations of the Zero Carbon Taskforce will be key. This issue together with those of energy security, peak oil, climate change and maximising the use of other scarce resources will be given high priority alongside how a school works for staff and pupils, its operational functionality, aesthetics and how it works in community.



Recent secondary school projects in Warwickshire have achieved BREEAM ratings of Very Good and most recently Excellent, one of only 15 schools to achieve this mark. It is envisaged that these standards will continue through the BSF programme with aspirations to achieve Outstanding. Alongside these we will use other tools to support sustainable design and delivery such as Design Quality Indicators and Post Occupational Evaluation. Two development areas in the delivery of new schools that we would wish to explore and develop further would be delivery of a zero waste to landfill and all new builds to be A rated for energy.

Critical to sustainable success is a reduction in carbon emissions in operation, to achieve a significant (60%) reduction in emissions will challenge all aspects of the delivery programme not least the design of the buildings and building management systems within the buildings. This will present a significant task to the integrated delivery team and may even stimulate innovation in systems and control design and operation. It is vital that our schools are energy secure and that we do not leave a legacy of waste for future generations.

Under the Schools Operation theme, Warwickshire County Council has already developed a Sustainable Schools strategy and a series of action plans relating to the eight (8) doorways identified within the DCSF's National Framework for Sustainable Schools. These plans will be further developed in collaboration with all stakeholders alongside the Building Schools for the Future programme.

It is recognised that our students are tomorrow's leaders, so to be able to deliver on Sustainability it is these young people that will be delivering this vital strategy so provision of a sustainable school environment for them to learn and grow is essential if we are to be successful in achieving social economic and environment sustainability.

#### **3.2.4. Consultation and Communication**

Comprehensive consultation and communication strategies are central to Warwickshire's work on transforming education. This work is framed within a communications strategy with a detailed action plan.

The corporate communications and marketing team enable a strong programme of communication, including webcasting, text messaging, online consultations and discussion forums. The strategies secure immediate and accessible communication.

The Authority has developed a Consultation Toolkit, and this ensures transparency, consistency and accessibility, reaching all members of our target audience.

A Schools' Stakeholder Group was set up in June 2009, to inform developing consultation methods. Between 17<sup>th</sup> July 2009 and 18<sup>th</sup> September 2009, seven consultation meetings were held across four areas of the county, with representation from secondary mainstream and special school leaders, staff, governors, pupils, training providers, district/borough and county councillors, diocesan representatives and local authority officers. Feedback from all stakeholder consultations has been collated, together with registers of attendance and other evidence of stakeholder involvement. A summary report was presented to the Authority's commissioning officer in October 2009, and this informed the next steps in the process. These meetings were supplemented by key briefings delivered locally to ensure a shared understanding of the drivers for change and development, including the imperative to match supply to the demand for places, and options for organisation.

The area consultations formed the foundation for a two-day conference, "Warwickshire's Future", held on 23<sup>rd</sup> and 24<sup>th</sup> November. Warwickshire's young people made a film of their

views expressed at these events – this was used as a starting point to the two-day conference with outstanding results.

This conference was central to securing commitment from schools, the County Council, partner providers and others to a collaborative and creative Transformation agenda. Most importantly, young people participated and were consulted on issues that affect them alongside those who make decisions on their behalf. Their views and steer are sought continuously throughout the process. The process will produce Warwickshire's Manifesto for Change. This will be tangible evidence of combined commitment to one vision for transforming education in Warwickshire.

Warwickshire's Sports and PE Stakeholders' Group (Education, Health; Extended Services; Police; national and local sports & PE bodies) met on 13<sup>th</sup> November 2009, to further the work on developing a collaborative approach to the Built Facilities strategy (BFS), linking this to Active People, Active Places. The County Sports partnership is taking this forward with the Council, and there is marked progress towards submitting PFS to Sport England for approval, with Rugby, Nuneaton, Bedworth and North Warwickshire completing this by February 2010.

All Conference reports, consultation outcomes and other contextual communications are published on the intranet and on Transformation's website.

Schools are supported in taking the consultation further through a toolkit containing presentation summaries, activities to encourage debate and other materials. This helps them to engage their communities in shaping the vision.

A strategy is in place for further formal consultation with head teachers and chairs of governing bodies from each of our secondary schools, the Diocesan Board and the Warwickshire Governors' Forum.

Stakeholders are supported in building up their picture of the possibilities by Case Studies describing successful educational change within the authority. For example, multi-million pound builds at Stratford High and North Leamington School, and the re-birth of a new school and ethos at Avon Valley School are strong exemplars.

### **3.2.5. Project Planning**

The Authority has substantial experience of delivering successful programmes of work, including most recently North Leamington school and PFI project experience from an innovative ICT programme (We-Learn) and with neighbouring Local Authorities Project Transform (a waste project).

The Council is committed to ensuring the programme has the capacity and capability to deliver a challenging programme. The Council has already made a provision within the Readiness to Deliver phase of £145k to cover resources in advance of the main programme commencing. We are seeking the support of Local Partnerships to carry out a skills audit. To manage the project we have Project Board support from our Strategic Directors for Environment & Economy, Resource and Customers, Workforce & Governance. This structure will be supplemented if the Authority goes through to the next stage of BSF.

The Local Authority's approach to risk management identifies activities to be scoped, mapped and implemented into our risk management framework, including risk identification, mitigation and monitoring. 'Risk' is a standing item on Project Board agendas and the risk

management process uses a simple Red / Amber / Green reporting system to categorise risk.

A risk scoping workshop was held by the project team and the Authority's Principal Risk & Assurance Manager to identify a number of key risks. We have since implemented mitigation measures for high risk areas and have robust controls to minimise and/or mitigate these risks on an ongoing basis. This approach will be adopted by the Authority through its next phases of BSF.

Desk based feasibility studies have been undertaken for initial projects and therefore all site related risks have been identified as far as is practical. All sites are existing school sites and therefore we have an understanding of the site history and availability. The major political and strategic risk relates to the opposition to the proposed school closure of Alderman Smith School and Manor Park School into an Academy. To mitigate the risks this project is treated as a traditional Academy project which assists in terms of managing the risk and bringing the programme forward.

### **3.3. Investment Strategy**

#### **3.3.1. Council Commitment**

**To reflect discussions at Cabinet**

### **3.4. Affordability**

#### **3.4.1. and 3.4.2. Balanced Investment Proposals and Funding**

The Local Authority has conducted high-level feasibility appraisals and scheme proposals for the initial projects. These are based on the pupil number estimates identified elsewhere within this document and using the PfS standard Funding Allocation Model. From the initial analysis it is calculated that our proposals will broadly meet the overall funding available (in capital terms). Indeed, the Local Authority is committed to minimising any affordability gap. However, in the event of any shortfall it will:

- seek to generate capital receipts as a result of the rationalisation process (recognising the significant challenge due to the prevailing market conditions);
- explore the possibility of securing additional funding through alignment of existing programmes, new grant applications, co-location of services and funding through the Schools Forum.

The Local Authority recognises there may be an affordability position with regards to the ongoing revenue commitments as a result of the ICT, FM and Lifecycle funding gaps. This will be in addition to the contributions to the operation of the LEP and the investment in the PFI schemes. The Local Authority will be exploring with all schools and the Schools Forum appropriate contributions. The proposals are also being considered by the Local Strategic Partnership to ensure identification of opportunities for shared services (and funding streams) across public agencies.

The Local Authority is committed to the delivery of the BSF programme and is therefore committed to identifying strategies for filling any residual funding gap - including the use of Children's Directorate revenue funding as well as any Corporate resources.

## **3.5. Resources and Capability**

### **3.5.1. Governance**

The Leader of the Council, the Lead Member for Children's Services and the Lead Member for Resources have all played a significant leadership role in the development of the BSF programme. The Lead Member for Resources is the designated Cabinet member for the BSF programme. The Cabinet has considered the overall strategic plans and the development of new forms of governance for our schools. Our BSF plans have the support of Members who recognise it provides a transformational approach to future school provision, makes an important contribution to delivering the Every Child Matters agenda and is significant in Narrowing the Gaps within the County, starting with Nuneaton.

A BSF Project Board has been established since August 2009, is meeting regularly and has played an active part in developing our Readiness to Deliver. In line with Local Partnerships guidance, it comprises a range of senior Corporate officers, including Strategic Directors. Headteacher and governor representatives are being sought. Representatives from Local Partnerships and Partnership for Schools will be invited to join the Project Board during the next phase of work.

### **3.5.2. Financial Commitment**

Cabinet has already agreed financial resources to deliver the Readiness to Deliver phase in this financial year (2009-10), enabling a full time secondment of the Head of Service for Education Partnerships & School Development. In addition, other staff have been seconded to initiate the development of the programme (including full-time officers responsible for pupil place planning and the overall education capital programme) as well as substantial input from senior officers with responsibility for school-based staff training, communications, property and procurement, legal and financial advice).

The Strategic Director of Resources is a member of the BSF Project Board and is fully involved in preparing our Readiness to Deliver. A three year plan (covering 2010-11 to 2012-13) to meet the necessary financial commitment of the first phase of the Local Authority's BSF strategy (in line with resourcing equivalent to 3% to 4% of Capex) is being considered as part of the Council's overall budget setting in February 2010.

### **3.5.3. Project Team and Support**

As noted earlier, we have already seconded, on a full time basis, our Head of Education Partnerships & School Development (EP&SD) to lead on our Readiness to Deliver as Project Director.

A Core Project Team working with the Head of EP&SD has been established (since April 2009) for the RtD that has been planned to anticipate and meet the demand for specific skills and knowledge through different phases of BSF. (This includes senior officers with expertise in pupil based planning and education capital programmes as well as administrative support) In addition the Core Team is supported by senior officers from Finance, Legal, Estates, ICT, Communications, Project Support, Human Resources and Procurement and the majority of these functions will be directly represented (and expanded upon) on the Project Board when the project moves on to its next phase. The Project Team will report to the Project Board.

We acknowledge that a project of the scale of BSF will require significant resources and external legal, financial and technical knowledge. We will draw upon our Corporate expertise and experience. We have recently successfully rebuilt a new school (North

Leamington School) and are developing large scale PFI experience in conjunction with neighbouring Authorities on a waste scheme - Project Transform. In addition, we also have a very successful ICT PFI scheme with Research Machines. However, we recognise that not all necessary expertise is available in house and have committed substantial revenue (through an outline three year budget) to commission external advisers to support the programme and acknowledge that PFS has suitable frameworks for advisors that we will use. To do this we will undertake a skills audit with Local Partnerships and envisage identifying a Design Champion at that time.

#### **3.5.4. Corporate Strategy**

Warwickshire County Council's priorities include raising levels of educational attainment and pursuing a sustainable environment, so its priorities are entirely in line with BSF.

BSF will be integrated with other projects and the BSF Project Board will oversee BSF and the Primary Capital Strategy. The Local Authority's Primary Strategy for Change was recognised as an exemplar by DCSF. The BSF Project Board will feed into the work streams and working groups of the Local Authority and its partners, in particular via the Public Service Board (which is the County's LSP), overseeing all agencies contribution towards Narrowing the Gaps. BSF proposals will be integrated into the Sustainable Community Strategy and the Sports Strategy being developed with District Councils.

The Local Authority recognises that the BSF programme should result in significant additional improvements to local communities. The Authority already has a positive track record here, including the delivery of a library within a primary school rebuild; extensive provision of community facilities within a recently rebuilt secondary school; and the delivery of multi-agency services from within newly built Children's Centres.

The presence of high quality schools that perform well will have an impact upon a sustainable community. More importantly, the schools will be planned as part of a restructuring of the local delivery of services throughout the County so that, where appropriate, schools become the hub of co-located, multi-agency services for local communities.

### **3.6. Benefits Realisation**

#### **3.6.1. Working with the Private and Third Sectors**

One of the principal reasons behind focussing the Authority's initial BSF building work in Nuneaton is to provide an opportunity to place these schools at the heart of the regeneration of this district. The Authority intends BSF to make a major contribution not just towards educational achievement, but also towards regenerating local economies and communities. The Authority is already working towards co-locating children's services in community hubs by 2013. The Authority will be looking at procuring partners in the LEP who understand this local need and can work with us in providing training and apprenticeships as part of its 14 to 19 strategy.

Longer term the Authority would expect that the employment and training opportunities afforded throughout the supply chain associated with BSF would increase employment opportunities, both in the building trade and more widely throughout associated professional work. This would reflect the variety of skills sets and training needs within the County as well as provide opportunity for more social mobility.

The "third sector" is also vital in this transformation of communities. The provision of integrated services in "hubs" as well as the variety of extended services and sport and culture already offered by the Authority and its partners based in schools is largely dependent on private, voluntary and independent organisations. To maintain and enhance this the Authority will continue to include the third sector as one its key stakeholders in designing its BSF strategies.

#### **3.6.2. Joining Up within the Local Authority**

As already highlighted, BSF will be used to develop the school as the hub of the local community. Part of this involves the Authority delivering some of its own public services through a One Front Door, in conjunction with other public sector partners in the County. The Authority already has evidence of successfully achieving this with District Council partners (in terms of service delivery access points) as well as multi-agency, multi-disciplinary services provided in Children's Centres and via joined up services such as the Integrated Disability Service. Also, the current BSF Project Team includes professionals from across the Authority to ensure that all available opportunities (for example, for estates management) are fully exploited and the staff (and project structure) currently involved in the BSF programme will ensure this continues

#### **3.6.3. Quality of Place**

Regeneration and economic development go hand in hand to help transform the lives of local communities. A healthy, more inclusive economy, leads to increased income for local residents, a more buoyant housing market, a stronger social infrastructure, higher aspirations especially amongst young people and an improved quality of life and connection with place. An important catalyst for successful regeneration is a school which is environmentally, socially and economically strong.

Schools in Warwickshire are at the heart of our communities. The BSF programme will help cement current and future regeneration and educational activity, bringing together in a physical sense a range of activities and strategies and allowing a more joined up approach across a range of locations with improved delivery of services including:

- Adult training



- Skills development
- Business enterprise
- Business links , apprenticeships and work based training
- Private & third sector linkages
- Community development
- Community carbon footprint
- Co location of community support services
- Expansion of out of school activities
- Reduction in NEETs, absenteeism
- Procurement of local contracts
- Improved buildings , environments and landscapes
- Improved teaching recruitment
- Healthy, motivated staff & pupils.

BSF also offers the opportunity to integrate service provision in targeted ways, such as, enabling more effective use of jointly funded and managed facilities e.g.: swimming pools/health & leisure/physiotherapy centres.

By inter-linking these agendas we can successfully address social cohesion, work towards improved quality of place and truly deliver sustainable communities, in keeping with national, regional, sub regional and County strategies

**AGENDA MANAGEMENT SHEET**

<b>Name of Committee</b>	<b>Cabinet</b>
<b>Date of Committee</b>	<b>17 December 2009</b>
<b>Report Title</b>	<b>Kingsbury Swimming Pool</b>
<b>Summary</b>	That Cabinet considers whether to support the recommendation of the North Warwickshire Area Committee that continued funding for Kingsbury Swimming Pool is made available whilst alternatives are explored through a Steering Group of partners as supported by the North Warwickshire Area Committee to find a long term sustainable strategy.
<b>For further information please contact:</b>	Peter Hatcher County Youth and Community Officer, Youth & Community Service Tel: 01926 742485 Peterhatcher@warwickshire.gov.uk
<b>Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]</b>	No
<b>Background papers</b>	North Warwickshire Area Committee 25.11.09
<b>CONSULTATION ALREADY UNDERTAKEN:</b>	Details to be specified
Other Committees	<input checked="" type="checkbox"/> North Warwickshire Area Committee 25.11.09
Local Member(s)	<input checked="" type="checkbox"/> Cllr Brian Moss – Kingsbury
Other Elected Members	<input checked="" type="checkbox"/> CYP&F O&S Chair and Spokespersons for information: Cllr John Ross Cllr Carolyn Robbins Cllr Peter Balaam Cllr Tim Naylor
Cabinet Member	<input checked="" type="checkbox"/> Cllr Izzi Seccombe
Other Cabinet Members consulted	<input checked="" type="checkbox"/> Cllr Colin Hayfield Cllr Peter Fowler Cllr Martin Heatley

Cllr Moss "I refer to the agreement made on the 28th day of March 2001 between Warwickshire County Council and Kingsbury Parish Council. Paragraph 11. of the agreement states:-

"If the County Council shall at any time determine that the swimming pool is surplus to its requirements then the County Council may determine this Agreement at any time on giving to the Parish Council not less than six months' previous notice in writing. Immediately on the expiration of such notice this Agreement and everything herein contained shall cease and be void." I would maintain that with nine schools using the pool plus numerous other user groups, not by any stretch of the imagination could the swimming pool be determined as surplus to the County Council's requirements".

- Chief Executive  .....
- Legal  Diane Nation "comments incorporated into the report"  
Barry Jukes
- Finance  David Clarke, Strategic Director of Resources  
"comments incorporated into the report"
- Other Strategic Directors  .....
- District Councils  North Warwickshire Borough Council
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Kingsbury Parish Council  
Kingsbury School

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:** Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Cabinet – 17 December 2009

### Kingsbury Swimming Pool

#### Report of the Strategic Director for Children, Young People and Families

##### **Recommendation:**

That Cabinet considers the following recommendations of the North Warwickshire Area Committee:

- (1) That funding be continued for the Kingsbury Swimming Pool for a minimum of a further 12 months from 1 April 2010.
- (2) That a Steering Group of key partners is established with the remit of:
  - a) reviewing pricing and marketing strategies;
  - b) seeking grant applications for capital investment; and
  - c) exploring all funding and management opportunities that will secure the long term future of the Kingsbury swimming pool.
- (3) That a progress report to be brought back to the Area Committee as the Steering Group develops proposals for consultation.

## **1. Background**

- 1.1 Kingsbury Parish Council raised funding for the swimming pool due in part to their concern that the areas used for aggregate extraction quarrying in the Parish were converting to public spaces (Kingsbury Water Park) and the likely increased danger to life through drowning of local people who could not swim. This has remained a concern for them and has increased with the significant growth of the population of the Parish and considerable number of lakes and water spaces in the vicinity.
- 1.2 Kingsbury Swimming Pool is a large indoor pool situated on the site of Kingsbury Secondary School and subject to a joint use agreement dated 29 June 1971, subsequently renewed on 28 March 2001, between Warwickshire County Council (WCC) and Kingsbury Parish Council (KPC).
- 1.3 Under the terms of the agreement the Parish Council agreed to construct the pool at its own expense. The Parish Council have use of the pool between the hours of 1800 - 2100 hours Monday to Friday, 0900 – 1600 hours Saturdays

and 0900 -1200 hours Sundays. They pay a fee set by WCC to cover contributions to heating, lighting, maintaining and cleaning the pool and any caretaking costs. The Parish Council pass this charge on to users, collect the fees from them and pay this to WCC. The fee only relates to actual use during their booked times.

- 1.4 Warwickshire County Council is the owner of the pool and if the agreement is ended (subject to a minimum of six months notice in writing) the pool remains the property of WCC.
- 1.5 The pool was previously managed by Kingsbury School on behalf of WCC. With the full introduction of Local Management of Schools (LMS), in the late 1980s early 1990s, there were ongoing issues regarding finance. A number of these issues came to a head when in March 1996 the then Education Committee decided to reduce the pool subsidy by £15,000. At a school Governors' meeting in April 1996 it was decided they could no longer take any responsibility for the pool. Since that time, the then Community Education Service, now the Youth and Community Service have managed the facility on behalf of WCC.
- 1.6 Over the past decade the pool has built a strong reputation as a friendly environment for swimming. The actual pool is of a good standard. Though access, changing and viewing facilities are poor – these are overcome by the approach of staff. Relationships with the Parish have been good and times during their allocation, when they cannot get bookings, are now managed by the pool staff to ensure as much use as possible. The advent of increased Health and Safety legislation has led to increasing costs. WCC reduced the subsidy from £70,000 in 1996 to £30,000 in 2006. However, costs have increased and the average subsidy over the past three years has been from £30,000 to £50,000. In 2008-09 the expenditure included an increase of £18,000 gas bill due to the increase in gas prices and the ending of a special low rate.
- 1.7 As part of the challenging budget reductions facing WCC for this current year activity beyond WCC's core business was examined. It was agreed that leisure activity did not fit into its core business and therefore it was proposed to remove any subsidy for the swimming pool. As the year has progressed it has become apparent that this issue is not easily resolved and therefore the Youth and Community Service has been able to find the required subsidy during this financial year from other short-term savings available to it in order to try and find alternative arrangements to secure the future of the pool.

## **2. Current Use of and Issues Affecting the Swimming Pool**

- 2.1 In an average week there are over 15 different sessions offered to the public. These range from "early birds" public swimming session at 7.00 am; aqua aerobics; ageing well; ladies only; pre-school and general splash sessions; through to structured swimming lessons for individuals and groups. There is the opportunity for the pool to be booked for parties on Saturday and Sunday afternoons. There are nine regular school sessions each week. Kingsbury School itself uses the pool twice a week. A very successful Swimming Club,

Kingsbury Aquarius, also use the pool one full evening, part of another and Saturday mornings. A different programme is offered during school holidays with a range of fun splash sessions and private lessons replacing the structured day-time activities during school terms.

- 2.2 An average week will see the pool used from 7.00 am, three days a week and 9.00 am on others through to 9.00 pm Monday to Friday and 5.00 pm Saturday and Sundays depending on parties. There are approaching 1,000 people of all ages using the pool in some weeks.
- 2.3 As identified in paragraph 1.6 above relationships with the Parish Council are good. Meetings have taken place to review and agree charges to implement health and safety procedures that ensure there is a trained lifeguard on the pool side for any public sessions. These discussions have not been without challenges regarding passing on increased costs to users. It has also been agreed that to maximise income possibilities, when groups that currently hire the pool through the Parish Council no longer want to, and no alternative can be found, the time transfers to WCC to provide lessons or a group activity.
- 2.4 Since the management of the pool by WCC relationships with Kingsbury School have generally been good. There have been ongoing issues regarding security during the school day due to pool users accessing the pool through the same entrance used by pupils undertaking sports lessons. Action has been identified that will address this issue as it now affects the Schools Ofsted inspection with regards to safeguarding. It has also not been possible to raise the necessary funding to enable the pool to operate totally independently from the school with regards to the various service charges.
- 2.5 The pool is in good condition with filters, pumps and heaters all being in good condition. As stated previously the changing and viewing facilities are the weak link in providing excellent swimming facilities. When built it was envisaged that group users would use the school changing rooms and showers that are adjacent to the pool. Therefore only small changing rooms with toilet facilities were built inside the pool complex. Since WCC took over the management of the pool in 1996 the school charges for use of their changing facilities. In recent years to keep down costs there has been a reluctance to hire the changing facilities.

### **3. Activity Since Budget Announcement**

- 3.1 Early in 2009 meetings took place with both the school and Parish Council to discuss whether either or both organisations were, or might be, willing to manage the pool or contribute to its finances. Neither party felt able to do so – the school due to the pressures and limitations of use of school funds, and the Parish Council because they felt they did not have the remit from parishioners or capacity to manage the facility (or the legal ability to do so). Both remain committed to trying to find a solution to keep the pool open.
- 3.2 The possibility of setting the pool up as an independent trust or charity was and continues to be explored, though it is unlikely with the current financial forecasts and lack of capacity of those involved.

- 3.3 Exploration has also been ongoing regarding the school bringing in an external body to manage its out-of-hours use of leisure facilities, which would include the pool. However, this is a long-term goal and dependent in part, to the school gaining funding for additional sports facilities such as an all-weather sports area and fitness suite that would more likely make the proposition financially viable. The school has made a bid to the local Leader Fund and has been awaiting a decision for the fund to be allocated for 18 months.
- 3.4 Discussions have also taken place with North Warwickshire Borough Council Leisure Services who are keen to see the continuation of the pool but are themselves in the midst of significant financial challenges and are unlikely to be able to take on the responsibility for the pool.
- 3.5 The common consensus is that to make the pool potentially able to cover costs or remain profitable some capital investment is required to provide improved changing facilities and independent access.
- 3.6 Pool users, as well as the Parish Council and school, are aware of the potential closure of the swimming pool but have, till very recently, kept their counsel whilst awaiting this report and its recommendations. In recent weeks both have released statements to the press expressing their concern about the future of the pool and the Parish Council have invited local people to the Area Committee meeting to hear the debate.
- 3.7 In general terms the pool raises £110,000 in income broken down into; £13,000 from school use and associated lessons; £12,000 from Parish Council time; and £85,000 from WCC time through private lessons and public activities. Costs are broadly £110,000 staffing and £45,000 premises. Current financial forecast for 2009-10 is a cost to WCC of approximately £38,000.
- 3.8 Ideas have been forthcoming from those involved in the pool to reduce overheads thereby reducing the costs to WCC. These include reducing the programme so that only profitable activities are supported and to increase charges. Whilst currently charges are slightly lower than neighbouring facilities at Atherstone or Tamworth this reflects the facilities on offer and there is real concern that to raise them will displace users to those other facilities.
- 3.9 In the event of any decision to serve six months notice to the Parish Council to close the pool there will be increased expenditure as many would vote with their feet and find facilities elsewhere or give up swimming thereby reducing income. Actual costs of closure would be approximately £33,000 severance pay to staff and £8,000 to close mechanical and electrical equipment and make safe. There are no figures available at this time regarding completely decommissioning the plant and making the facility useable for other activities.

#### **4. Alternatives for the Future**

- 4.1 At this time the discussions with other parties continue and meetings are due to take place leading up to the presentation of this report. Any new information will be reported at the meeting.

- 4.2 Given the very public knowledge of the future risk to the pool's continuation it is possible that pool managers and significant partners (school, Parish Council and Borough Council) will be able to work together to find solutions to draw in the capital investment; increasing income; and cutting costs thereby working towards a 2/3 year strategy to break even. During this time long-term alternative management arrangement discussions can continue.
- 4.3 The other alternative is to recognise that the pool will continue to cost WCC money and as this is not county council core business, it should close the pool. There would be a one-off payment to mothball the plant, pay staff redundancy with further expenditure to either convert into a useable alternative facility or to demolish. This is likely to be in excess of £50,000.

## **5. Update from North Warwickshire Area Committee**

- 5.1 Leading up to the presentation of the report to the Area Committee there was considerable local interest and concern about the future of the pool.
- 5.2 Following a number of meetings with partners throughout the year and leading up to the Area Committee meeting it became very clear that there were no quick solutions to finding alternative partners to take over the running of the pool and reducing the resource commitment of the County Council.
- 5.3 The Area Committee agreed that a report be presented to Cabinet on 17 December 2009 that sought a guarantee that funding be continued for the Kingsbury Swimming Pool for a minimum of a further 12 months from 1 April 2010. The Committee also agreed that a steering group of key partners should be established with the remit of reviewing pricing and marketing strategies, make application for capital investment and explore all funding and management opportunities that will secure the long term future of the Kingsbury Swimming Pool.
- 5.4 At the Area Committee there were approximately 50 members of the public present and many questions logged prior to the meeting. The Chair had received over 70 letters and also many emails, as had Area Committee Members. The Parish Council Chair and Clerk in their "speeches" made reference to letters (almost 300) that they had received and 11 pages of petitions from young people. These numbers would have considerably increased leading up to this Cabinet meeting. Members of the public and pool users spoke passionately about the value of swimming especially in their community.
- 5.4 Most of the concerns focussed on the fact the pool is successful and well used and contributes significantly to a number of priority national initiatives (health, fitness and well being; positive activities for young people; support for the Olympics (through the successful Aquarius Swimming Club), swimming as part of the school curriculum, etc.) but perhaps most of all the value the County puts on saving life. Many stated they could have understood taking away funding if there was no longer a need and it was surplus to requirement. They strongly felt the need was greater than ever.



- 5.5 Following debate the Area Committee, whilst being very mindful of the financial challenges facing the County, were unanimous in the wish to find a solution to keep the pool open and fully supported the approach set out in the recommendations above.

MARION DAVIS  
Strategic Director for Children,  
Young People and Families

Saltisford Office Park  
Ansell Way  
Warwick

4 December 2009

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** **Bedworth Early Years Children's Centre and Nursery School and St Michael's C of E (Voluntary Aided) Primary School, Bedworth**

**Summary** This report seeks approval to undertake formal consultations on a proposal to transfer existing provision at Bedworth Early Years and Children's Centre to St Michael's C of E (Voluntary Aided) Primary School.

**For further information please contact:** Phil Astle  
Assistant Head of Service –  
Service Planning  
Tel: 01926 742166  
philastle@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]** No

**Background papers** School Organisation Framework Document 2005/10  
Cabinet Report 26.11.09 Early Years Funding Formula

**CONSULTATION ALREADY UNDERTAKEN:**

Details to be specified

Other Committees  .....

Local Member(s)  Cllr Julie Jackson

Other Elected Members  CYP&F O&S Chair and Vice-Chair for information:  
Cllr John Ross  
Cllr Carolyn Robbins

CYP&F O&S Spokespersons for information:  
Cllr Peter Balaam  
Cllr Tim Naylor

Cllr Carolyn Robbins

- Cabinet Member  Cllr Izzi Seccombe
- Other Cabinet Members consulted  .....
- Chief Executive  .....
- Legal  Diane Nation
- Finance  David Clarke, Strategic Director of Resources "no comments"
- Other Strategic Directors  .....
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  .....

**FINAL DECISION** **NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  11.03.09 After consultation
- To an O & S Committee  .....
- To an Area Committee  Nuneaton & Bedworth Area Committee 10.03.10 (subject to Cabinet's decision)
- Further Consultation  Stakeholders (subject to Cabinet's decision)

**Cabinet – 17 December 2009**

**Bedworth Early Years Children's Centre and Nursery School and St Michael's C of E (Voluntary Aided) Primary School, Bedworth**

**Report of the Strategic Director for Children, Young People and Families**

**Recommendation**

That Cabinet give approval to the Strategic Director for Children, Young People & Families to conduct formal consultations with relevant stakeholders concerning the proposal to close Bedworth Early Years Children's Centre and Nursery School and transfer that provision to St Michael's C of E (Voluntary Aided) Primary School (the School), Bedworth, conditional upon the Governing Body of the School changing its age range from 4 -11 years to 3 - 11 years).

**1. Introduction**

- 1.1 The purpose of this report is to seek approval to holding formal consultations on proposals to essentially transfer the existing Nursery School and Children's Centre provision from Bedworth Early Years Children Centre and Nursery School to St Michael's C of E (Voluntary Aided) Primary School, (the School), Bedworth in order to secure quality and coherent provision of early years education and services for children and families to the area.
- 1.2 At its meeting on 30 November 2009 the Governing Body of St Michael's C of E (Voluntary Aided) School (which is the Admission Authority of the School) agreed to consult on an extension to its age range from 4 -11 years to 3 - 11 years.

**2. Background**

- 2.1 It is intended that a paper on the future of Nursery Schools in the County will be reported to Cabinet early in the New Year. However, the future of Bedworth Early Years Children's Centre and Nursery School (BEYCCNS) and the possibility of bringing the Nursery School together with St Michael's C of E (Voluntary Aided ) Primary School in some form has been under discussion for some time. At present, both schools have acting Headteachers following the retirement of the Headteacher at St Michael's and the secondment of the Headteacher of BEYCCNS to the Local Authority for two years. The current

acting Headteacher of BEYCCNS has a contract which finishes at the end of the Summer term 2010.

- 2.2 BEYCCNS has evolved recently from the bringing together of Bulkington Road Nursery School and Furnace Fields Parents Centre. This Centre received designation as a Phase Two Children's Centre in January 2008. It now operates in the attractively re-furnished former Furnace Fields building in Hazel Grove, adjacent to St Michael's Primary C of E School.
- 2.3 BEYCCNS includes a 100 place (i.e. 50 morning session and 50 afternoon session) Nursery School and currently has 62 children on roll, 36 in the morning and 26 children in the afternoon. Of these, 12 children attend both the morning and afternoon sessions. The Headteacher at the Nursery School is currently seconded to the Local Authority. The quality of provision at the Nursery School is considered to be 'Outstanding' in the latest report from Ofsted. The Early Years Funding Formula which was approved by Cabinet means that funding from April 2010 will be based on actual participation. The move to actual participation was to meet legislative requirements. Historically Nursery Schools have been funded based on their places irrespective of participation, so for Nursery Schools where actual attendance is low, the new formula will lead to reduction in funding. Bedworth is one of the Nurseries where participation is relatively low and will therefore face reductions in funding.
- 2.4 St Michael's C of E (Voluntary Aided) Primary School is one of several primary schools serving the central area of Bedworth. The school is also one of only two primary schools in Warwickshire that admits pupils at the reception stage and at the start of Key Stage 2 (Year 3). This is because pupils from the nearby All Saints' C of E (Controlled) Infant School transfer to St. Michael's and other local schools at the end of Key Stage 1. The school has a reception admission number of 30 pupils at the reception year and a further 4 pupils at Key Stage 2 (giving a maximum of 34 pupils at Key Stage 2). The Primary School currently has 204 pupils on roll.

### **3. The Proposal**

- 3.1 The proposal is to close BEYCCNS and transfer Children's Centre and Nursery School provision to St Michael's C of E (Voluntary Aided) Primary School, conditional upon it becoming a school for pupils aged 3 – 11 years instead of 4 – 11 years, as it is at present. The new Nursery class would provide 78 places and the Children's Centre would continue to develop its services as it has been doing successfully. It is considered that 78 places would provide better match of likely sustainable pupil numbers and staffing levels than the current 100 places.
- 3.2 It is intended that provision would utilise both buildings opening up the creation of a foundation class comprised of the existing Nursery and the Reception class which could be located in the Nursery and Children's Centre building which has recently been refurbished. Teaching Years 1 to 6 could remain located in the current St Michael's building.

3.3 It is intended that the transfer of responsibilities to St Michael's School would take place with effect from September 2010. Technically the change involves the closure of the Nursery School and the extension of the age range of St Michael's to a 3 – 11 years Primary School.

3.4 In considering school organisation proposals, it is important that proposals should be considered against clear criteria which, in this instance, are to achieve:

- the best possible provision for children and families living within this area of Bedworth;
- collaborative working that improves ability to address local community needs;
- greater continuity and progression for pupils and families;
- delivery that is based on a sustainable business model better positioned to respond to a fast changing policy area; and
- value for money and an emphasis on front line services.

- **The best possible provision for children and families living within this area of Bedworth**

The Warwickshire Primary Strategy for Change sees children being 'at the heart of inclusive learning provision engaging with a dynamic and innovative curriculum which is personalised to meet their needs and enables them all to achieve personal excellence. It is our aim that wherever possible we will create all through primary facilities for children from birth to 11 years which will help to eliminate barriers to learning by providing continuity of experiences, aligning the supply of places to demand'. This proposal would provide the foundation for delivering the objectives set out in the Warwickshire Primary Strategy for Change in this area of Bedworth.

- **Greater continuity and progression for pupils and families**

The creation of a Foundation Stage unit would enable a more flexible curriculum to better meet the individual needs of children as they develop and provide an opportunity to avoid any dip on transfer, and maximising the benefits to children's learning. This is in line with best early years education practice. It is accepted that pupils currently attending the nursery go on to a number of local primary schools rather than exclusively to St Michael's. However, it is likely that the creation of such a foundation stage may encourage more pupils to continue at St Michael's. The primary school has some capacity to consider increasing its admissions if its current Planned Admission Numbers became an issue. Parents and staff would benefit from extended links that could continue after the age of transfer to primary.

- **Delivery that is based on sustainable business model better positioned to respond to a fast changing policy area**

Creating a single school would allow for economies of scale and result in a more financially robust and viable institution. The Nursery School currently has surplus capacity with 62 of 100 places filled and although numbers are forecast to rise, it is not anticipated it will fill to 100 places on a term by term basis. A 78 place unit would not leave a shortage of provision in the area

and would be a better match between pupil numbers and staffing levels. A single management and governance structure with funding aligned more closely to staffing levels would place the emphasis on front line delivery rather than management costs.

- **Value for Money**

The consultation proposals in the Early Years Single Funding Formula suggest that a place in a nursery school is 60% more expensive than the Private and Voluntary (PVI) sector. (£5.39 per child per hour compared to £3.45 per child per hour) and 40% more than a place in a maintained nursery class (£5.39 per child per hour compared to £3.78 per child per hour).

Funding for schools is becoming increasingly limited. National projections are suggesting very limited growth for schools. Even with the current minimum funding guarantee at 2.1%, a number of schools have struggled to make budgets balance. Amalgamating nursery schools with primary schools, would give these schools greater opportunity to manage their overall costs to their budget allocation whilst also releasing funding for all pupils in Warwickshire.

- **Collaborative working that achieves improves ability to address local community needs**

Bedworth schools are vital centres of their community and the proposal would enable them to achieve more easily a joined-up approach in responding to community need. Creating a single school on the campus could significantly improve this position, allowing for better community engagement in an area which is in the top 30% for deprivation.

## 4. Statutory Implications

- 4.1 Technically the proposal would involve the closure of the Nursery School, in line with Section 15 of the Education and Inspections Act 2006, and an extension to the age range of St Michael's C of E (Voluntary Aided) Primary School from a 4 -11 school to a 3 -11 school, under the same Act. While the Local Authority can make a proposal to close a Community Nursery School, only the Governing Body of the Aided School itself can propose an extension to its age range. The two proposals would be considered as 'linked proposals' so that if either proposal were to fall, the other proposal could not go ahead. This device is to ensure, that for example, you do not have a situation where a nursery school was closed and the primary school could not receive pupils because its age range had not been changed. The determination of these 'linked' proposals would rest with the Local Authority.
- 4.2 The Department for Children, Schools and Families' Decision Maker's Guide for Local Authorities makes it clear that, because of the general high quality of nursery school provision, there is a presumption against closing a nursery school unless:
  - a. the Local Authority is consistently funding numbers of empty places;

- b. full consideration has been given to developing the school into a Sure Start Children's Centre, and there are clear, justifiable grounds for not doing so, for example: unsuitable accommodation, poor quality provision and low demand for places;
  - c. plans to develop alternative provision clearly demonstrates that it will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school with no loss of expertise and specialism; and that
  - d. replacement provision is more accessible and more convenient for local parents.
- 4.3 Even if some of the above presumptions did not apply to this situation, as the Education and Inspection Act 2006 states that Decision Makers need only have regard to the content of the guidance, the County Council would be permitted to conclude that it is appropriate to consider closing Bedworth Early Years Children Centre and Nursery School, providing that it had sound reasons for such a decision.
- 4.4 In this case it is intended that this proposal would secure alternate and improved provision at Bedworth with no loss of expertise and specialism and that it would also be more accessible to local parents. If action is not taken then integrated, good quality provision will be much more difficult to secure.

## **5. Financial Implications**

- 5.1 It is not envisaged that there would be any substantial County Council capital investment as the BEYCCNS building has only recently received a major refurbishment and this building and the Primary building share adjacent sites just 40 metres apart.
- 5.2 The BEYCCNS building, which is owned by the County Council, stands on Nicholas Chamberlaine Trust land and there is a leasehold agreement that pays the Trust a peppercorn rent. If the proposals were approved, the Trust would be liable for a 10% contribution to any capital costs.
- 5.3 Ongoing revenue costs would be met from within the existing resources available through the Dedicated Schools Grant.

## **6. Staffing Implications**

- 6.1 The proposals involve retaining existing levels of provision and the further development of high quality provision. While the contracts of nursery staff will cease when the school closes, it is expected that the Governing Body of the Primary School would ring-fence posts in the nursery unit which is created, so enabling existing staff to transfer to the enlarged Primary School. It is likely that the substantive post of Headteacher at St Michael's C of E (Voluntary Aided) Primary School would be subject to national advert.
- 6.2 All staffing implications would be managed in accordance with agreed Warwickshire County Council Policy "Procedure for the placement of staff



following the reorganisation of schools by merger or closure incorporating a Code of Practice for Governing Bodies”.

## **7. Consultation**

- 7.1 As part of the statutory consultation process it will be necessary to consult key stakeholders including staff, existing parents and the parents of prospective pupils, local schools, any Pupil Council at the two schools, Diocesan Authorities, local schools, other local admission authorities, Nuneaton and Bedworth District Council, neighbouring local authorities, trade unions, the Warwickshire Early Years Development and Childcare Partnership and the local MP.
- 7.2 The outcome of formal consultations would be reported to the Nuneaton and Bedworth Area Committee for comment and then to Cabinet for its consideration.

## **8. Planned Timescale**

- 8.1 Consultation on proposals - 11 January 2010 to 19 February 2010
- |  |   |                   |
|--|---|-------------------|
| Nuneaton and Bedworth Area Committee – | – | 10 March 2010     |
| Report to Cabinet                      | – | 11 March 2010     |
| Publication of Statutory Notices       | – | April to May 2010 |
| Final consideration by Cabinet         | – | June 2010         |
| Implementation of proposals            | – | September 2010    |

## **9. Summary**

- 9.1 The report sets out the reasons for formally consulting on a proposal to close the existing Nursery School and Children’s Centre provision in BEYCCNS and transfer it to St Michael’s C of E (Voluntary Aided) Primary School. The outcome of the formal consultation would be reported to Cabinet for its consideration in due course.

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3 December 2009



CYP&F O&S Spokespersons for information:  
 Cllr Peter Balaam  
 Cllr Tim Naylor  
 Cllr Carolyn Robbins

- Cabinet Member  Cllr Izzi Seccombe
- Other Cabinet Members consulted  .....
- Chief Executive  .....
- Legal  Victoria Gould *“comments incorporated into the report”*
- Finance  David Clarke, Strategic Director of Resources
- Other Strategic Directors  .....
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  .....

**FINAL DECISION** **NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  To be included in a Response to Consultation on Admission Arrangements report on 11.03.10
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Cabinet – 17 December 2009**

**Admissions to Rugby Selective Schools**

**Report of the Strategic Director for Children,  
Young People and Families**

**Recommendation**

That Cabinet, as Admission Authority for Ashlawn School, considers the proposed admission arrangements for the selective schools in Rugby for September 2011 and agrees to consult on a proposal to continue with the revised arrangements as set out in Appendix A and that Cabinet asks the Governing Bodies of Lawrence Sheriff and Rugby High schools to consult upon similar arrangements.

**1. Background**

- 1.1 Members will recall that at the Cabinet meeting on 2 April 2009 a report was submitted setting out the revised admission arrangements to the selective schools in Rugby, Lawrence Sheriff, Rugby High and Ashlawn.
- 1.2 Members will be aware that the revised arrangements took account of the concerns raised by Northamptonshire's Admissions Forum about the impact on the comprehensive schools in Daventry of the admission arrangements to the selective schools in Rugby. Their concerns were about the impact of the 'Greenwich Circle' method of determining these schools' priority areas, which was adopted by Warwickshire, as it gives pupils from outside the county, but within the 'circle', the same priority when applying for places at the grammar schools in Rugby as people living in Rugby.
- 1.3 The revised admission arrangements were agreed by Members, and by the respective Governing Bodies of Lawrence Sheriff School (Voluntary Aided) and Rugby High School (Foundation), and are effective for admissions in September 2010. The arrangements are attached as **Appendix A**.

**2. Further Challenges to the Schools Adjudicator**

- 2.1 In July 2009 a group of parents living in the Eastern Area and Northamptonshire Admissions Authority made separate objections about the published arrangements to the Schools Adjudicator. Following written representations from the objectors and the admission authorities the Schools

Adjudicator called a meeting with the parties followed by a public meeting, before making two determinations.

- 2.2 The Schools Adjudicator did not uphold the objection raised by the group of parents and determined that the arrangements adopted by the admission authorities would stand.
- 2.3 The Schools Adjudicator agreed to some extent with the objectors about the consultation suggesting that “the attention given to thinking of possible models and inviting views during consultation would have been more helpful had it been done earlier”. The Schools Adjudicator was concerned that those who did not like the arrangements as published for consultation needed no encouragement to make their views known while those who welcomed them were slow to respond, not anticipating any major change. She was concerned that they only seem to have become fully engaged when the possibility of different arrangements was being considered just before the arrangements were determined. Despite expressing these concerns about the consultation the Schools Adjudicator found that the admission authorities had met their statutory duty to consult.
- 2.4 The Schools Adjudicator considered various alternative ways of allocating places and acknowledged that whatever arrangements were adopted some parents would be unhappy. She was satisfied that the published arrangements were procedurally fair for all groups of children and did not disadvantage a child from any particular group.
- 2.5 With regard to the second objection, raised by Northamptonshire Admissions Forum, the Schools Adjudicator did not uphold the objection or make any changes to the published arrangements. Copies of the Determinations are available from the Admissions Section.
- 2.6 In both Determinations the Schools Adjudicator expressed a view regarding the proportion of places offered to children living in the old priority area (the 10 mile circle). In her determination she expressed the hope “that the three admission authorities will keep this under review and consider whether the proportions should be adjusted in any way in future to give greater priority to Rugby and Eastern Warwickshire residents and those not in Warwickshire, but nearest to Rugby.”
- 2.7 In summary the Schools Adjudicator has found the arrangements published for 2010 admissions to be fair. She has given valuable guidance on how best to consult on admission arrangements where there is likely to be a contentious change. She has further advised that the proportion of places reserved to the children living in the Eastern Area or living closest to Rugby (or in the later determination those with a “possible higher claim”) should be kept under review.

### **3. Proposed Admission Arrangements for September 2011**

- 3.1 Following the determinations of the Schools Adjudicator the Governing Bodies of Lawrence Sheriff and Rugby High School, and Elected Members on behalf of

Ashlawn School, need to establish proposed admission arrangements for September 2011 taking account of any issues raised.

- 3.2 Given the level of public concern raised following the three objections and the respective determinations and the newness of the current arrangements it is not recommended that further changes are made for admissions in September 2011. It is proposed therefore to use the admission arrangements set out in Appendix A for consultation for admissions in 2011. The impact of the recent changes will be kept under review and considered alongside the comments made by the Schools Adjudicator and other relevant information for future years.
- 3.3 In line with the Admission Code, consultation will commence at the end of December for a period of eight weeks and the outcome reported to Members in April.

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3 December 2009

## **New Arrangements for Admission to Rugby Selective Schools in September 2010**

Warwickshire County Council, on behalf of Ashlawn School (selective places) has adopted revised admission arrangements. The changes, which have also been adopted by the Governing Bodies of the two grammar schools, will come into effect from September 2010.

### **Eligibility and Priority for Entry in Year 7**

Eligibility for application is based on a pupil's home address. A map, setting out the respective admission areas is attached. There is no guarantee of a place being available, but places up to the planned admission number will be allocated in the following order:

- i. Children in the care of, or provided with accommodation by, a Local Authority (under Section 22 of the Children Act 1989) who meet the qualifying standard for the school.
- ii. The first 50% of the remaining places will be allocated to children living in the priority circle (the centre of which is the Rugby Water Tower) who meet the qualifying standard for the school.
- iii. The residual 50% of places will be allocated to children living in the Eastern Area of Warwickshire\* who meet the qualifying standard for the school.
- iv. Children living in the priority circle who have been considered by the Committee of Reference and placed as 'exceptions'.
- v. Other children who meet the qualifying standard for the school.
- vi. Other children who have been considered by the Committee of Reference as 'borderline candidates' and have been placed on the waiting list. Places will be offered in accordance with ranking set by the Committee of Reference.

*Within all criteria first priority is given to those achieving the highest score in the 11+ test. Where there is a need to split any category or group of pupils, places will be offered by taking the pupil's score in the Numeracy section of the paper. Where there is a further need to split any category places will then be offered in accordance with distance between the child's home and school (shortest distance = highest priority). Distance will be calculated by the straight line measurement from the applicant's home address location to the centre point ("centroid") of the preferred school. (All measurements are subject to prepositional accuracy changes.) This applies equally to those living inside and outside the County's boundary.*

\* The Eastern Area of Warwickshire is described as the following (being the aggregated priority areas of Bilton, Ashlawn and Avon Valley Schools):

Rugby plus the parishes of Dunchurch, Cawston, Thurlaston, Leamington Hastings, Birdingbury, Grandborough, Wolfhamcote, Willoughby, Binley Woods, Brinklow, Brandon and Bretford, Ryton-on-Dunsmore, Bubbenhall, Wolston, Church Lawford, Long Lawford, Stretton-on-Dunsmore, Princethorpe, Frankton, Marton, Bourton and Draycote, Churchover, Clifton-on-Dunsmore, Combe Fields, Cosford, Easenhall, Harborough Magna, Kings Newnham, Little Lawford, Monks Kirby, Newton and Biggin, Pailton, Stretton-under-Fosse, Wibtoft, Willey, Withybrook.

### **Disabled Students**

Parents of disabled students seeking a place at Lawrence Sheriff School are encouraged to make contact with the school as early as possible so that the student's needs can be established. Every effort will be made to accommodate disabled students sitting the selection tests. Arrangements for disabled students seeking entry to Year 7 will be as agreed centrally between Warwickshire Local Authority and the headteachers of the selective schools in East Warwickshire. Students with special educational needs who have had an assessment carried out by an assessor holding a recognised qualification in assessing children with special educational needs, will receive an additional time allowance in English, Mathematics and Science tests of up to 25%, provided that such an allowance forms part of the assessor's recommendations. An amanuensis, enlarged papers and other requirements will also be met subject to sufficient notice of the need being given.

### **Committee of Reference**

In East Warwickshire, the Committee of Reference sets the automatic standard taking account of the applications for the individual schools and the number of places available. The single sex schools have the same automatic standard each year as required by the Equal Opportunities regulations. The Committee reviews the arrangements made for any pupils with disabilities or special educational needs and considers any referrals for pupils where specific difficulties may have affected their test score.

### **For entry to Year 7 in September 2010**

Admission at an automatic level will be determined by comparing the children's performances in two tests commissioned by Warwickshire Local Authority from the University of Durham CEM Unit.

### **The Selection Tests**

The tests will comprise two standard format papers (bespoke papers available only to Warwickshire County Council). Children whose parents have registered for the tests (by 17th July 2009) will attend the test centres to



complete the papers. Each child will attend only one session. All children to be tested will be provided with a familiarisation paper when the details of the test centre are sent to the parent, normally in August or September. Parents of children living in Warwickshire with difficulties in transporting their child to a test centre can raise their individual case with the Admissions Service.

**The CEM Centre tests** will be set in a morning session in test centres on a Saturday during the first half of the Autumn Term, 3rd October 2009. If a second date is required it will be Saturday 10th October. Each test will be of 45 minutes duration:

Paper 1 will include:

20 minutes verbal reasoning  
10 minutes short maths questions  
15 minutes comprehension

Paper 2 will include:

15 minutes longer maths questions  
10 minutes data processing questions  
10 minutes non verbal reasoning  
10 minutes missing words in paragraph test ('clozed test')

**Verbal Reasoning** involves the manipulation of verbal representations and the solving of verbally presented problems. Orthographic, syntactic and semantic abilities, as well as logic and problem solving skills are needed in verbal reasoning.

**Comprehension tests** the ability to make inferences as to meaning within and between phrases, sentences and paragraphs; to derive the 'gist' of the meaning from a text; understand the vocabulary, and extract interpretations of the written language.

**Non-Verbal reasoning tests** eliminate cultural bias in intelligence testing and the possible bias against individuals who lack experience of a particular language or have difficulties with verbal elements.

**The 'Cloze Test'** consists of several short passages of prose. It needs an overall understanding of the passage, but it requires a closer attention to the grammatical and syntactic elements of written language than in the comprehension test. The candidate selects the most appropriate word from a choice of three at various points in the passage so as to make sense of the phrase and/or sentence.

**Short mathematical questions** will test ability in mental arithmetic and recognition of mathematical patterns. They will involve a rigorous test of working memory skills and a speed element. It is expected that not all candidates will finish the section.

**Longer mathematics questions** explore numerical problem solving requiring more stages of processing with a greater verbal element involved than in the short mathematics questions. A familiarisation paper will be issued to each candidate registered for the tests with the notice of allocation to a particular test centre.

A single testing session will include:  
Test Paper 1 (45 minutes)  
Break for refreshments and toilets

Test Paper 2 (45 minutes)

**Supplementary tests** will be held on 19th October 2009. These will only be available for those who provide proof of illness on the day of the original tests (doctor's note) or who are able to provide evidence of special circumstances such as religious grounds or previously booked engagements prior to the date of the original tests. Late applications from parents moving into the priority area will be included in this group.

### **Providing information to Parents**

During the summer term of 2008/9 parents of all the children in Year 5 in primary schools in the Eastern Area and Southern Area of Warwickshire will be issued with a leaflet about the process of selection. Parents will be asked to confirm whether they want their child to be tested or not. Parents of children not attending those schools can contact the Admissions Service to request that information. An advert to inform parents will be placed during the summer term in the local newspapers.

**The closing date** for registering for selection tests for all the selective schools in Warwickshire is 17th July, 2009 (end of the summer term). Registration after that date will be considered as late. An exception will be made for parents who can provide evidence of a move of address into the priority area by 5th February 2010. Late registrations will only be considered after the first round of offers and may not be tested before the offer date.

**Applications** will be made on the home authority's composite parental application forms as part of the co-ordinated process with neighbouring authorities. The closing date for applications is set by the home authority. For children living in Warwickshire the date will be 23rd October 2009 (subject to confirmation). Applications received after this date will be considered late and will be given a lower priority for places. An exception will be made for children moving into the priority area where independent evidence can be provided by 5th February 2010.

### **The Role of the Committee of Reference**

There will be a Committee of Reference (a panel of headteachers and teachers appointed according to the terms of reference for East Warwickshire). The Heads of the area's selective schools or their representatives will be members of the Area Committee.

## **Setting the Automatic Standard**

Performance in the tests and the number of applications for the schools will be used by the Committee of Reference in each area to set the automatic standard. Above and at that standard a child will receive an offer from their highest named preference of selective school named (subject to living within the priority area or not being a late entry or having an offer from a higher preference of school). The Committee in each area will consider the descending score order and the number of children applying for each school (living within the priority area and who registered before the closing date) and set the automatic standard as close to the planned admission numbers for the schools as possible. The single sex schools in East Warwickshire will have the same automatic standard as required by the Equal Opportunities regulations. Places will then be offered in accordance with the admission criteria. The automatic standard for 2010 will be set by the East Warwickshire Committee of Reference taking account of the previous automatic standard for entry.

## **Exceptions to the Automatic Standard**

Children in public care or provided with accommodation by an authority (section 22 of the Children Act 1989) scoring within the possible exceptions group will be placed at the top of the Committee of Reference ranking list in their individual ranking order provided the Committee feels the child's ability would mean that they were suitably placed in a grammar school. The Committee will consider the child's scores as well as additional information provided by the relevant primary school (normally primary schools' ranking lists which indicate the school's assessment of the child's performance on a day to day basis) to decide whether some candidates who do not qualify automatically should be included as an exception to the standard. Referrals of individual cases from primary schools (and in some cases parents) will be considered by the Committee, but the Committee can set the referral aside or consider it further. A primary school report will be requested. The scores, the primary school ranking and the school report will be used by the Committee to provide a ranking order for the exceptions to the automatic standard in which vacancies will be offered. The Committee has the right to accelerate a child up the list above their score position (but not above the automatic standard) based on the information received. Having considered the information, the Committee can return a child to their original position in the descending score order. The standardised scores for each child will be sent to every primary school around Christmas time to ensure that the school considers that the child's score is a reasonable reflection of their ability. It should be noted that there are unlikely to be many children who will ultimately be considered as exceptions. These children will be considered within paragraphs iv and vi of the admissions criteria.

## **Allocation of Places**

The available places will be offered in accordance with the admission criteria in the first round of offers.

Children living outside the priority area and late registrations and late applications will be offered places in the first round only if there are insufficient children of the required level of ability living within the priority area. Children living outside the priority area, late registration and late applications will normally be offered places in the second or subsequent round of offers subject to their position on the waiting list and a vacancy occurring.

### **Waiting lists**

Places available up to the planned admission number of the school will be offered subject to waiting list order. Vacancies will then be offered in this way. Any child being offered their second or subsequent selective preference will be added to the waiting list of their higher selective preference in accordance with their score and, if appropriate, the order set by the Committee of Reference provided that the scores are within the range of those considered for that school. Waiting lists are held until the start of the Autumn Term for incoming Year 7 and Year 12 only. Provided that the school has been named (and a higher preference has not been offered already) offers after the first round will be made from the waiting list.

### **Offers made on 1st March 2010**

Offers are made by the child's home authority as per the co-ordinated secondary school scheme with neighbouring authorities. Subject to the arrangements of the home authority, parents will be expected to accept the offer within 2 weeks of the offer being made. A further letter reminding parents will be sent before the child is withdrawn from the offer lists. On the offer date letters will be sent to parents indicating the children's scores and position in the descending score order. Offers will be sent by email to those parents who have applied on line.

### **Late Entry**

#### **Applications for all year groups other than Year 7 will be made through the school.**

Vacancies will be offered to applicants who are deemed suitable for entry:

#### **Years 7 to 11**

Children moving into East Warwickshire and not previously tested who are applying for a place (once the new Year 7 have been admitted) will be required to take tests in English, Mathematics and Science arranged by the school. His school at the time of application will also be asked to provide a report. A place will be offered, subject to availability, if the applicant's performance and school report satisfy the Headteacher that the boy's ability is commensurate with that of the cohort into which he is seeking admission. The exception to this is students under the age of 14 years and three months seeking a place in Year 9 who will be required to sit the Moray House tests used to select the rest of their cohort.

## **Transfer from a non-selective school**

New applications for children who have already been tested and refused entry as non-qualifiers will generally be considered by taking into account the existing test results and newer evidence of the child's ability and performance in the non-selective school. A retest will only be used only where there are grounds and evidence to doubt the validity of the original tests. It is normally only where the non-selective school is confirming that the child needs a higher level of work than is currently available that a transfer to a selective school will be arranged. The child will be required to take the school's tests in English, Mathematics and Science. Where a child has not previously been tested and there is a recommendation from the non-selective school, a test will be arranged. No waiting list is kept for year groups other than the incoming Year 7 and Year 12. Any place offered must be taken up within six weeks of the offer having been made. In the event of this not happening, the offer is void.

## **Appeals**

The parents of all children refused places will be notified that they have a right of appeal through an independent appeal panel. For children not qualifying for places the appeal will take account of the compatibility of the child's position in the process. If there are insufficient applicants reaching the appropriate level, the school does not have to fill all the places. Therefore, the case for prejudice to the efficient education or the efficient use of resources will only be considered once the school is full in the appropriate year group.

**AGENDA MANAGEMENT SHEET**

**Name of Committee**

**Cabinet**

**Date of Committee**

**17 December 2009**

**Report Title**

**Admissions to Southern Area  
Grammar Schools**

**Summary**

This report sets out the admission arrangements proposed for the Southern Area Grammar Schools having taken account of the decisions of the Schools Adjudicator in respect of admissions to Grammar Schools in Rugby.

**For further information  
please contact:**

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**Would the recommended  
decision be contrary to the  
Budget and Policy  
Framework? [please identify  
relevant plan/budget provision]**

No

**Background papers**

Cabinet Report 2.04.09 – Admission to Rugby  
Grammar Schools

**CONSULTATION ALREADY UNDERTAKEN:**

Details to be specified

Other Committees

Schools Admissions Forum 10.12.09

Local Member(s)

All South Warwickshire Councillors  
Cllr Mike Gittus *"I would like to participate in the eight  
week consultation; I have an early concern that the  
present system seems to disadvantage the rural  
community of the district of Alcester. The 17 mile  
radius rule presently undoubtedly favours the town  
conurbations"*  
Cllr Hobbs *"noted"*

Other Elected Members  CYP&F O&S Chair and Vice-Chair for information:  
Cllr John Ross "no comments"  
Cllr Carolyn Robbins

CYP&F O&S Spokespersons for information:  
Cllr Peter Balaam  
Cllr Tim Naylor  
Cllr Carolyn Robbins

Cabinet Member  Cllr Izzi Seccombe – agreed for Cabinet

Other Cabinet Members consulted

Chief Executive  .....

Legal  Sarah Duxbury "comments incorporated into the report"

Finance  David Clarke, Strategic Director of Resources "no comments"

Other Strategic Directors  .....

District Councils  .....

Health Authority  .....

Police  .....

Other Bodies/Individuals  The Governing Bodies of the three Grammar Schools in the Southern Area have considered this issue

**FINAL DECISION** **NO**

**SUGGESTED NEXT STEPS:** Details to be specified

Further consideration by this Committee  .....

To Council  .....

To Cabinet  Outcome of Consultation to Cabinet 11.03.10

To an O & S Committee  .....

To an Area Committee  .....

Further Consultation  All Stakeholders.....

**Cabinet –17 December 2009**

**Admissions to Southern Area Grammar Schools**

**Report of the Strategic Director for Children,  
Young People and Families**

**Recommendation**

That Cabinet, as Admission Authority for Stratford upon Avon Girls Grammar School, considers the proposed admission arrangements for September 2011 and agrees to consult on continuing with the current admission arrangements, amended to take account of looked after children in line with similar proposals from the Governing Bodies of King Edward VI Grammar School, Stratford and Alcester Grammar School.

**1. Background**

- 1.1 There are three selective schools in South Warwickshire – Stratford Girls Grammar (Community), (SGGS) King Edward VI Grammar (Voluntary Aided) (KES) and Alcester Grammar (Foundation) (AGS). Admissions to these schools have as a priority area a ‘circle’ with a 17 mile radius which was established in 1991 to take account of the Greenwich Judgement. The circle is based on the extent of the priority areas used for the grammar schools prior to the Greenwich Judgement. The introduction of the circle demonstrated that there was no ‘discrimination’ on the basis of Local Authority boundaries.
- 1.2 The County Council is the Admissions Authority in respect of Stratford Girls Grammar School. However, the Governing Bodies are the admission Authorities for King Edward VI Grammar and Alcester Grammar Schools.
- 1.3 The current admission arrangements for the three schools are set out in **Appendix A**.
- 1.4 Up until 2009, similar admission arrangements to those set out at Appendix A had operated for the selective schools in Rugby, although the Rugby Schools had as their priority area a circle with a 10 mile radius, also established in 1991. This circle encompassed the eastern area as well as areas of central Warwickshire and out-county areas including Northamptonshire, Leicestershire and Coventry.
- 1.5 However, Members will be aware that at the Cabinet meeting on 2 April 2009 a report was submitted setting out revised admission arrangements to the three



selective schools in Rugby (Lawrence Sheriff, Rugby High and Ashlawn schools).

- 1.6 These revised arrangements took account of the concerns raised by Northamptonshire's Admissions Forum about the impact on the comprehensive schools in Daventry of the admission arrangements to the selective schools in Rugby. In July 2008, these concerns were referred to the School's Adjudicator, who ruled on 24 October 2008 that the admission arrangements for the Rugby selective schools should be reviewed, to reduce the impact on comprehensive schools in Northamptonshire.
- 1.7 This review took place between October 2008 and December 2008 and was followed by a formal consultation period commencing in January 2009. As a result of the consultation, revised admission arrangements were approved by Cabinet at its meeting on 2 April 2009. The revised arrangements provide for 50% of places to be allocated to children living in the priority circle (ie the existing 10 mile radius) scoring the highest standardised score with the remaining 50% of places allocated to the highest scoring children resident in the eastern area. It was estimated that these arrangements would reduce the number of children entering the Rugby selective schools from around 46 to 23.
- 1.8 Members should be aware that these revised arrangements were the subject of a further referral to the School's Adjudicator on grounds that the Admission Authorities had not gone far enough in reducing the impact on the Northamptonshire schools. However, in her ruling of 2 October 2009, the Adjudicator did not uphold this complaint and ruled in favour of the three Admission Authorities. The admission arrangements for the three selective schools in Rugby are therefore as approved by Cabinet on 2 April 2009.
- 1.9 In consultation with Counsel during the course of the Rugby review, the Authority was advised, along with the other Admission Authorities, to review the admission arrangements for the southern area schools taking into account the Adjudicator's decisions in Rugby.

## **2. Review of Arrangements**

- 2.1 An internal review process has taken place to draw up proposals on which the Admission Authorities of the three relevant schools will carry out a statutory consultation process between December 2009 and February 2010. This review has been undertaken by the three southern area grammar schools in conjunction with the County Council. There have also been discussions with the High Schools in the Stratford area.
- 2.2 It is not necessary to adopt the solution arrived at in Rugby but consideration has been given to the Adjudicator's decisions in respect of the eastern area, which, as highlighted above, centred around the need for the Rugby arrangements to be drawn up in such a way as to reduce significantly the impact on the Northamptonshire (Daventry) comprehensive schools.

- 2.3 As a result, the review has considered a number of options ranging from retaining the current admission arrangements (updated to reflect the requirements of the new Admissions Code with regard to 'looked after children'), to adopting a Rugby style solution (with the same or an alternative percentage split) or to removing the priority circle altogether.
- 2.4 Having discussed the issue with the southern area High Schools, the three selective schools in the area have indicated their preference that the admission arrangements currently in place should continue. This preference is supported by the High Schools in the south.
- 2.5 A number of factors, as set out below, have contributed to this view;
- 2.5.1 There have been no complaints received from neighbouring Authorities with regard to the admission arrangements for the southern area;
  - 2.5.2 There is not the same impact on a single neighbouring Authority in the south as there was in Rugby. In the South, whilst approximately 20 of the 236 places (8%) are offered to Worcestershire pupils (who all attend AGS), the other approximately 25 out-county places in the three schools are more evenly spread across Solihull, Birmingham, Oxfordshire and Gloucestershire. Whereas in Rugby, approximately 40 of the 218 places (18%) were offered to Northamptonshire children, with approximately 10 being offered to other out-county pupils;
  - 2.5.3 Whilst AGS has a number of pupils from Worcestershire (average of 20 per year), the largest numbers of pupils attending the grammar schools in the south from outside the southern area are those living in central Warwickshire. This is particularly the case for KES and SGGs;
  - 2.5.4 A move towards a Rugby style arrangement would reduce the number of pupils attending the AGS from Worcestershire. However, in relation to KES and SGGs, the major impact would be on Warwickshire children with approximately 50% fewer places being available to pupils from the Warwick, Leamington and Kenilworth areas with a consequent increase in places offered to those living in south Warwickshire;
  - 2.5.5 Although in 2008 and 2009 offers of central area schools were made to some southern area parents, in 2009 only 4 southern area parents accepted places at a central school and no pupils from the 2008 intake are now attending central area schools against their preferences;
  - 2.5.6 The numbers and potential impact of a change on schools both within and outside of the southern area;
  - 2.5.7 The need to meet parental preference wherever possible (and parental expectations are a legitimate consideration in this regard);
  - 2.5.8 The need to avoid area discrimination as prescribed by the Greenwich case;
  - 2.5.9 The desire to maintain the ethos of excellence at all our schools in Warwickshire.
- 2.6 It is acknowledged however that a minor change would still be required to take account of the provisions of the statutory Admissions Code with respect to 'looked after children'.

### **3 Proposed Admission Arrangements for September 2011**

- 3.1 The Governing Bodies of King Edward VI Grammar (Voluntary Aided) and Alcester Grammar (Foundation) intend to consult on continuing with the current admission arrangements for admissions in September 2011. This has been confirmed by their Governing Bodies who met earlier in December.
- 3.2 Members are asked to approve that, in line with the Governing Bodies of King Edward VI and Alcester Grammar School, the Authority, as Admission Authority for Stratford upon Avon Girls Grammar School, consults on the existing arrangements for admissions in September 2011, amended in respect of looked after children.
- 3.3 Consultation will commence at the end of December for a period of eight weeks and the outcome reported to Members at Cabinet on 11 March 2010.

MARION DAVIS  
Strategic Director for Children,  
Young People and Families

Saltisford Office Park  
Ansell Way  
Warwick

3 December 2009

## Admission to Selective Secondary Schools, Warwickshire

### SOUTHERN AREA

There is one community selective school in south Warwickshire. Stratford-upon-Avon Grammar School for Girls. (Other selective schools are Voluntary Aided or Foundation).

Stratford-upon-Avon Girls' Grammar School has a planned admission number of 75 places. The school is a single sex school for girls and the site is in Stratford-upon-Avon, South Warwickshire.

#### Eligibility and Priority for Entry in Year 7

Eligibility for entry to a single sex school will be based on the child's gender being female in relation to schools for girls. Co-educational schools take no account of a child's gender.

There is no guarantee of a place being available, but places up to planned admission number during the normal round of admissions will be allocated in the following order:

1. Children in the care of, or provided with accommodation by, a Local Authority (under Section 22 of the Children Act 1989) scoring above the automatic standard set by the Committee of Reference where an application has been made by 5<sup>th</sup> February 2010.
2. All children provided that:
  - the child is living (or proof is provided by 5<sup>th</sup> February 2010 that the child will be living by the start of the autumn term) within the priority circle for the area, and
  - the child has been registered for the 11+ test for the school by the closing date 15<sup>th</sup> July 2009, completed that test and scored on that test within the automatic level set by the Committee of Reference, and
  - the parent/carer has named the school on the common application form submitted on time to their home authority and an offer from a higher preference has not been made.
3. All children will be given next priority for offers in the first round of offers provided that:
  - the child is living (or proof is provided by 5<sup>th</sup> February 2010 that the child will be living by the start of the autumn term) within the priority circle for the area, and
  - the child has been registered for the 11+ test for the school by the closing date 15<sup>th</sup> July 2009, completed that test and their score on that test was considered as possible exceptions to the automatic

## Item 6 Appendix A

standard and their priority order set by the Committee of Reference with reference to additional information, and

- the parent/carer has named the school on the common application form submitted on time to the home authority and an offer from a higher preference has not been made, and
- in the case Stratford-upon-Avon Grammar Schools for Girls no more than 22 girls scoring below the automatic standard have been offered places, inclusive.

Within this category the order of priority will be:

- i. Children in the care of or provided with accommodation by a local authority (under Section 22 of the Children Act 1989)
- ii. children in the order of priority set by the Committee of Reference.

Applications from children living outside the priority area and children whose parents registered for tests after the closing date or applied for a place to their home authority after the closing date will also be considered in this category. Applicants will be placed in order in line with criteria 1, 2 and 3 above.

Places will not normally be offered to category 4 in the first round of offers but retained on the waiting list (see later explanation).

### Priority Areas

The priority areas for the selective schools in South Warwickshire are based on the traditional areas for application to those schools. As applicants have arrived from in and out of Warwickshire, the traditional areas are based on a circle with the radius being the distance between a point central to the schools and the farthest point from which applications have been made. In drawing a priority area in this manner, the admission authorities are able to comply with their duties flowing from the Greenwich judgement.

In South Warwickshire the radius is approximately 17 miles and runs from the Fountain in Rother Street, Stratford-upon-Avon to the County boundary south of Long Compton.

While all applicants living within the priority circle will be considered for entry to selective schools free transport is only available to those living within the original southern area, i.e. the educational area of South Warwickshire made up of the priority areas of the High Schools, as the other areas have fully comprehensive schools serving them.

### For entry in years up to and including 2007

Places were offered to pupils who reached the automatic standard for admission in Moray House Verbal Reasoning Tests. Additional information from the child's school and the children's performance in a Written English Paper were used by the Committee of Reference to decide on the ranking

order of children close to but below the automatic standard. The Committee also received referrals for children who have specific difficulties which might have affected their test scores.

In South Warwickshire the Committee of Reference set the automatic standard for Alcester (Foundation) Grammar School in the same way, but the automatic standard of entry for the two single sex schools located in Stratford-upon-Avon (including Stratford-upon-Avon Girls' Grammar School) was set as 260 since 2004 entry by the Schools Adjudicator. The Adjudicator also set a limit of 22 on the number of children who could be offered places having scored below the automatic standard.

### **For entry to Year 7 in September 2008**

The same principles apply but the tests were bespoke verbal reasoning tests in a standard format provided by the National Foundation for Educational Research.

### **For entry to Year 7 in September 2009 and September 2010**

In schools where there is a selective process, admission at an automatic level will be determined by comparing the children's performances in two tests commissioned by Warwickshire Local Authority from the University of Durham CEM Unit.

The standardisation of the new papers is likely to be different from those of the previous tests, but the Committees of Reference will adhere to a similar standard of ability for admission for each of the schools involved.

### **The Selection Tests for entry to Year 7 in 2010**

The tests will comprise two standard format papers (bespoke papers available only to Warwickshire County Council).

Children whose parents have registered for the tests by the closing date will attend the tests centres to complete the test papers. Normally, each child will attend only one session. Details of the test centre are sent to the parent following registration, normally in August or September. Applications for assistance with transport from the parents of children living in south Warwickshire, who believe that they will have difficulties in transporting their child to a test centre, will be considered on an individual case basis when raised, in writing, with Warwickshire County Council's Admissions Service.

**The tests** will be set in a morning session in test centres on at least one Saturday during the first half of the Autumn Term, 3<sup>rd</sup> October 2009. Warwickshire County Council will determine if a second test date is required and, if it is, it will be on Saturday, 10<sup>th</sup> October 2009.

Each test will be of 45 minutes duration and overall will include:

- verbal reasoning
- short maths questions
- comprehension

longer maths questions  
data processing questions  
non verbal reasoning  
missing words in paragraph test ('cloze test')

**Verbal reasoning** involves the manipulation of verbal representations and the solving of verbally presented problems. Orthographic, syntactic and semantic abilities, as well as logic and other problem solving skills are needed in verbal reasoning.

**Comprehension tests** the ability to make inferences as to meaning within and between phrases, sentences and paragraphs; to derive the 'gist' of the meaning from a text; understand the vocabulary, and extract accurate interpretations of the written language.

### **Non-Verbal**

Non-verbal reasoning tests eliminate cultural bias in intelligence testing and the possible bias against individuals who lack experience of a particular language or have difficulties with verbal elements.

**The 'Cloze Test'** consists of several short passages of prose. It needs an overall understanding of the passage, but it requires closer attention to the grammatical and syntactic elements of written language than in the comprehension test. The candidate selects the most appropriate word from a choice of three at various points in the passage so as to make sense of the phrase and/or sentence.

### **Mathematical Sections:**

**Short mathematical questions** will test ability in mental arithmetic and recognition of mathematical patterns (curriculum free as possible). A rigorous test of working memory skills with a speed element to this section. Not all the candidates will be expected to finish.

**Longer mathematics problems** explore numerical problem solving requiring more stages of processing with a greater verbal element involved than in the short maths questions.

One familiarisation paper will be issued to each candidate registered for the tests with the notice of allocation to a particular Test Centre.

A single testing session will include:

Test Paper 1 (45 minutes)

Break for refreshment and toilets (30 minutes)

Test paper 2 (45 minutes)

**Supplementary tests** will be held on 20<sup>th</sup> October 2009. These will only be available for those who provide proof of illness on the day of the original tests (doctor's note) or who are able to provide proof of special circumstances such as religious grounds or previously booked engagements prior to the date of the original tests. Late applications from parents moving into the priority area will be included in this group.

## **Providing information to Parents**

During the summer term of 2008/9 parents of all the children in Year 5 in primary schools in the Eastern Area and Southern Area of Warwickshire will be issued with a leaflet about the process of selection and asking parents to register if they want their child to be tested.

Parents of children not attending those schools can contact the Admissions Service to request that information.

An advert to inform parents will be placed during the early summer term in the local newspapers covering the two priority circles.

**The closing date** for registering for selection tests for all the selective schools in Warwickshire is 17<sup>th</sup> July 2009 (end of the summer term). Registration after that date will be considered as late. An exception will be made for parents who can provide proof of a move of address into the priority circle by 5th February 2010. Late registrations will only be considered after the first round of offers and may not be tested before the offer date.

**Applications** will be made on the child's home authority's composite parental application forms as part of the co-ordinated process with neighbouring authorities.

The closing date for applications is set by the home authority. For children living in Warwickshire the date will be 23<sup>rd</sup> October, 2009. Applications received after this date will be considered late and will be given a lower priority for places. An exception will be made for children moving into the priority area where independent proof of that move can be provided by 5th February 2010.

## **The Role of the Committee of Reference**

Each of the two areas will have a Committee of Reference (a panel of headteachers and teachers appointed according to the terms of reference in each area). The Heads of the area's selective schools or their representatives will be members of the Area Committee.

## **Setting the Automatic Standard**

Performance in the tests and the number of applications for the schools will be used by the Committee of Reference in each area to set the automatic standard. Above and at that standard a child will receive an offer from their highest named preference of selective school (subject to living within the priority circle or not being a late entry or having an offer from a higher preference of school).

The Committee in each area will consider the descending score order and the number of children applying for each school (living within the priority area and who registered before the closing date) and set the automatic standard as close to the planned admission numbers for the schools as possible.



## **Item 6 Appendix A**

The single sex schools in each area will have the same automatic standard as required by the Equal Opportunities regulations. Above that score all children with a high priority will be offered a grammar school place in the first round of offers (subject to the order of application and that a higher preference is not being offered).

The automatic standard for 2010 will be set by the South Warwickshire Committee of Reference taking account of the previous automatic standard for entry to Stratford-upon-Avon Girls' Grammar School and there will be a limit of offers to no more than 22 girls scoring below the automatic standard.

### **Exceptions to the Automatic Standard (Category 3)**

Children in public care or provided with accommodation by an authority (section 22 of the Children Act 1989) scoring within the possible exceptions group will be placed at the top of the Committee of Reference ranking list in their individual ranking order provided the Committee feels the child's ability would mean they were suitably placed in a grammar school.

The Committee will consider the child's scores as well as additional information provided by the relevant primary school (normally primary schools ranking lists which indicate the school's assessment of the child's performance on a day to day basis) to decide whether some candidates who do not qualify automatically should be included as an exception to the standard (Category 3). An offer is not guaranteed, but will be subject to a vacancy being available.

Referrals of individual cases from primary schools (and in some cases parents) will be considered by the Committee.

The Committee has the right to accelerate a child up the list above their score position (but not above the automatic standard) based on the information received.

Having considered the information the Committee can return a child (including a child in public care) to their original position in the descending school order.

A primary school report will be requested for each child. The scores, the primary school ranking and the school report will be used by the Committee members to provide a ranking or priority order for the exceptions to the automatic standard. Vacancies will be offered in the Committee's ranking order:

The standardised scores for each child will be sent to every primary or junior school during December to ensure that the school considers that the child's score is a reasonable reflection of their ability.

### **Allocation of Places**

In the first round of offers, available places will be offered to high priority pupils (see eligibility) scoring at or above the automatic standard.

## Item 6 Appendix A

Any remaining places will be offered in the first round in the order of ranking set by the Committees of Reference provided the children live within the priority area for the school and their parents have requested the school. If an offer is made it will be for the school of the highest preference with an available place, but it could be for the parent's first or subsequent selective preference.

Children living outside the priority area and late registrations and late applications will be offered places in the first round only if there are insufficient children of the required level of ability living within the priority area. Children living outside the priority area, late registration and late applications will normally be considered for places in the second or subsequent round of offers subject to their position on the waiting list and a vacancy occurring.

If after the subsequent round of offers, there are insufficient children of the required level of ability to fill the Stratford-upon-Avon Girls' Grammar School the school does not have to offer all its available places.

### **Waiting lists**

Places available up to the planned admission number of the school will be offered subject to waiting list order

Vacancies will be offered to those on the waiting list above the automatic level in descending score order. For children on the waiting list who scored below the automatic level (up to the limit of 22 in the case of Stratford-upon-Avon Girls' Grammar School, inclusive of places offered and accepted for year 7) any offers will be made in the ranking order set by the Committee of Reference.

Children living outside the priority circles and attaining scores at or above the automatic standard or scores within the exceptions group will not normally be included in the first round of offers, but will automatically be added to the waiting lists in automatic score or Committee of Reference rank order.

Children registered for tests after the closing date or applying for places after the home authority closing date will be added to the waiting lists in score order (where at or above automatic standard) or in the Committee of Reference rank order (if exception).

Any child being offered their second or subsequent selective preference will be added to the waiting list of their higher selective preference in the order set by the Committee of Reference provided that the scores are within the range of those considered for that school.

Waiting lists are held until the start of the Autumn Term for the incoming Year 7 only.

Provided the school has been named (and a higher preference has not been offered already) offers after the first round will be made in the following order and the waiting list maintained in the same order:

## Item 6 Appendix A

1. Children in public care or provided with accommodation by an Authority (section 22 of the Children Act 1989) scoring within the possible exceptions group will be placed at the top of the Committee of Reference ranking list in their individual ranking order set by the Committee of Reference
2. Children scoring at or above the automatic standard (irrespective of home address)
3. Children scoring below the automatic standard and considered by the Committee of Reference suitable as exceptions to the standard by ability. They will be listed in the ranking order set by the Committee of Reference.

### **Offers made on 1<sup>st</sup> March 2010**

During the normal round of admissions offers are made by the child's home authority as per the co-ordinated secondary school scheme with neighbouring authorities. Subject to the arrangements of the home authority, parents will be expected to accept the place within 2 weeks of the offer being made. A further letter reminding parents will be sent before the child is withdrawn from the offer lists.

On the offer date letters will be sent to parents indicating the children's scores and position in the descending score order.

### **Late Entry (In Year Applications)**

**Applications for all year groups will be made through the Admissions Service.**

Vacancies will be offered to applicants who are deemed suitable for entry:

#### **Years 7 to 9 inclusive (where the child is under 14 years 3 months)**

Children moving into the priority circle and not previously tested who are applying for a place (once the new Year 7 have been admitted) will be tested according to the tests used for that year at entry and appropriate to the age of the child and assessed by comparison to the scores of those who qualified for places or who were considered by the Committee of Reference.

#### **Years 10 and above (or where the child is 14 years 3 months or more)**

A child above 14 years 3 months is too old to test and so entry will be considered in comparison to the existing year group and the child's performance in another school in the appropriate subject areas.

### **Transfer from a non-selective school in the Area**

New applications for children who have already been tested and refused entry as non-qualifiers will be considered taking account of the existing test results and new evidence about the child's performance the current school as proof of ability. It is normally only where the non-selective school is confirming that the child needs a higher level of work than is currently available that a transfer to a selective school will be considered.

## **Item 6 Appendix A**

A retest is used only where there are grounds and proof to doubt the validity of the original tests.

Where a child has not previously been tested and there is a recommendation from the non-selective school, a test will be arranged (where the child is under 14 years 3 months)

No waiting list is kept for year groups other than the incoming Year 7.

Offers are normally made no earlier than 5 school weeks before the child takes up the vacancy.

Only if a vacancy exists in the appropriate year group will a transfer be arranged without appeal.

### **Appeals**

The parents of all children refused places will be notified that they have a right of appeal to an independent appeal panel. For children not qualifying for places the appeal will consider process for reviewing that child's case was fair & consistent and only if it was not will the appeal consider whether the child is of grammar school ability.

Grammar schools do not have to fill if there are insufficient applicants reaching the appropriate level. Therefore, the case for prejudice to the efficient education or the efficient use of resources will only be considered once the school is full in the appropriate year group.

### **Admission arrangements for Years 12 and 13**

These will be dealt with in a separate consultation document.

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** **Comprehensive Area Assessment – The findings and next steps**

**Summary** This report presents Cabinet with the key messages from the first CAA judgements – at the Organisational level for Warwickshire County Council and Warwickshire Fire and Rescue Authority as well as the Area Assessment findings.

**For further information please contact:** Tricia Morrison Head of Performance Tel: 01926 736319 triciamorrison@warwickshire.gov.uk  
Nicole North Performance and Improvement Officer Tel: 01926 412753 nicolenorth@warwickshire.gov.uk

**Would the recommendation decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]** No.

**Background papers**

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

- Other Committees
- Local Member(s)
- Other Elected Members  Cllr Appleton, Cllr Tandy, Cllr Roodhouse
- Cabinet Member  All Portfolio Holders
- Chief Executive
- Legal  Jane Pollard
- Finance
- Other Strategic Directors  SDLT
- District Councils  .

- Health Authority
- Police
- Other Bodies/Individuals x Janet Purcell

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

## Cabinet – 17 December 2009

### Comprehensive Area Assessment – The Findings and Next Steps

#### Report of the Assistant Chief Executive

#### Recommendation

Cabinet are recommended to:

- Receive the key messages from the first Comprehensive Area Assessment judgements and endorse the proposed way forward
- Encourage all WCC Members to consider and reflect upon the first CAA findings as it informs their roles as Elected Members

#### 1.0 Background

- 1.1 Comprehensive Area Assessment, or CAA, was introduced in April 2009. It is a new way of assessing local public services in England and examines how well councils and other public bodies are working together to meet the needs of the people they serve. It brings together the work of six independent inspectorates who for the first time collectively assess services.
- 1.2 CAA is made up of two interconnected elements: an area assessment and individual organisational assessments.
- **The Area Assessment** looks at how well local public services are delivering better results for local people across the whole area, focusing on agreed local priorities set out within the Warwickshire Sustainable Community Strategy , and how likely they are to improve in the future.
  - Each Council in Warwickshire and the Fire and Rescue Authority are also subject to an **Organisational Assessment**, which examines the performance and value for money of the organisation as well as how effectively they work with partners.
- 1.3 Both elements are informed by a range of information including the National Indicator Set, additional locally collected performance information, the views of people that use local services and findings from inspection, regulation and audit.
- 1.3 Since the introduction of CAA, Warwickshire's CAA Lead from the Audit Commission, Mary-Ann Bruce has been coordinating the work of the various inspectorates and holding regular dialogue with representatives from the various local public service organisations to ensure that a robust and accurate judgement of Warwickshire.

## **2.0 The Findings**

- 2.1 The first round of CAA judgements were published on the 9<sup>th</sup> December. CAA findings will be published annually and provide an annual snapshot of the quality of life in the area. The results are publicly available on a new website known as [Oneplace](#) and messages will also be cascaded to local residents through the media and Warwickshire Web. The creation of “Oneplace” will mean that information about the performance of local public services is more accessible than ever before with the Direct.Gov website, by which the Oneplace information is being accessed, currently receiving in the region of 18 million visits each month.
- 2.2 Summaries of the Warwickshire CAA judgements can be found as Appendices at the end of this report - Area Assessment (Appendix A), Warwickshire County Council Organisational Assessment (Appendix B) and Warwickshire Fire and Rescue Authority Organisational Assessment (Appendix C). The full judgements can be found at <http://www.warwickshire.gov.uk/caa>

## **3.0 Area Assessment**

- 3.1 The Area Assessment is not scored. Instead themes or areas of activity may be awarded either red or green flags. Green flags represent exceptional performance or outstanding improvement. Red flags are reported where there are significant concerns or risks. At the time of writing it remains unknown as to the number of flags awarded across the Country.
- 3.2 Warwickshire has been awarded one red flag, as CAA has judged that without improved joint working practices between health agencies and other public bodies, in a climate of increasing pressure on public funds, the prospects for Warwickshire will be challenging. On the whole there are no surprises in the Area Assessment and the summary findings can be found at Appendix A.

## **4.0 Organisational Assessments – Warwickshire County Council and Warwickshire Fire and Rescue Authority**

- 4.1 The effectiveness of councils and Fire and Rescue Authorities is assessed through Organisational Assessments, the findings of which inform and are informed by the Area Assessment. Each of the Councils in Warwickshire along with the Fire and Rescue Authority have received a scored judgement showing how well it delivers value for money in the use of resources and how well it manages its performance. The scores are combined to provide an overall score from 1 – 4 (where 1 equals poor performance and 4 equals excellent performance). The CAA judgements for Warwickshire’s District and Borough Councils are available via the Oneplace website.
- 4.2 The judgement found that Warwickshire County Council is performing well overall with the individual scores highlighted in the table below.



Managing Performance	3 out of 4
Use of Resources (UoR)	3 out of 4
Managing Finances	3 out of 4
Governing the business	3 out of 4
Managing Resources	2 out of 4

These three scores inform the overall UoR score.

- 4.3 The headline messages from the WCC Organisational Assessment are set out in the summary at Appendix B.
- 4.4 The CAA Organisational Assessment for the Warwickshire Fire and Rescue Authority found that it provides an adequate service with the individual scores highlighted in the table below.

Managing Performance	2 out of 4
Use of Resources (UoR)	2 out of 4
Managing Finances	2 out of 4
Governing the business	2 out of 4
Managing Resources	2 out of 4

These three scores inform the overall UoR score.

- 4.5 The summary report from the Organisational Assessment judgement received by the Fire and Rescue Authority is set out in Appendix C.
- 4.6 The Organisational Assessment element of the CAA is also informed by the outcome of an assessment of local authority services for children and young people. The rating for children's services in Warwickshire County Council is that it performs well. The overall effectiveness of the large majority of inspected and regulated services and settings in Warwickshire is good. The local authority fostering service was judged as outstanding in its most recent inspection. Performance against the very large majority of national indicators, including those for staying safe and enjoying and achieving is in line or better than in similar areas nationally. The report can be found on the Ofsted Website ([http://www.ofsted.gov.uk/oxcare\\_providers/la\\_view/\(leaid\)/937](http://www.ofsted.gov.uk/oxcare_providers/la_view/(leaid)/937)) and the findings detailed in the report will be embedded within the Directorate Business Plan and the Warwickshire Children and Young People's Plan.
- 4.7 The Organisational Assessment element of the CAA is also informed by the outcome of an assessment of adult social care within local authorities which is undertaken annually by the Care Quality Commission (CQC). The CQC have now confirmed that for the performance year 2008/09 adult social care in Warwickshire is rated as "performing well". This judgement is extremely positive and although it falls in line with the 2 star rating that we received for 2007/08 the level of continued improvement and progress in relation to adult social care services in the County is highlighted through the specific judgements that have been made by the CQC in relation to the outcomes against which we are assessed. When compared to the results we received in our 2007/08 assessment we have improved in two of the seven areas, achieving our first excellent rating in relation to "making a positive contribution" and moving up from an adequate judgement for "freedom from discrimination or harassment" in 2007/08 to performing well in this area last

year. The Directorate has in place a clear and robust performance management framework to ensure the delivery of these improvement areas and will be providing regular updated to the CQC around progress in these and other areas to support future annual performance assessment judgements. The full judgement can be seen at Appendix D.

Areas for judgement	2007/08	2008/09
Improved health and emotional well-being	Good*	Well
Improved quality of life	Good*	Well
Making a positive contribution	Good*	Excellently
Increased choice and control	Good*	Well
Freedom from discrimination & harassment	Adequate*	Well
Economic well-being	Good*	Well
Maintaining personal dignity and respect	Good*	Well
Performance Rating	2 stars	Performing Well

\*In 2008/09 “well” replaces “good” as a judgement

## 5.0 Improvement Activity

- 5.1 The CAA findings will form important evidence in the work of Overview and Scrutiny. Overview and Scrutiny will be able to draw on the outcomes of Warwickshire’s various assessments to inform the development of its Work Programme. CAA also presents an enhanced opportunity to learn from other areas and organisations through the analysis of green and red flags. This approach has already been embraced by the Overview and Scrutiny Board who received a presentation from the Warwickshire CAA Lead at its November meeting, at which the Chair urged Overview and Scrutiny Chairs to review their work programmes in light of the CAA findings.
- 5.2 Those areas for improvement highlighted through the CAA Area Assessment have now been incorporated within the Addressing Partnership Effectiveness – An Improvement Plan for Partnership Working in Warwickshire, which was endorsed by the PSB in September. This plan will inform the work of the partnership and will be monitored accordingly.
- 5.3 A further exercise will also be undertaken with partners identifying areas for improvement from across the individual organisational assessments (or equivalent) and where appropriate working together to find common solutions to take these forward.
- 5.4 The Warwickshire Public Service Board has commissioned the Improvement and Development Agency to undertake a Peer Review of partnership working in Warwickshire. This will take place in the week commencing the 1<sup>st</sup> March 2010 and will focus upon relationships between local public services and how well partners are working together to deliver better outcomes for the people of Warwickshire. This process will address the issues highlighted by the receipt of the ‘red flag’ and will provide us with some clear recommendations upon which to build.

- 5.5 The specific improvement activity identified from our Organisational Assessment will be brought together into our Corporate Improvement Programme. This will be just one part of the Corporate Improvement Programme that will inform, and be informed by the Corporate Business Plan.
- 5.6 Alongside the extensive consultation undertaken on the Warwickshire Fire and Rescue Authority modernisation proposals, work has commenced to develop a single improvement plan. This will draw together the findings from the Organisational Assessment, Operational Assessment (IDeA [OpA] peer review) and internal improvement activity, and will feature in the next Community Risk Management Plan 2010-13 (CRMP).

Monica Fogarty  
Assistant Chief Executive

Shire Hall  
Warwick

7 December 2009

# Warwickshire

## Area Assessment (Summary version)

Pre-publication version dated 19 October 2009

Provided under embargo

If you have any concerns about the assessment please discuss them with your CAA Lead first.



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## Warwickshire, at a glance

This assessment sets out how your local public services are working together to tackle the major issues facing the people of Warwickshire. Where we use a red flag, this is to highlight where something more or different needs to happen to ensure that the most important challenges in Warwickshire are addressed. Where we use a green flag, this means that public bodies are achieving exceptional outcomes in priority areas, or something innovative, and that others can learn from.

### Green flags - major achievements and innovation

No green flags have been identified for Warwickshire

### Red flags - where action is needed

-  Red flag: Ensuring all organisations improve the success and well-being of the people of Warwickshire

## The local area

Warwickshire is a largely rural county in the West Midlands, with no dominant centre of population. The major towns are Leamington Spa, Warwick, Stratford-upon-Avon, Rugby and Nuneaton.

The world famous Stratford-upon-Avon, birth place of William Shakespeare, is in the county, attracting many visitors to Shakespeare country. The game of rugby was first played here. George Eliot was inspired, among the rich heritage of the North of the county which has seen Romans and Saxons come and go. Warwick is steeped in a rich historical past attracting people to the castle and to wander amongst its streets and buildings.

A rural county, agriculture has been celebrated at the Royal Agricultural Society of England showground, after 170 years, for the last time in 2009 at Stoneleigh Park. The county now hosts new technology and is fast developing into a centre for the computer gaming industry.

The population is just under 527,000 with a relatively high older population and a declining younger population. Its population is growing faster than in other parts of the country. Much of this is due to people moving into Warwickshire from the neighbouring urban areas of Coventry and Birmingham. Warwickshire has a high White British population when compared to the national average, although its population of ethnic minority residents has been increasing. Deprivation is relatively low but there are areas

in the north of the county with significant deprivation.

Warwickshire's public services have agreed the following challenges that they need to tackle:

We belong to safe, strong & cohesive communities

We live healthy, active & independent lives

We all have an equal opportunity to enjoy & achieve

Our environment is clean, green and sustainable

Our housing is appropriate and affordable

Our places are accessible

Our economy is innovative, competitive & entrepreneurial; Our workforce is well trained and highly-skilled; Our economic well-being is improved

The next section tells you how Warwickshire's public services are doing in each of their local priority areas.

## How is Warwickshire doing?

### We belong to safe, strong & cohesive communities

Crime levels are falling in Warwickshire. The police are targeting the most serious crimes, but most types of crime have reduced. Roads are safer in Warwickshire than they were 10 years ago seeing a significant fall in the number of people killed or seriously injured.

Victims of domestic abuse are taken very seriously. Local partnerships work together to support individuals and to increase awareness and intolerance of domestic abuse.

The Fire and Rescue Authority know they have to improve their fire prevention service. They also know that they have to change the way they work to improve the service as a whole. This is a difficult task and part of the challenge will be to explain the plans to residents so they understand the reasons for the need to modernise the way the service is provided.

### We live healthy, active & independent lives

People living in Warwickshire are generally healthy and live longer than in many other areas. But NHS Warwickshire, hospitals and local councils need to work better together to make sure people are as healthy as they can be. It is important for the health service to be well represented when working with

partners, so they can make sure the best decisions are made for people.

There are more GPs here than elsewhere, and people use their dentists more than elsewhere in the West Midlands. Ambulances response rates are good.

North of the county residents have much poorer health, with Nuneaton and Bedworth particularly standing out in Warwickshire. Here some people have the poorest health in the country, and this is deteriorating.

Too many people are overweight or obese, including children. Partners are increasing the work they do to encourage everyone to exercise more, eat well and healthily. But it is important to make sure people know what will make the most and best difference to them.

## We all have an equal opportunity to enjoy & achieve

Good progress is being made to lift schools out of special measures and there are improved exam results at schools that have not performed as well - mainly in the north of the county. Children from some ethnic backgrounds are getting more support. These groups are doing better as a result.

Plans have been drawn up for the future of Warwickshire's schools. Funding some of the proposed changes could be difficult as finances are being hit by the recession. Plans for a major shake up in Nuneaton's secondary schools will need to be carefully communicated to families in the catchment area.

There is an excellent foster care service. Young people and their carers receive good support and tend to do well.

## Our environment is clean, green and sustainable

The amount of rubbish recycled in Warwickshire is increasing faster than anywhere else in the Country. And it's set to increase more as new facilities to process recycling materials are built and come into use. Working with other councils, two waste to energy plants are planned - one in Staffordshire and one in Coventry. This will significantly reduce the amount of waste going to landfill.

Progress on reducing carbon emissions is patchy. Some organisations are not doing what they should to reduce their emissions - the NHS could be doing a lot more to work with partners given that they are among the main consumers of energy in the county. Not all organisations know what their emissions are, however there are some good projects in place.

Effective action has been taken to reduce the impacts of flooding. Partners know which areas are most at risk. Flood defence work is underway in some places, and gulleys and ditches are being cleared. The water company is improving some storm drains.

## Our housing is appropriate and affordable

House prices vary hugely in Warwickshire. They are most expensive around Warwick and Stratford. But councils work hard to make sure that affordable homes are built, and are proving successful in this. There are plans to build a lot of new homes in Warwickshire. People are not happy with every aspect of these plans - for example, the proposal to build a new 'eco-town' south of Stratford-upon-Avon.

More homes are needed that are accessible and suitable for older people. And more sites and pitches are needed for gypsy and traveller communities. Homeless people are getting more help. In turn this means that fewer people are becoming homeless in some parts of the county, although some people still have to spend too long in temporary accommodation, including bed and breakfast.

## Our places are accessible

Road networks are good in and around Warwickshire. And improvements continue to be planned and made - for example at the Longbridge junction of the M40. Lots of people own cars in Warwickshire. Railway facilities are improving. A new parkway station opened at Coleshill in 2007, and there are plans for another one at Stratford and a new station in Kenilworth. The new station at Coleshill has encouraged many more people to use the train.

More people are now using buses. In North Warwickshire a new fleet of buses running between key places means that more people can get to work by bus. Late running is the main worry for people using buses in the county. More people are cycling, and cycling schemes have been improved. Some areas have good community transport schemes, but not everyone in Warwickshire can benefit. Where these are available they help people without cars who can't use public transport.

Council services are easier to use in most areas. Many towns have one stop shops where you can get help with all services the councils provide (County and District). New mobile libraries are visiting many more people in their communities, which is helping older people in sheltered housing and in villages.

## Our economy is innovative, competitive & entrepreneurial; Our workforce is well trained and highly-skilled; Our economic well-being is improved

A strong economy requires fit, healthy people who are supported into employment. It also requires all public organisations to work hard on training, providing jobs and ensuring that what they do is sustainable. The organisations in Warwickshire need to work better together to deliver some



of these things - in particular the way the NHS is able to help.

Warwickshire is being hit hard by the recession. Many people have lost their jobs - particularly in the manufacturing sector and the car industry. The number of people claiming Jobseekers allowance doubled in the year to May 2009 to 12,160. More people need help with their rent and council tax. Many businesses have failed - 2,000 just in the first three months of 2009.

Councils have pulled together advice and information that will help people. Events have been held for businesses. Partners working across Warwickshire, Coventry and Solihull have secured funds of over £22 million to help businesses, and training for people becoming redundant. Help is given to start up new businesses, including accommodation and advice.

This assessment includes the summary and full text that it is intended to appear on the oneplace website in December. Your CAA Lead will have discussed this assessment, including any flags, with you in recent weeks.

Please read this assessment in conjunction with our letter to you dated 19 October 2009.

If you have any concerns about the assessment please discuss them with your CAA Lead first.

From 10 December 2009 you will find the results of Comprehensive Area Assessment on the Oneplace website.

For more information, go to [www.audit-commission.gov.uk/oneplace](http://www.audit-commission.gov.uk/oneplace)



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# Warwickshire County Council

## Organisational Assessment (Summary version)

Pre-publication version dated 19 October 2009

Provided under embargo

If you have any concerns about the assessment please discuss them with your CAA Lead first.



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# Warwickshire County Council

Overall, Warwickshire County Council performs well

Managing performance	3 out of 4
Use of resources	3 out of 4
Managing finances	3 out of 4
Governing the business	3 out of 4
Managing resources	2 out of 4

Description of scores:

1. An organisation that does not meet minimum requirements, Performs Poorly
2. An organisation that meets only minimum requirements, Performs Adequately
3. An organisation that exceeds minimum requirements, Performs Well
4. An organisation that significantly exceeds minimum requirements, Performs Excellently

## Summary

Warwickshire County Council is performing well overall. It is continuing to develop its understanding of inequality across the county and is using this knowledge to narrowing the gaps. Most people like living in Warwickshire although the quality of life is generally better for people living in the south of the county than the north. Most of the Council's services perform well, are improving and provide value for money.

Warwickshire County Council scores 3 out of 4 for managing performance. Services have improved in all areas that are important for local communities.

Overall, educational attainment continues to be above the national average. Good progress is being made to lift schools out of special measures and there are better exam results at schools that do not perform as well. Children from some ethnic backgrounds are doing much better because of increased support. Children in the care of the local authority are also showing signs of doing better in their exams. Progress with increasing the number of older people living independently with support from the Council is particularly good. And the county's first extra care housing schemes opening in 2009 signals the first step towards better choices for older people who do not need more intensive residential care.

This year has seen recycling levels rise faster than anywhere else in the country. Warwickshire's homes are better protected from flooding. The Council is providing more help to Warwickshire's business although this is an area where the impact is small so far. Warwickshire is a safe place to live. Crime, anti-social behaviour is low and going down and roads are safer. More work is needed to help reduce the fear of crime, but work is underway to

help with this. And although deaths and injuries from fire are reducing, more fire prevention work is needed.

Warwickshire County Council scores 3 out of 4 for the use of resources. It has good financial plans and manages its spending well. It is able to make difficult decisions that will enable it to improve. It is making sure that money is moved into areas that are top priorities. Although its finances are being hit hard by the recession, it has shown that it is good at improving efficiency and saving money. The Council has a good handle on costs and knows how its services compare so that it can improve where needed.

However, more needs to be done to give councillors clearer information on costs and options to help with decision making. This should also help to improve the management of some areas of operational risk. Work is underway which will enable the Council to measure detailed energy use and CO2 emissions.

This assessment includes the summary and full text that it is intended to appear on the oneplace website in December. Your CAA Lead will have discussed this assessment, including any scores, with you in recent weeks.

Please read this assessment in conjunction with our letter to you dated 19 October 2009.

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# Warwickshire Fire and Rescue Authority

## Organisational Assessment (Summary version)

Pre-publication version dated 19 October 2009

Provided under embargo

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# Warwickshire Fire and Rescue Authority

Overall, Warwickshire Fire and Rescue Authority performs adequately

Managing performance	2 out of 4
Use of resources	2 out of 4
Managing finances	2 out of 4
Governing the business	2 out of 4
Managing resources	2 out of 4

Description of scores:

1. An organisation that does not meet minimum requirements, Performs Poorly
2. An organisation that meets only minimum requirements, Performs Adequately
3. An organisation that exceeds minimum requirements, Performs Well
4. An organisation that significantly exceeds minimum requirements, Performs Excellently

## Summary

Warwickshire Fire and Rescue Authority provides an adequate service. This year fires in the home fell following an increase the previous year. Injuries from fire have been falling over the past three years. Deaths from fire are low. It profiles risk which helps to predict where emergencies are likely to occur and the Authority responds quickly when they happen. The Authority has had good success in reducing arson and nuisance fires. Work in communities to prevent fires is having some impact but the Authority needs to do much more. The Authority targets prevention work towards those at highest risk in urban areas but prevention work is patchy in rural areas where people are isolated and fire crews take longer to reach them. The Authority has invested less in the past in such community safety work than almost every other fire authority in England. Hoax calls are falling but the Authority responds to too many false alarms which wastes money and distracts fire crews from real incidents.

The Fire and Rescue Authority has been slow to make the changes needed to provide a more efficient, modern fire service that balances emergency response with good prevention and protection work and gives taxpayers good value for money. The pace of change is picking up. Opportunities to make efficiency savings through changing working practices and using staff, stations and equipment more efficiently are being seized. Stronger leadership inside the service and from the County Council is driving forward an improvement plan that represents substantial and radical change in how the Authority delivers its services and spends its money. They know that they will need to work hard to gain the support of local people. They are showing that they are prepared to take and stick to the tough decisions that will be needed.



Warwickshire Fire and Rescue Authority scores 2 out of 4 for managing performance. It meets its standards for emergency response. Deaths from fire are low. Fires in the home are falling. Fires in businesses also fell this year following a sharp increase last year. Working with other public services the Authority is reducing arson. It is carrying out some effective prevention work but the Authority does not plan well and good work can stop because of lack of funding. Achievements vary from year to year making it difficult to have confidence that good outcomes will be sustained. The Authority needs to be much clearer about what it is trying to achieve and focus more strongly on delivering better outcomes for communities particularly the most isolated. Home Fire Safety Checks involve fire fighters and other trained staff visiting people at home to alert them to the particular risks from fire they face, help them to form an escape plan and fit smoke alarms. The Authority focuses Home Fire Safety Checks on the most vulnerable people such as older people. It needs to carry out more checks especially in the rural areas where people do not have the fire safety information that they need.

Warwickshire Fire and Rescue Authority scores 2 out of 4 for how it uses its resources to deliver value for money. This is because financial planning and management is sound in the County Council. Councillors also meet regularly to check performance, but the Authority is not assessing value for money performance on a regular basis. The Fire and Rescue Authority has improved the way it buys equipment to save money. However it is not making best use of the resources it has to achieve good value for money for taxpayers. It has been slow to look at how it uses its staff, assets and money to be more cost effective. Health and safety is a top priority. Injuries are at low levels and reducing. A recent independent health and safety assessment by ROSPA found high standards. Firefighter training is good. The Authority is developing the skills of its managers but does not have good plans to make sure that it has the skills that it needs now and for the future. The Authority is slowly improving the numbers of women firefighters and staff from minority ethnic communities. It relies heavily on firefighters working the Retained Duty System (RDS) especially in the rural areas. The Authority does not have a reliable or flexible enough approach to recruiting, training and keeping these staff.

This year Warwickshire Fire and Rescue Service had a peer review of its Operational Assessment (OpA) self-assessment by accredited peers from the fire sector. The findings of this evidence-based review are used in this organisational assessment.

This assessment includes the summary and full text that it is intended to appear on the oneplace website in December. Your CAA Lead will have discussed this assessment, including any scores, with you in recent weeks.

Please read this assessment in conjunction with our letter to you dated 19 October 2009.

If you have any concerns about the assessment please discuss them with your CAA Lead first.

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**Council Name:** Warwickshire County Council

This report is a summary of the performance of how the council promotes adult social care outcomes for people in the council area.

The overall grade for performance is combined from the grades given for the individual outcomes.

There is a brief description below – see Grading for Adult Social Care Outcomes 2008/09 in the Performance Assessment Guide web address below, for more detail.

**Poorly performing** – not delivering the minimum requirements for people

**Performing adequately** – only delivering the minimum requirements for people

**Performing well** – consistently delivering above the minimum requirements for people

**Performing excellently**- overall delivering well above the minimum requirements for people

We also make a written assessment about

**Leadership** and

**Commissioning and use of resources**

Information on these additional areas can be found in the outcomes framework

To see the outcomes framework please go to our web site: [Outcomes framework](#)

You will also find an explanation of terms used in the report in the glossary on the web site.

**Delivering Outcomes Assessment  
Overall Warwickshire council is  
performing:**

**Well**

Outcome 1:

[Improved health and well-being](#)

The council is performing: **Well**

Outcome 2:

[Improved quality of life](#)

The council is performing: **Well**

Outcome 3:

[Making a positive contribution](#)

The council is performing: **Excellent**

Outcome 4:

[Increased choice and control](#)

The council is performing: **Well**

Outcome 5:

[Freedom from discrimination and harassment](#)

The council is performing: **Well**

Outcome 6:

[Economic well-being](#)

The council is performing: **Well**

Outcome 7:

[Maintaining personal dignity and respect](#)

The council is performing: **Well**

*Click on titles above to view a text summary of the outcome.*

## **Assessment of Leadership and Commissioning and use of resources**

### **Leadership**

The council has a clear vision for the development of services to meet the needs of the people in Warwickshire. Priorities for achieving improvements in the health and well-being of the population have been identified and are documented in a number of key strategies and plans. These strategies and plans have been developed with input from people who use services, their families and carers together with other partner organisations.

The council has been restructuring the workforce to support the delivery of its strategies and changes to the way services are developed. Staff are provided with relevant training and support in delivering these changes. There has been a small increase in staff turnover and levels of sickness during this year.

The council has strengthened systems for managing performance and monitoring outcomes for people who use services. A proactive approach is taken to risk management and a risk register linked to objectives is in place to help ensure targets set are achieved.

### **Commissioning and use of resources**

During 2008/09, progress with developing commissioning in partnership has been made. Joint commissioning strategies have been revised with implementation plans in place. An agreement in principal with NHS Warwickshire has been reached to establish joint commissioning posts for mental health and learning disabilities with future plans to establish pooled budgets. Work is progressing with establishing sub-regional commissioning with Coventry and Solihull for services with people with complex needs.

People who use services and carers have been engaged in the commissioning process, including identifying priorities. The directorate is also working in partnership with other council departments, for example housing, and with the voluntary sector to review the provision of low level services.

The development of an Improving Lives Strategy has supported an improvement in standards within provider services. The council uses data, together with information from independent inspections and visits, to target areas for improvement. Specific initiatives this year have included a focus on mealtimes and dignity in care. Over the year 2008/09 the number of zero rated and one star rated services has decreased and the number of two and three star rated services has increased.

Efficiency savings have been identified and achieved in a number of areas and this has enabled re-investment in other services.

## Summary of Performance

The council has clear plans and strategies in place for developing adult social services and has established a sound base from which to improve outcomes for people who use services, their families and carers. There is strong leadership driving changes in the way services are designed and delivered. Work is in progress to strengthen the commissioning agenda and maximising the input of others, including people who use services and other partner organisations.

There have been a number of improvements that impact on peoples' lives during 2008/09. The provision of low level services has contributed to an increase in the number of people able to live independently. The quality of residential services has improved and there are fewer zero star and more two and three star rated providers than at the start of the year.

There has been an increase in the choice of services available to people and this has included a programme to increase the range of accommodation options available. The number of people in receipt of self directed support is similar to other councils and a pilot of individual budgets has been undertaken. The number of people receiving an assessment has increased this year and more people have accessed the adaptations service, although this increase has led to an increase in waiting times.

Information and advice is available to people who use services. This includes access for people who are self funders. The council has commenced the development of a map of all services provided across Warwickshire to help ensure fair and equal access for everyone.

Mechanisms are in place to engage effectively with people who use services. There is involvement of people who use services in a number of partnership boards, identification of priorities and evaluating the quality and impact of services provided. A carers' strategy has been developed to support the range of activities designed to ensure the needs of carers are considered and addressed.

Improvements to systems designed to ensure people who use services are protected from all forms of abuse have been introduced this year. This has included increased awareness amongst staff about what to do if they have concerns and improved systems for managing referrals. Work is ongoing to assess the impact of these improvements on outcomes for people.

## **Outcome 1: Improved health and well-being**

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The council is performing: **Well**

### **What the council does well.**

The council takes an active approach to encouraging access to information on healthy lifestyles. A Health Inequalities Strategy for Warwickshire has been developed, bringing together work that is taking place across partner organisations. In addition, priorities for health and well-being are included in the Local Area Agreement. A range of initiatives and programmes to improve health and well-being of people are established and improved outcomes for people who use services can be demonstrated.

More people are receiving non-residential intermediate care to support their rehabilitation or facilitate timely discharge from hospital. There has been a further reduction in the number of delayed discharges that are due to social care reasons during 2008/09. Overall the number of people who use services that received a review increased this year, including older people and people with a learning disability.

### **What the council needs to improve.**

The well-being of people with mental health needs continues to be a priority, with development of strategies to support this and work is continuing to reduce the number of people in NHS campus accommodation. The council should ensure it can demonstrate improvements in outcomes as a result of the work being undertaken. The number of people with mental health problems receiving a review fell this year and the council needs to understand the reasons for this and take action to improve this.

Further work to increase the number of people supported to achieve independence through rehabilitation/intermediate care is required to bring the number in line with other councils. The council has undertaken a review of end of life care to establish an understanding of palliative care provision across the county and is working with NHS Warwickshire, who are leading on and developing and implementing a joint health and social care end of life strategy. Over the next year the council should assess the impact of implementing this strategy on people who use services.

## **Outcome 2: Improved quality of life**

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The council is performing: **Well**

### **What the council does well.**

There have been reported improvements in a number of quality of life indicators. These improvements have included increased access to telecare and an increase in the number of people supported to live at home. The Improving Lives Strategy has supported improvements in the quality of services provided in residential homes. As a direct result of the work of this strategy there has been a reduction in the number of zero rated services in Warwickshire from 10 in September 2008 to 3 in March 2009. The council has worked to improve outcomes for carers through a number of different initiatives including the development of a carers' strategy. There has been an increase in grant funded services for older people during 2008/09.

## **What the council needs to improve.**

The council is working to build stronger relationships in Nuneaton and Bedworth, including holding a putting people first conference and targeted work with Nuneaton and Bedworth Borough Council and other partners to support 100 families with specific needs and challenges. Telecare has yet to be rolled out in these areas.

The expansion of the adaptations service has resulted in an increase in the number of people benefitting from this service. However, as a result there has been an increase in waiting times for this service. The Accessible Housing and Inclusive Design Strategy has been developed to improve the provision of adaptations and housing, providing a local framework for future service delivery, bringing partners together to jointly provide adaptations.

## **Outcome 3: Making a positive contribution**

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The council is performing: **Excellently**

### **What the council does well.**

The council has a range of mechanisms in place to engage with and respond to the feedback from people who use services, their families and carers. People who use services are members of partnership boards and have a role in contributing to policy and service development. The impact of consultation, involvement and feedback is evaluated and is improving outcomes for people who use services and carers. For example a respite hotel for people with learning disabilities in Stratford was established following feedback from carers on what they would find helpful.

The views of all sections of the community were sought regarding the proposed build of extra care accommodation, including black and minority ethnic forums, older people's forums, user and carer groups, the lesbian, gay, bisexual and trans-sexual network group, and community forums. Carers have led the development of a carers' strategy and implementation plan. A citizen-led stakeholder group, working with the organisation has supported an increase in the take-up of direct payments. The council is working with voluntary organisations and employers to increase opportunities for volunteers to work in a range of occupations.

## **Outcome 4: Increased choice and control**

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The council is performing: **Well**

### **What the council does well.**

There is a range of initiatives and projects aimed at ensuring that choice is incorporated into service provision. These initiatives include the development of a nationally recognised new outcome based service specification, incorporating the new personalisation agenda. In addition the council's Care and Choice Accommodation Programme, which aims to ensure users of services benefit from services in their own home or have access to alternative accommodation that is appropriate for their needs.



The impact of direct payments on outcomes for individuals is evaluated on an individual basis and by a panel that includes users and staff. Overall there has been an increase in assessments completed within four weeks and the number of new assessments completed has also increased. In addition, people who require care gain access to services in a timely manner. The percentage of carers in Warwickshire receiving a needs assessment or review together with a specific carer's service or advice and information is higher than in other councils.

**What the council needs to improve.**

The council has commenced an analysis of services operating across Warwickshire, including an Access to Services Project, to develop a delivery map of services to identify access points and the times at which these points are available. In addition to this the council will be using learning from the Rugby Personalisation demonstrator site to inform future service requirements alongside the Joint Strategic Needs Assessment. This will allow an analysis of the full picture of services operating across Warwickshire, and how they might operate collectively to support personalisation and modernisation goals.

**Outcome 5: Freedom from discrimination and harassment**

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The council is performing: **Well**

**What the council does well.**

The Customer Service Centre provides access to and information on social care services for all users, including self-funders. The council has set up a countywide information, advice and guidance service for customers who present as self-funders. In addition, the council has set up a project group to consider alternative approaches to support self-funders. The directorate takes a comprehensive approach to consideration of equality and diversity issues. Equality Impact Assessments have been undertaken for all new services and policies. Performance against equality and diversity indicators is monitored and the council has been rated as an achieving authority under the revised local government equality standard.

**What the council needs to improve.**

The council has revised and updated monitoring criteria to better understand its customers. It will evaluate and analyse the information gathered to inform decisions about sign posting, support to self-funders and information provision and guidance. The council also intends to evaluate alternative ways of screening customers and access models, to offer a quicker and simpler pathway to customers. As information on customer requirements improves, the council should demonstrate improvements in services provided. Addressing the public's concerns about the levels of anti-social behaviour and crime has been identified as a priority in the Local Area Agreement and a strategy and action plan have been developed. Progress against this priority will be measured, enabling the council to monitor improvements in this area.

## **Outcome 6: Economic well - being**

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The council is performing: **Well**

### **What the council does well.**

Information and advice on benefits and how to maximise income is available to people through the Benefits Advice and Income Control Unit. The council funds the Warwickshire Welfare Rights Advice Service to increase awareness of social security benefits amongst staff and related agencies and to support them in promoting the take up of benefits amongst people who use services.

The council has developed projects to support people during the recession, including job seekers corners in libraries and the adult learning service. The adult learning service has seen an increase in the number of people accessing and achieving pass rates in computer literacy and information technology courses. Support is provided to people in accessing employment and there has been an increase in the number of people with learning disabilities in paid work.

### **What the council needs to improve.**

A countywide Supported Employment Service became fully operational in April 2009 with the aim of ensuring a coordinated approach to helping people who use services to gain employment. The impact of this unit will be monitored during 2009/10 and the council should demonstrate the impact of this service on supporting people to gain employment.

Support into employment for people with mental health issues has been identified as a priority and the council has mechanisms in place to address this. The council needs to demonstrate the impact of these mechanisms on supporting people to gain employment opportunities during 2009/10.

## **Outcome 7: Maintaining personal dignity and respect**

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The council is performing: **Well**

### **What the council does well.**

The council has increased support for staff and providers with regard to safeguarding this year. This support has included increased training opportunities, workbooks and guidance. The introduction of 5 safeguarding leads has strengthened relationships with relevant partners and increased awareness of safeguarding issues across Warwickshire. There has been a large increase in the number of safeguarding referrals made during 2008/09 and in addition, an increase in the rate of completed referral cases.

Regular audits are carried out and management information is provided on a regular basis to support the council in monitoring the effectiveness of its safeguarding processes. Arrangements have been developed to record the required outcomes for the person prior to starting a safeguarding investigation and on completion of the investigation to assess how well the outcomes have been met.

The council is committed to promoting dignity and respect and has established a programme of work to create a "dignity culture" across all providers. Dignity champions have been identified

and systems are in place to ensure that residents are enabled to speak freely about their aspirations, concerns or complaints.

**What the council needs to improve.**

The council is undertaking a review of the safeguarding lead role to ensure it is achieving the desired outcomes and should ensure the outcome of this review is used to inform future developments in the safeguarding support service. The council has identified a wider range of staff who require training in safeguarding and should continue to monitor numbers of staff trained.

The council recognises the need to further develop ways of assessing the experience and impact on outcomes for people who go through the safeguarding process and intends to implement local performance indicators to support this. Plans to ensure people using a direct payment have a negotiated safeguarding plan as part of their support plan should be progressed during 2009/10.

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** 2010/11 Budget and Medium Term Financial Plan

**Summary** The report outlines the 2010/11 budget and medium term financial plan proposals for the Strategic Directors Leadership Team and seeks Cabinet's draft response to these proposals.

**For further information please contact:** Virginia Rennie  
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**Would the recommended decision be contrary to the Budget and Policy Framework?** No.

**Background papers** Report to Cabinet 30 July 2009

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

- Other Committees  .....
- Local Member(s)  .....
- Other Elected Members  Portfolio holders have been consulted on the information specific to their services
- Cabinet Member  Cllr Farnell, Cllr Heatley - for clearance
- Chief Executive  Jim Graham - reporting officer
- Legal  Sarah Duxbury - for clearance
- Finance  David Clarke - reporting officer
- Other Chief Officers  SDLT - the report is a joint report from all members of SDLT
- District Councils  .....
- Health Authority  .....

Police  .....

Other Bodies/Individuals  .....

**FINAL DECISION NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

Further consideration by this Committee  .....

To Council  Council will approve the 2010/11 budget and medium term financial plan in February

To Cabinet  An updated report will be presented to Cabinet on 28 January 2010 once final information has been received

To an O & S Committee  .....

To an Area Committee  .....

Further Consultation  .....

## Cabinet - 17 December 2009

### 2010/11 Budget and Medium Term Financial Plan

### Report of the Strategic Directors Leadership Team

#### Recommendation

Cabinet is recommended to:

- i. Note the 2010/11 budget and medium term financial planning report from SDLT.
- ii. Put forward their draft proposals for consideration by Overview and Scrutiny and the budget setting Council meeting in February 2010.
- iii. Authorise Strategic directors to begin any preparatory work necessary to deliver the savings plans detailed in this report, prior to the final decision on the budget in February 2010.

## 1 Background and Introduction

- 1.1 At Cabinet on 30 July 2008, as part of approving the report on the 2010/11 Budget process, Cabinet requested that SDLT develop the initial 2010/11 Budget and Medium Term Financial Plan proposals.
- 1.2 This report and the accompanying appendices provide the response from SDLT. **The report does not represent a specific budget proposal from SDLT.** Such decisions are rightly for members to make. What this report provides, particularly in relation to the savings identified, is details of the type of decisions that will need to be made if a council tax increase, of 2.5%, is to be delivered. Members will consider these and other options over the coming months, including at the Cabinet meeting on 17 December 2009, before a final decision on the 2010/11 budget is made by Council in February 2010.
- 1.3 As well as outlining the medium term financial plan options drawn up by SDLT the report also explains the rationale that has led to these conclusions, the implications for the authority and its services and how these will impact on the medium term position of the authority as we move forward. The report covers the following areas:
  - The overall financial position of the authority prior to the budget process
  - The process undertaken by SDLT
  - The context in which the budget report has been developed
  - The key assumptions used
  - The delivery of the medium term financial strategy

- The spending pressures recommended for funding
- The proposals for delivering the savings targets included in the medium term financial planning framework
- Area Based Grant proposals
- Proposals for implementing the Cabinet's policy on Narrowing the Gaps
- The development of a draft 2011/12 to 2013/14 capital programme
- The Medium Term Financial Planning Framework 2010/11 to 2013/14 to deliver the 2013 Vision and the corporate improvement plan.

## 2 Financial Context

- 2.1 Normally when we approach the detail of the budget setting process the authority is considering a council tax rise just below the capping level to fund the medium term financial plan. This tends to leave some room for manoeuvre but primarily any spending proposals members wish to fund usually need to be funded from setting a savings target.
- 2.2 The budget position reported to Cabinet on 30 July 2009 showed a significantly worse overall financial position for both 2010/11 and each subsequent year. Indeed, if anything, the projections show that the financial position deteriorates on an annual basis, as estimated Government cuts in public spending to sort out the deficit in the public finances, begin to impact locally. Projections showed a shortfall in resources each year of between £25 million and £28 million, to be funded by a combination of savings and increases in the council tax. The position reported to Cabinet in July is shown in Table 1 below.
- 2.3 The result of this very different financial context was and will remain, unequivocally, a need to make the budget process a genuine medium term one. The focus will have to be on the delivery of savings rather than the prioritisation of different spending proposals. But, equally important, the decisions made as part of setting the 2010/11 budget must be part of a longer term plan to deliver sufficient reductions in spending to balance the budget over the medium term. The difficult decisions about the breadth and range of services provided can no longer only be dealt with by short term measures on an annual basis.
- 2.4 Whilst the figures in Table 1 were only early estimates and actual figures will vary from these as detailed information is considered, from the outset it has been clear that the 2010/11 budget setting and corporate planning process will, out of necessity, be the first step towards a genuine medium term financial plan.

<b>Table 1: Overall Predicted Council Revenue Position</b>					
	2009/10 £m	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
<b>Resources</b>					
Formula Grant	(89.103)	(92.092)	(91.171)	(90.259)	(89.357)
Council Tax (0% increase in 2010/11 to 2013/14)	(223.960)	(223.960)	(225.639)	(227.332)	(229.037)
Reserves and Balances	0.370	-	-	-	-
<b>Total Council Resources</b>	<b>(312.693)</b>	<b>(316.052)</b>	<b>(316.810)</b>	<b>(317.591)</b>	<b>(318.393)</b>
<b>Spending</b>					
Net Spending	312.693	311.201	316.052	316.810	317.591
Inflation and capital financing costs *	-	12.241	13.040	13.412	13.788
Other spending needs	-	18.393	15.000	15.000	15.000
<b>Total Net Spending</b>	<b>312.693</b>	<b>341.835</b>	<b>344.092</b>	<b>345.222</b>	<b>346.380</b>
<b>Shortfall in Resources to be met by council tax or savings</b>	<b>-</b>	<b>25.783</b>	<b>27.281</b>	<b>27.631</b>	<b>27.986</b>
<b>Savings Target required for a 0% council tax increase</b>	<b>-</b>	<b>25.783</b>	<b>27.281</b>	<b>27.631</b>	<b>27.986</b>
<b>Savings required for a 5% council tax increase</b>	<b>-</b>	<b>14.585</b>	<b>15.351</b>	<b>14.926</b>	<b>14.460</b>
<b>Council tax increase required with no savings</b>	<b>-</b>	<b>11.5%</b>	<b>10.8%</b>	<b>9.7%</b>	<b>8.8%</b>

Note:

Estimated cost as identified as part of setting the 2009/10 budget. The figures do not, at this stage, reflect any changes in prices and/or interest rates in 2009/10. Part of the budget scrutiny process for will include reviewing whether these costs and the inflation and capital financing costs are still valid.

### 3 Process Undertaken

- 3.1 The fundamental and wide-ranging nature of the work to be undertaken to develop the medium term approach meant the involvement not only of SDLT but also the Heads of Service. Initially each Head of Service produced a "Contribution Statement" of how they will respond to the challenge of delivering the priorities and key outcomes as well as the difficult resource position we face. These contribution statements were then consolidated into a series of statements about each of the corporate priorities and areas where potential was identified for the delivery of services and savings from cross-cutting areas of work. This work will form the basis of the Corporate Business Plan and the corporate improvement plan.
- 3.2 A second strand of work, by SDLT, approached the challenge from the opposite end. This looked specifically at the way the organisation does its business and the type of organisational culture we are trying to grow. The model developed requires a smaller leaner managerial core by 2013 with a different skill base, reflecting the need to retrain and develop our future workforce to meet the challenges ahead. It also reflects that we must lead



other public bodies in this endeavour as they too will be faced with similar challenges.

- 3.3 The final strand of work was undertaken in directorates to identify their spending pressures and to develop plans to deliver their medium term savings targets. These have been aligned to the future direction of travel over the medium to long term.
- 3.4 These strands of work were brought together in a series of Star Chamber meetings to agree the detail of SDLTs budget report.

## **4 Context for Developing the 2010/11 Budget and Medium Term Financial Plan**

- 4.1 In considering both the short and medium term context within which their report was being developed SDLT identified four key issues – the economic climate, the availability of public finance generally, the existing medium term financial planning framework and the requirement to deliver a balanced budget. The remainder of this section details how these contextual factors influenced the decision-making processes of SDLT.

### **4.2 Economic Climate**

The economy is currently in recession. As an authority we are faced with low inflation and pressure to keep pay increases to a minimum. A recession also means that the demand for our services will increase. The impact of additional financial strain on some of the most vulnerable people in our communities will inevitably increase the pressure on services. Indeed this pressure is already being felt with the increasing numbers of children coming into care over recent months.

### **4.3 Availability of Public Finance**

The economic situation and in particular the crisis in the banking sector means that the public finances are stretched. The current Comprehensive Spending Review extends to 2010/11 and the resulting revenue allocations have, in the main, been reaffirmed. Beyond this, and for capital for 2011, the financial position is much less clear. The pre-Budget report, issued on 9 December stated that current public spending growth will fall to an average of 0.8% a year between 2011/12 and 2014/15. No expenditure limits were set for government departments, although, from within this overall total, real terms increases were guaranteed for the front-line NHS, schools and police. This would imply potentially significant cuts for local government services.

In terms of the 2010/11 budget and planning over the medium term this means short term solutions should not be used to solve any funding shortfall. Any budget proposals should reflect the expectation that the financial situation moving forward will be even tighter and therefore strategies which will deliver savings now and even greater savings in the future should be adopted. Most commentators agree that the current financial problems are likely to continue for at least the next two Comprehensive Spending Reviews, i.e. a minimum of six years.

#### 4.4 **Medium Term Financial Planning Framework**

The medium term financial planning strategy, reaffirmed by Council as part of the 2009/10 budget resolution, commits the organisation to meeting the costs of inflation and the approved capital programme from corporate resources and the delivery of a medium term savings plan that will generate an average of 3% savings each year from service directorates and 5% per annum from support service directorates. The links between the Medium Term Financial Plan and the Corporate Business Plan provide a focus to ensure any proposals developed reflect the aims of the organisation over the medium term.

#### 4.5 **Delivering a Balanced Budget**

The Strategic Director, Resources must formally sign off any budget as balanced. As a result, where a policy change is critical to the delivery of the budget, he must be satisfied that the proposals are deliverable. Also, there may be occasions where savings proposals have a long lead in time or require consultation. In these circumstances it may be necessary to seek authorisation to go out to consultation now to ensure the proposals included as part of any 2010/11 budget can be delivered.

#### 4.6 **Capping**

As well as confirming the 2010/11 Formula Grant the 2010/11 provisional Revenue Support Grant Settlement, issued by the Government on 26 November 2009, also gave an indication of their latest thinking on capping. The accompanying statement said “the average band D council tax increase this year was 3.0% - the Government expects to see it fall further next year while authorities protect and improve front line services..... We remain prepared to take capping action against excessive increases set by individual authorities and requiring them to rebill for a lower council tax if necessary.” Whilst not definitive it does suggest the Government is looking towards council tax increases of under 3%, rather than the 5% capping threshold used in recent years.

## 5 **Key Assumptions**

5.1 Having considered the context within which the budget is being prepared SDLTs considerations have been based on the following key assumptions:

- Planning will be based on around a council tax increase of 2.5%, in line with the parameters given to SDLT by Cabinet.
- Without a specific policy decision the budget proposals should not change the balance between the relative share of the authority’s costs met by council tax payers and customers/clients.
- Inflation and the costs of financing the approved capital programme will be the first call on the available resources.
- The medium term savings targets included in the 2009/10 budget resolution will be delivered.
- General reserves should be maintained at the minimum level specified as part of the 2009/10 budget, until such time as the risk assessment is reviewed early in the new year.

- More widely, reserves should not be used to balance the budget on a one-off basis, so increasing the financial pressure in future years when these are no longer available, unless the medium funding strategy is known.
- The necessary plans should be put in place to solve any funding problems ourselves without looking externally for potentially more risky solutions. Any external solutions that do emerge could then be viewed as a bonus.
- The protection of the medium term financial health of the organisation and the future ability to continue to deliver services should be the overriding principle in deciding the best solutions moving forward.

## **6 The Budget as a Whole**

- 6.1 Given the difficult economic climate in which we and every other council in the country find ourselves, SDLT approached the budget by trying to identify what we should and shouldn't be spending our money on – how we could become more efficient and deliver better value to the taxpayer and customer.
- 6.2 As happens every year bids were submitted for extra resources. Some were for unavoidable work that simply has to be done – even though we might not have any budget for it. Some were for important new developments we would be wise to undertake. But the scope of SDLT's consideration went much wider than this.
- 6.3 Historically our focus has been on moving the organisation forward in an evolutionary way, where stability has been valued. The financial climate means the pace of organisational change needs to accelerate and this paper reflects this. As well as a range of suggested spending allocations and savings that deal with the immediate financial problem, it, more critically, also includes draft savings plans for the next three financial years that indicate the scale of change necessary and a medium term financial planning framework that scopes the extent of the work needed to meet the financial challenge facing us.
- 6.4 Overall, therefore this budget paper should be viewed as a “one plus three” year budget that solves the immediate financial problem for 2010/11 whilst outlining the work and decisions needed to bring the organisation into balance as a lean, focussed organisation that applies its scarce resources to optimum effect over the medium term.
- 6.5 The remainder of this report sets out, step-by-step, how the budget report from SDLT has been built up to reach this position reflecting the wish to focus the organisation on the delivery of the 2013 Vision and a medium term approach to the changing nature and level of service provision.

## 7 Impact of the Medium Term Financial Planning Strategy

- 7.1 The starting point for the budget each year is always the same. The likely level of government support and the potential income from the council tax is estimated to determine the level of resources available. The known spending commitments, against the available resource, are then deducted. The outcome of these calculations gives the starting point for considering any policy changes or savings proposals that comprise the bulk of the annual budget resolution.
- 7.2 The government grant for 2010/11 is estimated to be £92.092 million. This is the figure announced as part of the provisional Revenue Support Grant Settlement issued on 26 November. This figure is very unlikely to change. Predicting the likely level of formula grant beyond 2010/11 is more difficult. In July forecasts were based on an annual cash reduction in formula grant of 1% per annum. Indications are that this forecast may be over-generous. Therefore beyond 2010/11 a 2% annual cash reduction is being assumed. The pre-Budget report contained no information that would suggest a different assumption would be more appropriate at this stage.
- 7.3 Predicting the council tax base is more difficult. Final figures will not be known until the end of January 2010. In the meantime we have assumed a static taxbase for 2010/11 reflecting the stagnation in the property market over the past year. Subsequent years have assumed only a small increase in the taxbase of about 1,500 households. This is approximately half the level of growth in the taxbase that has arisen in recent years. If this level of increase in the taxbase does not materialise this will reduce the resources available by about £1.7 million a year.
- 7.4 The approved medium term financial strategy provides for the cost of inflation and the capital financing costs of the approved capital programme to be the first call on any available resources.

### 7.5 Inflation

The estimated cost of inflation included in the medium term financial plan for 2010/11 was £8.621 million, with similar figures in subsequent years. However, these figures were estimated 12 months ago. Since this time there has been a significant decrease in the rate of inflation. The actual inflation cost faced by a service varies depending on the nature of the spending incurred and this has been reassessed in detail as part of the process.

In developing their suggested allocations SDLT used a number of guidelines:

- The cost of pay inflation is included as 0%, for all groups of staff. This is in line with the expectations in national announcements. If actual pay awards are above 0%, services will be expected to fund any increase by identifying and delivering savings over and above the proposals being made in this report. Beyond 2010/11 a 1.5% annual increase is included. This broadly reflects the 1% public sector pay guideline announcement in the pre-Budget report and the increase in employer national insurance contributions.

- The cost of general price inflation is included as 0%. If actual price inflation is above 0% services will be expected to fund any increase by identifying and delivering savings over and above the proposals being made in this report. Again, beyond 2010/11 a 1.5% annual increase is included.
- As an exception to the rule in relation to general price inflation, where a specific inflation rate is known and included as part of an agreed contract provision is made for the increased cost.
- As a break from practice in previous years the link between inflation on costs and inflation on the Council's income is broken. Instead prices to clients/customers have been increased by 2.5% per annum. This matches the assumption being used in relation to council tax increases and therefore does not change the balance between the relative share of the authority's costs met by council tax payers and customers/clients without any specific policy decision to do so.

The resulting estimated cost of inflation is £3.635 million in 2010/11 increasing to £8.261 million in 2011/12 and increasing by a further £1 million a year thereafter.

## 7.6 Capital Financing Costs

At the time the 2009/10 budget was agreed these were estimated to be an additional £3.620 million in 2010/11. However, the very low interest rate environment has meant it has been possible to take out long term borrowing at historically low rates of interest. We have also funded a certain proportion from our cash reserves. These cash reserves had previously been invested but the historically low interest rates available have resulted in a lower yield. The impact of the borrowing cost and the investment yield income is a lower than anticipated increase in capital financing costs of £2.920 million in 2010/11.

Beyond 2010/11 some long term loans on which we are currently paying high rates of interest will mature and be replaced by borrowing at lower interest rates. Also, in light of the current financial position and in line with expectations of action by the government to reduce the public sector net deficit, borrowing, beyond 2010/11, of only £20 million a year has been planned for. This is slightly below the £22.5 million included in the draft 2010/11 capital programme for new starts. Together these factors reduce the additional provision needed to meet capital financing costs even further in future years. Further detail on the capital programme that underpins these figures is outlined in section 14 of this report.

## 7.7 General Reserves

General reserves are now estimated to end the year at £7.040 million, after allowing for one-off allocations of £1.090 million and £0.500 million approved by Council on 8 September 2009 and the currently projected outturn position for 2009/10. The current general reserves risk assessment suggests that a minimum prudent level of general reserves would be £8.5 million.

The only other reserve with no existing commitments against it is the £0.716 million Local Authority Business Growth Initiative reserve. It is recommended

this is incorporated into general reserves to minimise the call on new resources to replenish reserves.

The SDLT suggested allocations therefore include a net uplift of £1.935 million to replenish general reserves as the first call on available resources. Such an allocation would increase the forecast position on general reserves at 1 April 2010 to £9.691 million. At this stage SDLT are intentionally not adjusting the uplift to reserves to reflect the projected outturn position as there remain a number of potential calls on general reserves that are not specifically included in the reserves risk assessment at this point in time:

- Provision to meet any variation in the taxbase and/or deficit on collection. There is no doubt that the recession will be impacting on the level of council tax being collected. This may manifest itself in two ways – a deficit on collection to be funded (this was £370,000 in 2009/10) or a reduction in the taxbase as the budgeted provision for non-collection is increased.
- Atherstone on Stour Costs. Currently there are forecast to be £700,000 unfunded costs of the Atherstone on Stour investigation by the end of 2009/10. There is no budget provision for these costs. The level of these unfunded costs will continue to rise if the investigation continues beyond the end of 2009/10. Although alternative sources of funding, such as insurance or additional grant from government, are being sought, they are unlikely to be successful. Therefore, provision is required to cover these costs.
- Fire Improvement Plan. This budget proposal is based on the assumption that the Fire Improvement Plan is self-financing overall. However, if none or only some of the elements of the plan are accepted then there will be additional costs which will need to be incorporated into the final budget proposal. This is dealt with in more detail in Section 14 below.
- Non-delivery of Savings Proposals. The savings proposals detailed as part of this report have yet to be considered in detail by members. Also services are still working on fine-tuning the detail. Therefore at this stage in the process it is necessary to retain a degree of flexibility.

7.8 The £1.935 million uplift is significant. The final figure will need to be updated later in the process and reported to Cabinet at the end of January, as risks may have changed by this time. The ability to update the figure is needed as the judgement on whether the overall budget is balanced, includes taking a view on whether the savings proposals are deliverable or whether any further contingency is needed.

7.9 The impact of the medium term financial planning strategy, as outlined above is that additional costs of £8.490 million need to be funded in 2010/11. When compared to the available resources this leaves £2.019 million to fund spending pressures before consideration of any savings. In subsequent financial years there is a shortfall in resources. This is because inflation is expected to increase back to more typical levels as the economy moves out of recession, and also because of the impact of an expected reducing level of formula grant. This position is summarised in Table 2 below.

<b>Table 2: Impact of the Medium Term Financial Strategy</b>				
	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
<b>Resources</b>				
Formula Grant	(92.092)	(90.250)	(88.445)	(86.676)
Council Tax (2.5% increase in 2010/11 to 2013/14)	(229.558)	(237.062)	(244.810)	(252.812)
<b>Total Council Resources</b>	<b>(321.650)</b>	<b>(327.312)</b>	<b>(333.255)</b>	<b>(339.488)</b>
<b>Spending Requirements</b>				
2009/10 Net Spending before additions	311.141	321.650	327.312	333.255
Inflation	3.635	8.261	9.242	10.256
Capital Financing Costs	2.920	1.240	1.005	0.360
Replenish General Reserves	1.935	(1.935)	-	-
<b>Total Net Spending</b>	<b>319.631</b>	<b>329.216</b>	<b>337.559</b>	<b>343.871</b>
<b>(Available)/Shortfall in Resources to funding spending pressures before savings</b>	<b>(2.019)</b>	<b>1.904</b>	<b>4.304</b>	<b>4.383</b>

## 8 2010/11 to 2013/14 Spending Proposals

- 8.1 The figures shown in Table 2 above make no allowance for additional spending needs due to changes in client numbers, demand for services or new requirements placed on the authority. Taking heed of the tight financial resources, significantly fewer pressures and service improvement proposals came forward for consideration as part of this year's budget process. However, those that did were significantly less speculative than has sometimes been the case in the past.
- 8.2 When balanced against the savings required to fund these pressures SDLT came up with some clear "rules" for deciding initially which pressures should and should not be recommended for funding. These rules were:
- All spending pressures to be funded must be unavoidable.
  - Services transferring in from other public bodies will only be funded up to the level of funding received; funding will not be diverted from other priorities.
  - Funding will not be provided where the pressure is pre-empting Government legislation and/or regulation.
  - Funding will not be provided where services had previously reported, to members, that no additional budget provision would be required.
- 8.3 These "rules" have intentionally been drawn very tightly to limit the extent to which difficult decisions about cutting and/or stopping services have to be taken and to maximise the flexibility for members in making allocations in accordance with their political priorities. Therefore, the proposals should be seen as the minimum level of additional spending required. For example, the "last" spending allocation to be included was the £354,000 for special educational needs (SEN) transport. Over recent years there has been a significant increase both in the number of pupils with statements, but also an increase of those with more complex needs. This increase has led to an

increase in the overall number of SEN statemented pupils transported to schools, plus an increase in the costs of transporting pupils reflecting their more complex needs. The spending allocation has only been included for 2010/11, whilst the Directorate works on a new transport policy that will aim to at least manage the cost within existing resources in future.

- 8.4 However, the level of spending allocations SDLT consider to be unavoidable, does mean that some services which members may see as a high priority have not been included as part of the spending pressures proposed for funding as they include an element of choice and involve a degree of service development or enhancement.
- 8.5 The additional spending proposals recommended for funding total £12.260 million in 2010/11. Table 3 below summarises these by directorate. A full list of all the spending proposals is attached at **Appendix A**. There is a full year effect of these proposals which will require an additional £0.901 million in 2011/12, a further £0.525 million in 2012/13 and a saving of £0.245 million in 2013/14.
- 8.6 Spending proposals of £12.260 million for 2010/11 are £10.241 million above the level of available resources shown in Table 2. Therefore unless alternative sources of funding can be identified these spending pressures will have to be funded from savings and/or increasing the council tax by more than 2.5%.
- 8.7 Beyond 2010/11 it is recognised that additional spending pressures may emerge over the next three years. Therefore, for medium term planning purposes a further provision of £10 million a year should be incorporated. This will ensure the medium term financial forecasts remain realistic.



<b>Table 3: Proposed Spending Allocations</b>				
	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
<b>Adult, Health and Community Services</b> An allocation to meet the increasing number of people requiring care and the increasing needs of both the vulnerable individuals themselves and their carers.	5.012	0.627	0.642	0.663
<b>Children, Young People and Families</b> An allocation to meet the increased numbers and costs of referrals and social care placements for looked after children since the start of the recession and the publicity surrounding the baby P case, special educational needs transport and the upfront costs of the transforming education programme.	2.082	1.528	0.206	(0.565)
<b>Customer, Workforce and Governance</b> An allocation to provide support for the intranet, as part of our essential future developments in terms of mobile and flexible working.	0.100	-	-	-
<b>Environment and Economy</b> A number of time limited allocations to meet the PFI procurement costs of Project Transform, the preparation of statutory Mineral and Waste Plan documents and the shortfall in developer income as a result of the recession.	0.708	(0.086)	(0.322)	(0.225)
<b>Resources</b> An allocation to meet the expected cost to the authority of meeting the government's carbon reduction commitment	-	0.109	(1)	(118)
<b>Other Services</b> An allocation to meet the disposal costs of council properties and the loss of income from the Courts relocation. In addition two provisions are included as part of this allocation, for meeting the costs of single status phase 2 and to meet the Council's policy of Narrowing the Gaps (see section 13 below)	4.358	0.658	-	-
<b>Total</b>	<b>12.260</b>	<b>0.901</b>	<b>0.525</b>	<b>(0.245)</b>

## 9 Medium Term Financial Plan Savings Proposals

9.1 The 2009/10 budget resolution, approved in February 2009, included as part of its medium term financial planning framework savings targets for directorates that would deliver savings broadly in line with those required as part of the government's efficiency agenda, with higher targets for support service directorates. Since these targets were agreed there has been a degree of restructuring across the authority. As a result the percentage savings

targets for 2010/11 have remained unchanged but the cash figures have been updated to reflect the new structure of the authority.

- 9.2 As a result the savings targets in the medium term financial plan now generate £9.773 million in 2010/11. Beyond 2010/11 medium term savings targets in line with the 3% national target are recommended to be built into the medium term financial planning framework for all services.
- 9.3 The levels of savings required, even with a 2.5% council tax increase are significant. There are clear risks with the deliverability of the projects that will be undertaken to deliver savings at this level of an annual basis. The statutory requirement to deliver a balanced budget means the need for all those party to the budget decision to understand and accept the difficult choices that will need to be made. As a result SDLT have continued the policy adopted this year and put forward costed proposals that will enable a greater understanding of the impact of savings plans on services.
- 9.4 As part of their consideration of the delivery of savings SDLT also considered the position of Fire and Rescue. The service has had no savings target since 2006/07 and it was felt, given the overall financial position of the authority, that this position was not sustainable. In particular the increased pressure to deliver savings this places on all other services was felt not to be equitable. Therefore these proposals recommend a 3% savings target for Fire and Rescue from 2011/12 onwards.
- 9.5 **Appendix B** provides the details of the savings proposals from directorates that would deliver the medium term financial plan savings over the next four years.

## 10 Financial Risks

- 10.1 In reaching their conclusions SDLT have considered all options for funding the spending pressures facing the authority next year. They have also taken into account a number of other finance-related issues that exist within the authority. Therefore the proposals presented in this report have not been developed in a vacuum. In particular, in making their recommendations SDLT have considered the funding pressures that exist in relation to single status, forecast overspends in the current year, the potential for there to be redundancy costs as a result of any budget proposals, the final data on the taxbase and any net surplus or deficit on collection and the availability of reserves to support the budget.
- 10.2 As an authority we have been in the process of implementing the pay and conditions review for a number of years. Getting this right by implementing a fair solution for staff, whilst as far as possible minimising the potential cost to the authority, alongside avoiding any potential damaging impact on services has been and will continue to be a difficult, sensitive process. To date this has been managed with a minimum of fuss with support for the approach adopted from all stakeholders. As we reach the end of phase 2 it is critical this process is not derailed. It is not possible to estimate any potential costs and savings

with any degree of accuracy. This budget proposal makes a provision of £3 million, based on the best information available currently. However, it would be prudent to maintain the maximum flexibility and capacity to manage any financial consequences that materialise.

- 10.3 There are two issues in relation to the Fire and Rescue Service that may have an impact in the future. The investigations into the fire at Atherstone-on-Stour are continuing and the capacity of both the Fire and Rescue Service and other services e.g. legal services, to manage the demands placed on them is difficult. It is not possible to assess what any future demands may be. Again retaining capacity to manage any emerging issues remains critical. The second issue in relation to the Fire and Rescue Service is the implementation of the Fire Improvement Plan that is currently out to consultation. This is dealt with in more detail in Section 14.
- 10.4 The significant savings options will, if agreed in February place a number of posts at risk. This raises the possibility of the need to fund redundancy costs. This is dealt with in more detail in Section 17.
- 10.5 Finally there are assumptions made in drawing up these proposals about the council taxbase and any surplus' or deficits on collection of council tax from previous years. There is no doubt that both future growth in the taxbase and maintenance of usual collection rates will have been adversely affected by the recession. Final information on these factors will not be known until the end of January 2010, but provision to meet any impact **must** be made in the final budget resolution.
- 10.6 All of the issues outlined so far in Section 10 cannot be accurately quantified in terms of the potential financial impact on the authority. The only way to prudently manage these risks is through reserves. The need to replenish general reserves has already been outlined in 7.7 above. The balance of available reserves is £3.7 million held in service reserves. The first call on this funding will be to meet any overspends in 2009/10 and to manage any cash flow issues that arise in relation to the delivery of the agreed savings targets.
- 10.7 It is therefore the strong recommendation of SDLT that no reserves should be used to support the budget in 2010/11 and that any flexibility and capacity should be used for the purposes outlined in this section.

## 11 Area Based Grant Proposals

- 11.1 Area Based Grant (ABG) is a non-ringfenced general grant. It was formed in 2008/09 from an amalgamation of over 30 former specific grants that fund a range of core services or new resources linked to specific policy initiatives from Government departments. There are no grant conditions attached to the funding and we are free to use the grant to support services as we see fit.
- 11.2 The final decision on the allocation of ABG is made by the full Council as part of the budget and policy framework. But, as an extension to the guidance,

Council has previously agreed that, in making decisions on the allocation of ABG, they will take account of the views of partners.

11.3 For 2010/11 the County Council's ABG is estimated to be £33.444 million. This is £9.581 million more than in 2009/10. However, for 2010/11 £10.147 million Supporting People Grant has been included as part of ABG for the first time. Therefore, if this is excluded, there has been a net reduction in ABG of £0.566 million between 2009/10 and 2010/11. With no Comprehensive Spending Review beyond 2010/11 the future of ABG remains unclear. Therefore, whilst a move towards a more sustainable medium term allocation process would be preferable, this is not going to be possible. Whatever approach is adopted can be for 2010/11 only.

11.4 On balance, therefore, it is suggested that, for 2010/11, the process for the allocation of ABG remains broadly the same as that operated for allocating the 2009/10 grant. The proposed process is:

- Those elements of ABG not linked to partnership working or directly to the LAA priorities and targets, are allocated directly to the services concerned.
- The remainder of the ABG is allocated towards funding existing commitments through the continued use of the broader partnership "themed pots" introduced in 2009/10.
- For each of the themed pots the relevant Strategic Director/Head of Service identifies the key partnership to consult about the allocation of the resource. The degree to which the outcome of this consultation will be the partnership agreeing the allocation of resources or simply being asked for their views will depend on the extent of partnership working and cooperation already in place. It is suggested this consultation on indicative allocations is undertaken through normal partnership meetings and communication channels and reported back to SDLT/members prior to the setting of the 2010/11 budget in early February. In this way it can form part of the budget resolution and not be a continuing issue after the start of the financial year.
- A 3% efficiency top-slice is applied, at themed pot level, to ABG, as in 2009/10. This would ensure services funded by ABG are subject to the same requirement to deliver year-on-year efficiencies as all County Council services. It is proposed the efficiency top-slice is applied on the following basis:
  - Where the allocation has gone down then services receive the 2010/11 cash allocation.
  - Where the allocation has gone up then services are allocated the higher of the 2010/11 allocation less 3% or the 2009/10 cash standstill.

11.5 This proposal would allocate £32.976 million to services, subject to the partnership scrutiny outlined above. £0.468 million would be generated via the efficiency top-slice to be used to support the 2010/11 budget proposals

overall. Full details of the allocations that would result from this proposal are detailed in **Appendix C**.

## 12 Narrowing the Gaps

- 12.1 In July Cabinet considered a report titled “Narrowing the Gaps – Where do we Want to be in Four Years’ Time?” As an outcome of the discussion the following recommendation was agreed – that, “from 2010/11 onwards, to consider through the Council’s budget making process, the specific allocation of 0.5% of the Council’s annual budget towards specific NtGs initiatives and outcomes – and seek to persuade all other Public and Voluntary Sector agencies in Warwickshire to do the same. This to be based initially on business plans from the relevant service areas which will be assessed as part of the Star Chamber process.”
- 12.2 SDLT has taken this recommendation on board when developing its budget proposals. The suggested allocations outlined in this report include an amount equivalent to 0.5% of the Council’s budget. The £1.500 million allocation is phased £1 million in 2010/11 with the balance of funding to be provided in 2011/12. This phasing has been included because it is recognised that many of the specific initiatives will not be operational from 1<sup>st</sup> April 2010, but will rather come on stream as the year progresses.
- 12.3 In July Cabinet agreed five issues as priorities for the next four years and beyond. These were:
- Older people, particularly those facing health inequality issues (e.g. excess winter deaths and links to fuel poverty), looking at advocacy for services/support and involving the Voluntary and Community Sector (VCS) as an integral part of the delivery process.
  - Young people in the NEET category, as part of a continued focus on Educational Attainment/Achievement, looking at early years work, work with parents both before and after the birth of children, family learning and all other ways in which aspiration and support can be promoted, including the developing Family Intervention Project and Integrated Family Support Service initiative.
  - Enhancing jobs and skills opportunities, particularly among the most disadvantaged communities and especially in the current challenging economy.
  - Enhanced personalisation of services, particularly around older people and targeted family intervention/support, including work with “looked after” children with a preferential approach to work placements, apprenticeships and jobs with WCC and other Public/VCS Sector agencies in Warwickshire.
  - Developing community leaders/advocates/champions, particularly in the most disadvantaged communities, to build the capacity of their own local

communities and also promote their own educational attainment and employability. Some more detail on aims and objectives are set out below.

- 12.4 In line with these key issues a number of innovative projects have been developed within the priority issues agreed by Cabinet in July that will make a significant and sustained impact on the extent of the various 'gaps' experienced by our residents. The proposals have been developed with the principles that:
- It would not be possible to deliver this activity under current resource allocation. The commitment at the July Cabinet meeting to consider a 0.5% budget allocation specifically to Narrowing the Gaps has facilitated the development of these proposals.
  - The activity will be targeted at specific geographies or communities of need, deliberately allocating a greater share of available resources to those in greatest need and actively reducing the size of the various gaps that exist across the County.

A list of the proposals recommended for funding is shown in **Appendix D**.

- 12.5 Alongside the work that has been undertaken internally to develop proposals for Narrowing the Gaps, the Public Service Board has also used this as the key criteria for allocating the £10 million LPSA2 Performance Reward Grant the authority expects to receive over the next two/three years. The work undertaken with partners to promote Narrowing the Gaps as a key partnership priority should lead to an increased focus. It is to ensure our joint working with partners in this area is not undermined by the council not following through on its proposal for Narrowing the Gaps that, despite the difficult funding equations faced by the authority the 0.5% budget commitment has been maintained.
- 12.6 Subject to the final decision of the Public Service Board and the County Council, it is proposed that key parts of the Narrowing the Gaps agenda, including targeted support to families with multiple issues and financial inclusion will be funded for three years from LPSA2 Reward Grant.
- 12.7 Whilst significant the LPSA2 Reward Grant is only short term funding. It is therefore recommended that all Narrowing the Gaps projects are only funded for three years initially. It is then proposed that a full review of all Narrowing the Gaps initiatives (funded from both the 0.5% top-slice and the LPSA2 Reward Grant) is undertaken as part of the process for agreeing the 2013/14 budget, before any future funding is agreed.

## **13 Fire Improvement Plan**

- 13.1 These budget suggestions have been prepared on the basis that the Fire Improvement Plan, currently out to consultation, is approved. A significant amount of work has also taken place over recent weeks to substantiate the statement, included as part of the proposals from the Chief Fire Officer, that the Improvement Plan was self-financing, with any savings reinvested in the development of the service. This statement has been verified, with any cash

flow implications capable of being managed through the Virtual Bank on a repayment basis.

- 13.2 As a self-financing Improvement Plan it does not, therefore, feature specifically in these budget proposals. Any decisions about future years' savings targets for the Fire and Rescue Service are independent of the Improvement Plan.
- 13.3 When the final decision on the Improvement Plan is made the financial implications will need to be reflected in the authority's budget. The advice of the Chief Fire Officer is that to "do nothing" is not an option because of the risk to the community. Therefore, as a minimum changes are required to improve resilience and training and undertake the home fire safety prevention work.

## **14 Transforming Education**

- 14.1 The Government have supported two major capital programmes for schools: the Primary Capital Programme / Primary Strategy for Change (PSfC). The Building Schools for the Future (BSF) programme is an ambitious programme with a government commitment to renew every secondary and special school in the country with 50% of schools rebuilt and a further 35% substantially refurbished and remodelled. The programme began in 2003 and around 80 authorities are now in the programme. In 2009, authorities not then in the programme were invited to submit an 'Expression of Interest' (EOI) setting out how the Authority would aim to deliver BSF. Warwickshire did this.
- 14.2 Warwickshire's EOI is the Transforming Education/Transforming Communities project which would deliver regeneration; through the creation of local jobs and investment as well as access to community facilities, the provision of integrated public services in particular localities as well as the key corporate priority of raising levels of educational attainment through the improvement of educational facilities, engaging communities and raising aspirations, to support future attainment.
- 14.3 Plans are also being prepared for a Project Team which will need to be in place to deliver the project once Warwickshire enters the programme taking into account the expertise and capacity already available in the Authority. Experience from other authorities and the expectation of Government suggest that there will be a need to use external financial, legal and technical consultants which are a significant part of the cost of procurement. The cost of procurement is estimated to be of the order of 3% to 4% of the capital expenditure from entering the programme to closing the deal with a consortium/contractor. With the first project valued at £120 million, this indicates costs of between £3.6 million and £4.8 million over three years.
- 14.4 Partnership for Schools (the organisation responsible for analysing the Authority's bid to join the Building Schools for the Future programme) and the Department for Children, Schools & Families (DCSF) are clear that the Authority needs to demonstrate a firm financial commitment in terms of resourcing a team with the capacity to deliver the programme. If there is no evidence within the budget resolution of resources to fund a Project Team to

manage the programme then it will not get into the next “wave” of investment. Funding for this project is included as part of the SDLT proposals. If members wish to take this forward then savings proposals to maximise the authority’s chance of gaining successful entry to the programme prior to the general election.

## 15 Overall Summary Revenue Position

- 15.1 If the recommendation from SDLT in terms of making no use of reserves is accepted and all of the spending and savings options detailed in appendices A to C are agreed then the outcome would be a council tax increase of 2.5%. Table 4 below summarises the budget position. If members wish to approve a council tax increase of below 2.5% then additional savings will need to be identified. Each further 1% reduction in the increase in the council tax would require a further £2.240 million savings to be identified.
- 15.2 It is the recommendation of SDLT that spending allocations totalling £20.750 million are funded. To achieve this and be able to levy an increase in council tax of 2.5% requires savings of £9.773 million to be delivered.

<b>Table 4: Overall Summary Revenue Position</b>				
	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
<b>Resources</b>				
Formula Grant	(92.092)	(90.250)	(88.445)	(86.676)
Area Based Grant (3% top-slice in 2010/11)	(0.468)	-	-	-
Council Tax (2.5% increase in 2010/11 to 2013/14)	(229.558)	(237.062)	(244.810)	(252.812)
<b>Total Council Resources</b>	<b>(322.118)</b>	<b>(327.312)</b>	<b>(333.255)</b>	<b>(339.488)</b>
<b>Spending Requirements</b>				
2009/10 Net Spending before additions	311.141	322.118	327.312	333.255
Inflation	3.635	8.261	9.242	10.256
Capital Financing Costs	2.920	1.240	1.005	0.360
Replenish General Reserves	1.935	(1.935)	-	-
Spending Pressures to be Funded	12.260	0.911	0.525	(0.245)
Indicative future spending pressures		10.000	10.000	10.000
Less Savings Targets	(9.773)	(8.371)	(8.591)	(8.764)
<b>Total Net Spending</b>	<b>322.118</b>	<b>332.224</b>	<b>339.493</b>	<b>344.862</b>
<b>Shortfall in Resources</b>	<b>-</b>	<b>4.912</b>	<b>6.238</b>	<b>5.374</b>

- 15.3 Whilst the suggestions outlined in this report and summarised in the table above balance the 2010/11 budget, there still remains a significant deficit to be closed in each of the next three years. These deficits are after applying 3% a savings targets to all services on an annual basis. Therefore, this budget proposal should only be considered as the start of a medium term planning process. Work needs to continue to eradicate the deficits in future years as soon as possible. Each year’s budget is likely to require more fundamental



decisions about the future direction and priority of services than the last. Increasingly the changes needed will require significant upfront planning and have longer implementation timeframes.

- 15.4 It particular, it should be noted that Table 3 includes no allocations to meet the costs of adult social care demography beyond 2010/11. This does not mean that the significant demographic pressure of recent years does not extend into the future. Rather, SDLT took the view that the cost of funding the continued demographic growth is potentially unsustainable for the authority, utilising any funding that otherwise could have been available for other corporate priorities. Proposals for corporate projects to contribute to closing the deficit in future years and manage the significant cost pressures are outlined in more detail in section 19.

## 16 2010/11 to 2013/14 Capital Programme

- 16.1 Investment in assets that have a lasting value, for example land, roads, buildings and large items of equipment such as vehicles is capital spending, rather than the revenue spending that has been considered to date. Each year we need to spend more money to ensure our existing assets are still suitable for use in the provision of services and to invest in new assets to meet our changing needs and requirements.
- 16.2 The level of planned capital investment is partially determined by the level of resources available, with all directorates encouraged to look for external funding prior to bidding for corporate resources.
- 16.3 As part of setting the budget each year Council would usually agree a capital programme for the forthcoming year and draft programmes for the following two years. This process was truncated in 2009/10 as, the absence of a new Comprehensive Spending Review and the problems with the availability of public finances more generally, meant estimating future capital resource availability beyond 2010/11 was almost impossible. Twelve months further on this still remains the case.
- 16.4 The proposals in this report only relate to a capital programme for new starts in 2010/11. Table 5 below summarises the financing and allocations in the indicative 2010/11 capital programme approved in February 2009. The information in the table will need to be updated to reflect the updated phasing of capital projects as part of the Quarter 3 information presented to Cabinet in January 2010 to ensure final decisions are based on the latest available information. A full list of schemes and their source of funding is attached at **Appendix E**. These indicative allocations are confirmed as part of these budget proposals.

<b>Table 6: 2010/11 Capital Programme New Starts</b>			
<b>Service</b>	<b>2010/11</b>	<b>2011/12</b>	<b>Total</b>
	<b>£m</b>	<b>And Later Years</b>	<b>£m</b>
		<b>£m</b>	
<b>Capital Resources</b>			
Borrowing – supported and prudential	22.536	-	22.536
Borrowing – self-financed by services	0.675	0.492	1.167
Capital Receipts	0.093	-	0.093
Grants and External Contributions	23.861	9.859	33.720
Revenue	1.450	-	1.450
<b>Total Capital Resources</b>	<b>48.615</b>	<b>10.351</b>	<b>58.966</b>
<b>Capital Spending</b>			
Adult, Health and Community Services	0.673	-	0.673
Children, Young People and Families	25.516	9.859	35.375
Customers, Workforce and Governance	0.173	-	0.173
Environment and Economy	16.549	0.492	17.041
Fire and Rescue	1.774	-	1.774
Resources	3.930	-	3.930
<b>Total Capital Spending</b>	<b>48.615</b>	<b>10.351</b>	<b>58.966</b>

- 16.5 There is only one additional capital scheme recommended for funding as part of these budget proposals. The cost of the scheme is £670,000, to be funded from borrowing. The revenue costs of this borrowing are included as part of the revenue spending allocations detailed in Appendix A. The spend is needed to ensure all our care homes meet the requirements of the Regulatory Reform (Fire Safety) Order 2005 (RRO) introduced on 1<sup>st</sup> October 2006 for all non-domestic properties. We have until 2010 to implement the necessary changes. If homes fail to meet the fire regulations they may have to be closed. In summary, we are required to reduce the size of fire compartments at each home to ensure safer evacuation in the event of a fire. This means additional fire doors in all corridors at each site (10 homes) and a fire door closer on every bedroom door that still allows residents to be able to get about the home unassisted and leave bedroom doors open if they wish.
- 16.6 The draft capital programmes for 2010/11 through to 2013/14, would usually also be recommended for indicative approval at this stage. However, as outlined above the level of available capital resource in future years is very uncertain. Our current information is that government allocations will be severely reduced in future and contributions from developers are likely to remain depressed until the property market recovers fully. As a consequence SDLT believe a more radical approach to addressing demands for capital investment and maintenance is needed in future.
- 16.7 The future years capital financing costs included as part of this budget proposal assume £20 million a year borrowing, slightly less than in the planned 2010/11 new starts. However, with decreased availability of other sources of financing there is likely to be significantly higher demands for this resource. SDLT are therefore recommending that the Strategic Director, Resources come forward with a proposal for developing a sustainable capital programme for the future. The proposal should balance:

- The need for new investment and the maintenance of existing assets across all services.
- The prioritisation of spending both within and between services, rather than each service being considered independently.
- The affordability of the overall programme given the availability of other sources of finance.
- The delivery of the maximum value from the use or disposal of our existing assets.

16.8 Elements of this work have already begun as part of the review of capital planning included as part of last year's budget resolution. This is currently being taken forward by the Corporate Services and Community Safety Overview and Scrutiny Committee. Any proposals developed will compliment the work currently underway. The time needed to develop and plan a capital programme and undertake the feasibility on potential schemes means this work should begin almost immediately and be completed before work on the 2011/12 detailed budget begins next summer.

## **17 Redundancy Policy and Provision**

17.1 As has already been mentioned above the significant savings options will, if agreed in February, place a number of posts at risk. Over half of the authority's spending each year is on staffing. Therefore, it is inevitable that any proposals to deliver savings of this level will require, in some areas, a reduction in the number of posts. SDLT have already put in place policies and processes to enable us to get smarter at redeploying people. We are looking to fill vacancies through redeployment of displaced staff if at all possible – even if this involves extra training. Only if this isn't possible will jobs be advertised externally. However, it has to be recognised, even with these changes in policy, some redundancies may be necessary, resulting in a need to fund redundancy costs. Members have already agreed that £7.1 million be set aside from the Insurance Fund for realigning services, or more specifically to fund the up-front costs of redundancy. However, over the medium term this is unlikely to be sufficient unless a way is found to replenish the provision.

17.2 To maximise the value from the provision SDLT are recommending that all allocations from the Service Realignment Fund are made on a repayment basis. However, rather than a two year repayment period that has been used in the past, it is proposed that services can choose to phase their repayments over a longer period. This option to extend the phasing will allow, as a maximum, services to benefit from 50% of any savings immediately. The full saving would then be delivered once the full upfront redundancy costs has been repaid.

## 18 Delivering the Budget

- 18.1 The spending and savings options outlined above, if implemented would result in a significant reprioritisation of resources across the authority. In developing these proposals SDLT have, at all times, borne in mind the need to ensure we remain a “fit-for-purpose” organisation over the medium term. Looking forward SDLT see this budget as just the start of a significant change process for the organisation as, in response to the continuing tight resource position, we increasingly focus our activity on the delivery of the corporate priorities, ensuring we provide value for money to our customers and taxpayers.
- 18.2 Delivering change of this magnitude and in particular the savings targets will raise a number of issues where decisions will need to be made. The issues cover three main areas: policy changes, communications, and capacity building.
- 18.3 Some of the savings proposals outlined in Appendix B require policy changes by the authority and, in some cases, public consultation. Delivering the savings from 1 April, to ensure the full savings can be generated in year, may require some of the policy decisions and consultation to take place in the near future.
- 18.4 This report represents a significant change from recent budgets that have invested in services to one where the predominant message for the next four years, is one of reprioritisation, focussing on core services and delivering savings. At the end of the period it is expected the organisation will, overall, be smaller than the organisation today. It is felt by SDLT that, as an organisation, we need to be clear and consistent in the communications we provide to staff, customers and stakeholders about the decisions ahead and that this is done in a way that does not raise unnecessary fears. SDLT therefore hope a communications strategy can be agreed to manage communications over the coming months as some of these difficult decisions are made.
- 18.5 The final area, that Cabinet need to be aware of, is the capacity that will be required to deliver the proposals within the budget. It is necessary to recognise that the capacity of the organisation will be stretched as we move through the process. For example, the role of Head of Service was developed to create a role with primary responsibility for a functional service unit. Yet, several of the major service reconfigurations that will be undertaken over the next few years will require a Head of Service to lead what could be an all-consuming 2-3 year project. It will therefore be necessary, on a case-by-case basis, to consider how the current responsibility of all Heads of Service might be able to absorb such issues.
- 18.6 Linked with this is our approach to programme/project management. A programme/project capacity would potentially deliver benefits both in terms of transformational project activity and the degree of rigour and robustness in our project management approach needed to ensure the benefits and/or savings from projects are maximised. It will be necessary to consider, within existing spending plans, how such programme/project management capacity can be created.

## 19 Medium Term Financial Planning Framework

- 19.1 The County Council has had a medium term financial strategy in place since July 2006. However, the forecast of increasingly scarce resources over the medium term means the current strategy cannot be sustained. It is therefore proposed that a more formal review of the medium term financial planning strategy is undertaken after today's meeting and before the budget is finalised in February to ensure there is a strategy in place that remains relevant to the organisation.
- 19.2 The need to deliver savings and efficiencies at the levels outlined within these budget proposals will however remain. There will increasingly be a need to focus efforts in the medium term to ensure the delivery of value for money and the provision of cost effective services, if the objective of services where value for money (through a cost to performance comparison) is upper quartile for all services is to be met.
- 19.3 Whilst Appendix B outlines some of the savings proposals being considered for future years they do not yet provide sufficient resources to remove any deficit in future years. To make progress in removing the deficit requires the medium term financial planning framework to consider four additional areas of work:
- To manage future spending pressures
  - To deliver step changes in services to significantly reduce costs
  - To identify opportunities to generate additional income, and
  - To deliver maximum value from our existing and future assets (see section 16)
- 19.4 The future spending pressures are in relation to two main areas – adult services demography and the cost of waste disposal. Managing the latter is being dealt with through Project Transform, the PFI project being developed in conjunction with Coventry and Solihull. The former is a potentially more significant and longer term challenge. In 2010/11 an additional £4.171 million is being built into the budget to meet the costs of a demographic growth and increasing care needs in adult social care. Current estimates are that a further £4 million to £5 million a year will be needed to keep pace with the expected growth in future years. In putting together their budget proposals SDLT have, at this stage not included any specific allocation for these costs in future years. This recommendation is being made, not because the pressure is not real but rather because the sheer size of the pressure has the potential to undermine the sustainability of the whole budget. It is therefore proposed that a review of the demographic pressures in adult social care is undertaken as a matter of urgency to identify opportunities and options for managing the pressure for future years. The complexity of this work means it is recommended it begins immediately and is completed before the detailed work on the 2011/12 budget begins in the late summer.
- 19.5 The work of the Heads of Service as part of this years Star Chamber process identified a number of areas where there was the potential to deliver significant

savings that could contribute towards removing the remaining budget shortfall over the medium term. These include:

- Management Restructure – the work of the Star Chamber has identified the need to move to a smaller, leaner managerial core as the organisation changes to meet the financial challenges ahead. Proposals for a significant reduction in managerial posts across the authority by 2013 have been developed and work on an implementation plan for this significant change programme is about to begin.
- Accommodation – It is important that as staffing levels reduce our accommodation is also reduced by a corresponding amount and savings are realised through property disposals. We need to make sure that the time lag in rationalising accommodation does not deter us from seeking to maximise savings.
- Transport – There is significant potential to deliver savings from the rationalisation of transport provision across the authority. There are three strands of work that can deliver the savings – changes in our transport policies, more sophisticated mapping of routes to minimise the distances travelled and then the procurement of transport. A cross-directorate working group has recently been commissioned to begin this work.
- Mobile and flexible working – it is important we take the opportunity to reconsider working methods, and wherever possible move to more mobile and flexible ways of working as we rationalise the staffing of the organisation through the delivery of the savings proposals. This would also provide further opportunities for accommodation rationalisation.
- ICT – Both the ICT and Cross-cutting Heads of Service Working groups identified the allocation of the Corporate ICT Development Fund as a key factor in supporting service change and the delivery of efficiencies. Particular areas of importance are flexible and mobile working, communications through continued work on the web site, the Customer Service Centre and One Stop Shop arena and continuing to improve our general ICT infrastructure.

19.6 Finally, the medium term financial planning framework needs to reflect the financial implications of the major change programmes of the authority. These include:

- One front door and access
- Support services and the business partner model
- Commissioning and/or outsourcing where it is in the interests of the authority
- Fire and Rescue Service change management
- Libraries change management
- The skills agenda
- Our working with the Third Sector, and
- Benchmarking and learning from other councils.

19.7 The medium term financial plan approved by Council in February/March next year will need to incorporate any financial impacts of these developments. Further work on this will take place alongside the development of the Corporate Business Plan.

## 20 Flexibility for Members

- 20.1 The budget proposals outlined above are based on an annual increase in council tax of 2.5% and the delivery of the MTFP savings targets. Members may wish to vary these assumptions as part of their budget proposals.
- 20.2 Each 1% increase/decrease in the council tax results in an estimated £2.240 million change in the level of funding available. Table 5 below shows the level of additional savings required or funding available for each 0.5% variation in council tax increase from 0% to 3%.

<b>Table 5: Balance between Savings and Council Tax</b>	
Decrease/Increase in Council Tax from 2.5% Assumption	Savings Required/Funding Available £m
0% (-2.5% change)	£5.599m extra savings
0.5% (-2% change)	£4.479m extra savings
1% (-1.5% change)	£3.359m extra savings
1.5% (-1% change)	£2.240m extra savings
2% (-0.5% change)	£1.120m extra savings
2.5%	-
3% (+0.5% change)	£1.120m extra resources

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Customers, Workforce and  
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PAUL GALLAND  
Strategic Director,  
Environment & Economy

GRAEME SMITH  
Strategic Director, Fire and  
Rescue

## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
<b>Pressures Recommended for Funding</b>						
<b>Corporate</b>						
	Single Status - phase 2 on-going costs	3,000	0	0	0	Provision to be maintained pending finalisation of Phase 2. Actual cost unlikely to be known until after the budget is set. Current indications are that it will not be materially lower than this.
	General Reserves - top-up to minimum level	1,935	(1,935)	0	0	Funding to replenish reserves to the level approved as part of setting the 2009/10 budget. Minimum provision to be reviewed prior to finalisation of the 2010/11 budget in February 2010. This incorporates merging the LABGI reserve into General Reserves to reduce the funding required.
	Narrowing the Gaps - 0.5% top-slice	1,000	500	0	0	Funding to implement Cabinet's policy of allocating 0.5% of spend to Narrowing the Gaps. Phased allocation reflects the time needed from approval to fully implement proposals.
	<b>Sub-Total</b>	<b>5,935</b>	<b>(1,435)</b>	<b>0</b>	<b>0</b>	
<b>Adult, Health &amp; Community Services</b>						
R-AHCS-02	Demographic Pressure	2,843	0	0	0	This reflects growth in absolute numbers, improved life expectancy and higher average care needs. Continued demographic growth over the medium term means additional funding will be required on an annual basis. Funding will only be provided for 2010/11 at this stage, pending further work.
R-AHCS-03	Increasing Care Needs in Learning Disability Services	1,328	0	0	0	See above
R-AHCS-05	Carers Services	561	562	564	569	Services are being provided to more carers as a knock-on impact from the general demographic pressure. Spending need is above the level of specific grant provided to fund carers services. Funding for future years to be reviewed as part of the overall project on demography.
R-AHCS-06	Appointeeship Services for Vulnerable Adults	109	65	78	94	The service provides independent financial management for vulnerable adults who are eligible for social care support. Demand for this service is steadily increasing.
R-AHCS-08	Safeguarding	171	0	0	0	Funding to provide resources to meet the more than doubling of referrals to the safeguarding service over the last year.
	<b>Sub-Total</b>	<b>5,012</b>	<b>627</b>	<b>642</b>	<b>663</b>	



## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
<b>Children, Young People &amp; Families</b>						
R-CYPF-02	Social Care Placements for Looked After Children	923	413	488	511	Increased funding required due to the increased number of referrals since the start of the recession and the publicity surrounding the Baby P case. At this stage it is difficult to predict future years trends. The figures included are current best estimates but will need to be reviewed before the 2011/12 budget is finalised.
R-CYPF-04	Legal Case Work	205	115	118	124	Increased funding required due to the increased number of referrals linked to the pressure in relation to social care placements above. Concerns expressed about the permanency of the increase in demand and the increasing cost per case.
R-CYPF-05	Special Educational Needs (SEN) Transport.	354	0	0	0	Statutory duty to provide transport for pupils with SEN. There are both increasing numbers of pupils to be transported and with more complex needs. There may be an opportunity to reduce these costs in future pending a review of transport provision across the authority. Although unavoidable in the short term, this was the last pressure included by SDLT in the allocations to be funded.
R-CYPF-09	Transforming Education / Transforming Communities	600	1,000	(400)	(1,200)	Funding required to convince the Government that the authority is committed to delivering the programme. Funding to be returned to corporate resources if entry to the BSF programme is not successful.
	<b>Sub-Total</b>	2,082	1,528	206	(565)	
<b>Customers, Workforce &amp; Governance</b>						
R-CWG-03	Intranet	100	0	0	0	Pressure to be funded as the benefits from the intranet are not cashable. Also continued support of the intranet is essential to future developments in terms of mobile and flexible working.
	<b>Sub-Total</b>	100	0	0	0	

## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
<b>Environment &amp; Economy</b>						
R-EE-10	PFI procurement costs for Project Transform.	273	195	(347)	(121)	The authority's share of the costs. Proportionate shares to be funded by Coventry and Solihull.
R-EE-11	Preparation of statutory Mineral and Waste Plan documents	75	79	25	(104)	Previously funded by Planning Delivery Grant. In the medium term funding will be replaced by the Infrastructure Levy but this requires upfront work before we are eligible for funding.
R-EE-12	Development Regulations - reduction in developer income	360	(360)	0	0	Short-term funding required to fund the shortfall in income as a result of the recession. In the longer term planned changes will allow the flexing the size of the service in line with demand.
	<b>Sub-Total</b>	708	(86)	(322)	(225)	
<b>Resources</b>						
R-RE-02	Carbon Reduction Commitment	0	109	(1)	(118)	Directorate to fund any costs in 2010/11. Future years costs to be included in the medium term financial plan.
	<b>Sub-Total</b>	0	109	(1)	(118)	
<b>Other Services</b>						
R-OS-02	Disposal costs of Council properties	250	0	0	0	Accounting regulations mean this cost is currently unavoidable. Level of the budget provision will be reviewed once the potential new accounting regulations are issued.
R-OS-02	Loss of Courts income	88	124	0	0	Funding replaces the loss of courts income from rent, catering, administrative support etc. Potential to replace the loss of income in the longer term is dependent on a financially viable long term future for the courts being agreed and implemented.
R-AHCS-09	Care Homes Fire Regulations	20	34	0	0	Pressure relates to legislative changes in 2006 that require investment in the fire safety at our residential care premises. This will meet the capital financing costs of £670,000 borrowing.
	<b>Sub-Total</b>	358	158	0	0	
	<b>TOTAL</b>	<b>14,195</b>	<b>901</b>	<b>525</b>	<b>(245)</b>	

## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
<b>Pressures Classified as Unaffordable without Cuts in Services Elsewhere or Not Meeting the Principles for Funding</b>						
R-AHCS-02	Demographic Pressure	0	1,951	2,995	3,068	The size of the demographic pressure in adult social care and also in relation to learning disabilities potentially derails the whole budget. Urgent work is required prior to the start of the 2011/12 budget process to identify a way forward that is sustainable for the whole authority and allows the authority to make progress in the delivery of the corporate priorities.
R-AHCS-03	Increasing Care Needs in Learning Disability Services	0	1,581	1,581	1,581	See above
R-AHCS-05	Autistic Spectrum Conditions	54	54	0	0	Fails to meet one of SDLTs principles that funding will not be provided where it is pre-empting government legislation. In this case the anticipated Autism Bill.
R-CYPF-06	The Virtual School for Children in Care (incorporating The Education of Looked After Children - TELAC)	110	0	0	0	Concerns expressed that corporate resources were being sought to fund what was essentially a school. This was previously grant funded as a pilot by DCSF for two years. Every effort should be made to fund this service from DSG.
R-CYPF-07	Student Finance	70	(70)	0	0	Short-term pressure to smooth the transfer of student funding from a local to a national service.
R-CYPF-08	Youth Justice Service	130	0	0	0	The £28,000 for accommodation fails to meet one of SDLTs principles that services should not seek funding where, previously, members have been told it would not require additional resources. The balance of £30,000 fails to meet the principle of not pre-empting government legislation. The balance of £72,000 is the increase in costs for court ordered secure remand placements.
R-CWG-02	Coroner's Inquests Costs	232	0	(232)	0	Costs unpredictable as totally dependent on decisions made by the Coroner. Therefore rather than provide funding that may not be needed it is proposed the cost of Coroners is transferred from CWG to Other Services. Any overspend/underspend will then be a call on or contribute to general reserves at the year end and be dealt with as part of the subsequent year's budget.

## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
R-EE-02	Highways Maintenance and Road Safety Capital	60	160	160	160	Funding this is a choice for members as the cost is not unavoidable. The funding will allow the Area Committee highway maintenance funding to continue for one further year. This is enhanced maintenance above the LtP allocation.
R-EE-03	Highways Maintenance Drainage	500	0	0	0	Funding this is a choice for members as it is not unavoidable. It fails to meet one of SDLTs principles that services should not seek funding where, previously, members had been told it would not require additional resources. The original funding was a 2-year allocation to reduce the backlog in work on flooding on the highways made after the 2007 floods. This is now falling out and funding is sought to retain budget on a permanent basis.
R-EE-04	Transport Infrastructure to Support Economic Growth	100	150	0	0	Funding this is a choice for members as the cost is not unavoidable.
R-EE-05	Maintenance and inspection of traffic signals, pedestrian crossings and Intelligent Transport systems	50	25	25	25	Fails to meet one of SDLTs principles that funding should not be provided when members had previously not been told it was not necessary. This was not identified as a revenue consequence at the time the capital programme was approved. However, the provision for the cost of maintaining such equipment should be reviewed in future as some degree of cost is unavoidable and should be considered as part of the capital programme approval process.
R-EE-06	Road Safety Unit Reduction in Area Based Grant	61	(61)	0	0	Fails to meet one of SDLTs principles that services transferring in from other public bodies will only be funded up to the level of funding received, with resources not diverted from other priorities. The pressure is to replace declining Area Based Grant.
R-EE-07	Stratford Parkway Station - Development & Delivery Funding	20	51	32	0	Funding this is a choice for members as the cost is not unavoidable.
R-EE-08	Kenilworth Rail Station - Development Funding	19	39	18	0	Funding this is a choice for members as the cost is not unavoidable.
R-EE-09	Grass Cutting - contribution to District & Borough Councils	200	0	0	0	Funding this is a choice for members as the cost is not unavoidable.

## 2010/11 Budget - Budget Pressures Summary Analysis

Reference	Description	2010/11 Cost £000	2011/12 Extra Cost/ (Saving) £000	2012/13 Extra Cost/ (Saving) £000	2013/14 Extra Cost/ (Saving) £000	Comment
R-EE-13	Implementation of Flood and Water Management Bill	100	0	0	0	Fails to meet one of SDLTs principles that funding will not be provided where it is pre-empting government legislation. In this case the expected legislation following the Pitt Review.
R-FR-03	Fire Control Systems	12	49	0	(30)	Pressure is the result of the Government delaying the implementation of the regional fire control centre. Interim funding is being sought from CLG. Cost to be self funded or contingency plans used if funding is not made available.
R-RE-02	Carbon Reduction Commitment	10	0	0	0	Directorate to fund any costs in 2010/11
<b>TOTAL</b>		<b>1,728</b>	<b>3,929</b>	<b>4,579</b>	<b>4,804</b>	
<b>GRAND TOTAL</b>		<b>15,923</b>	<b>4,830</b>	<b>5,104</b>	<b>4,559</b>	

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
<b>Adult, Health and Community Services</b>						
AH1	Customer Access	Streamline the adult customer journey, supported by increased mobile working and conversion to a more efficient assessment process, to meet the same needs. The option includes a review of team manager posts.	Change to assessment policies	232	38	400
AH2	PHILLIS	Recommission the PHILLIS service with a view to reducing costs through delivery by the voluntary sector and/or existing teams.	Authority to tender for the service	150	150	0
AH3	Continuing Health Care	Ensure all community health care packages are appropriate and where this is found not to be the case recover costs from the NHS.		104	104	0
AH4	Reablement	Invest in an internal reablement service, so reducing the cost of traditional care packages.	Approval to implement an internal reablement service and to change staff roles	1,302	1,246	188
AH5	Extra Care and Residential Care	Invest in more specialist residential care and extra care, removing the excess capacity in residential care services.	Public consultation on the reconfiguration of residential care homes and the award of extra care contracts	139	243	52
AH6	Adult social care charging policy	Increase the charges for community based adult social care services. This will include reviewing the level of and subsidy, raising the ceilings on charges and reducing the minimum income protection provided.	Changes to charging policy following public consultation	769	2,007	324
AH7	Homecare	Full year effect of the reduction in costs following the review of operational practices, terms and conditions and the overall mix of provision of homecare.	Approval to change terms and conditions	685	222	114
AH8	Day services and voluntary sector provision	Reduce the provision of day care services (voluntary sector, internally and externally provided) and reinvest 50% of the savings into personalisation.	Approve to change services following public consultation	349	272	373

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
AH9	Transport costs	Rationalise transport services in line with the day services review (AH8).	Approve to change services following public consultation	37	71	65
AH10	Application of the Fair Access to Care Services criteria	Review care packages with low contact hours to ensure compliance with the substantial or critical level of care need required for continued funding.		154	0	0
AH11	Reviewing Service	Reassess the cost of care packages where reviews have been undertaken by the Reviewing Service and implement efficiencies in the service.	Approve potential changes to the reviewing policy	75	100	100
AH12	Residential care homes	Reduce costs associated with spending on empty residential care beds.		160	0	0
AH13	Management structures - community support services	Reduce the number of management posts		202	0	0
AH14	Management structures - adult social care	Reduce the number of management posts		163	58	151
AH15	Allowance for double counting of Adult Social Care savings	The adult social care savings initiatives have the potential to impact on the same services. A 5% overall reduction in the savings options is included as an allowance for any duplication.		(200)	(222)	(81)
AH16	County Records Service	Develop new income streams from on-line downloads of key record sources, notably parish records.		0	0	50
AH17	Heritage Education Service	Streamline community engagement activities, informal learning programmes and investment in partnerships.		0	50	0
AH18	Museums Services	Rationalise the Museums Service towards a natural and environmental information and advisory service only.		65	425	10
AH19	County Arts Service	Reduce all aspects of the County Arts Service, including all services and grants.		136	107	0

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
AH20	Funding pressures not known at this stage	Higher savings made in the plan's early years to ensure the service does not overspend as a result of slippage or any emergent spending pressure.		(69)	(1,473)	1,542
AH21	Unidentified Adult Social Care savings	Further savings required to meet the savings target in future years.		0	0	220
AH22	Libraries Service	Reconfiguration of the Libraries Service with savings to be achieved through shared use of public sector premises.		150	90	20
AH23	RFID	Investment in electronic self service for booking in and out books, offset by savings from reduced staffing costs.		100	50	50
AH24	Management structures - libraries service	Reduce the number of management posts		0	0	0
AH25	Unidentified Library Service savings	Savings required to balance the existing budget deficit.		917	(140)	(70)
AH26	Funding the Library Service structural overspend	Libraries have an £800,000 structural overspend. The first call on any savings generated (AH22 to AH25) will be to remove this overspend.		(800)	0	0
AH27	Second call on savings - Funding One Off Overspend from 2009/10	Repayment of the forecast £1m overspend in 2009/10, phased over three years.		(367)	0	0
			<b>Directorate Total</b>	<b>4,453</b>	<b>3,398</b>	<b>3,508</b>
<b>Children, Young People and Families</b>						
CY1	Post 16 transport (home to college)	Remove transport arrangements for home to college transport.	Change to post 16 transport policy	379	550	371
CY2	Music Service	Reconfigure the service as part of removing the subsidy provided to the County Music Service.		323	327	245
CY3	Integrated Youth Support Services	Streamline IYSS activities and places of service delivery to reflect the level of need in a locality, using Youth Panels and Youth Forums to reprioritise service provision.	Approval to implement revised service offer and the accompanying structural changes.	300	300	0



## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
CY4	Arts Zone	Review the service provision as part of reducing the cost and subsidy provided to cultural services.		117	0	0
CY5	Accommodation	Increase the use of mobile working and further integrate and rationalise services in localities leading to a reduction in the need for accommodation.	Agree the locality based working structure and implement the corporate approach to property management.	140	63	0
CY6	ICT investment and new ways of working	Invest in ICT and new ways of working to deliver more efficient services. This includes mobile working for social workers, streamlining cost centre manager support and only using electronic communications with schools.	End the schools postal contract.	100	100	100
CY7	Management structures	Move to a locality based structure, with a reduced management structure, to support and deliver children's services. The transition will take three years to implement.		0	360	500
CY8	Sub-regional working	Maximise front-line capacity and reduce bureaucracy by working on a sub-regional basis. Includes investigating sub-regional approaches for services including fostering and adoption, youth support, youth offending, traded services with schools, education psychologists and school improvement to reduce costs.	Approval to deliver services on a sub-regional basis	20	200	100
CY9	Commissioning	Continue progress towards a commissioning-based approach, using evidence to streamline and decommission services.		130	50	100
CY10	REACCH Service	Mainstream the activity through care plans, monitored through children's panels to integrate the statutory requirement in social work practice.		55	0	0
CY11	Grounds Maintenance management	Centralise and manage grounds maintenance within the Resources Directorate as part of facilities management.		40	0	0

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
CY12	Developer Contributions management	Manage developer contributions corporately to reduce duplication between directorates.		30	0	0
CY13	Student Finance	When responsibility for student finance transfers to the Student Loans Company from April 2011 the service will no longer be required.		0	70	0
CY14	Youth Services Development Grants	Reduce the number of grants given out to third sector organisations.		25	0	0
CY15	Special Educational Needs Transport (including taxi usage)	Implement the proposals in the business process improvement review of special educational needs transport, to make the service more efficient and introduce independent travelling arrangements for young people with disabilities aged 14+.		75	0	0
CY16	Outdoor Education Centres	Make the outdoor education centres at Marle Hall and Kingsbury Water Park self financing		0	10	35
CY17	Early Intervention Service	Complete the development of integrated working and locality working, removing the need for project capacity.		80	50	0
CY18	Early Years Advisors and the Integrated Disability Service 0-5 team	Integrate and streamline the work of the IDS 0-5 team and the Early Years Advisor role to reduce costs.		100	0	0
CY19	Looked after children in residential care.	Support looked after children in family settings whenever possible, reducing the need to fund residential care placements.		100	0	0
CY20	Parenting and family support services	Rationalise the processes and procedures in the provision of parenting and family support services to eliminate duplication.		25	0	0
CY21	Unidentified savings			(13)	(49)	616
			<b>Directorate Total</b>	<b>2,026</b>	<b>2,031</b>	<b>2,067</b>

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
<b>Customers, Workforce and Governance</b>						
CW1	Core Legal budget	Reduce the core legal and insurance budget.		21	0	0
CW2	Members Services	Move to electronic working papers by elected members.	Approval by members	10	0	0
CW3	School governance	Reduce the range of free services provided to governors.		15	0	0
CW4	Audit and Risk Management	Reduce the audit and risk team by one member of staff.		25	0	0
CW5	Workforce Strategy and Development	Reduce staff levels across the division.		124	0	0
CW6	Communications	Reduce staff and services, do not renew leases on equipment.		42	4	3
CW7	Registration	Consolidate registration services into key offices.	Portfolio Holder approval	9	12	12
CW8	Customer Complaints and Customer Service	Reduce the commissioning of external investigations into complaints.	Agreement of CYPF and AHCS to changed process	17	0	0
CW9	Equality and Diversity	Reduce grant schemes		14	9	8
CW10	One-Stop Shops and Customer Contact	Reduce funding for projects, reduce staff levels through integration with libraries and the CSC.		168	0	0
CW11	Information Management	Reduce costs through the generation of external funding, efficiency improvements and viewing the level of subsidy provided.		6	0	0
CW12	Resources	Streamline administrative support provided to the directorate.		35	0	0
CW13	Judges House	Reduce spending at Judges House in anticipation of the courts transfer to Leamington Spa.		8	0	0
CW14	Community Grants	Reduce grants.		106	42	41
CW15	Localities and Communities Team	Reduce staff numbers and spending. Some savings to be delivered as part of the management structure review the balance through the possible merger of area offices.		18	26	25
CW16	Community Safety	Reduce administrative posts and funding provided to the Police for ASB PCSOs.		0	29	28

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
CW17	Management Structures	Reduce the number of management posts.		Not costed yet	Not costed yet	Not costed yet
CW18	Core Services and Processes Review	Core services and processes are constantly under review. At this stage it is too early to quantify the reductions that are achievable.		Not costed yet	Not costed yet	Not costed yet
CW19	Unidentified savings	Savings to be identified from the reviews listed above.		46	253	255
			<b>Directorate Total</b>	<b>664</b>	<b>375</b>	<b>372</b>
<b>Performance and Partnerships</b>						
PP1	Unidentified savings			70	40	40
			<b>Unit Total</b>	<b>70</b>	<b>40</b>	<b>40</b>
<b>Environment and Economy</b>						
EE1	Economy and Development - provision of a strategic and commissioning service	Rationalise services themselves and the approach to delivery of services, curtailing activity which other agencies can do effectively (e.g. Opportunities Centres and tourism).	Agreement to withdrawal from direct delivery	255	0	70
EE2	Economy and Development signature projects and sub-regional working	The long term challenges will require sub-regional cooperation (with maintained cross-authority political cohesion). There are opportunities to take forward external funding on a sub-regional basis e.g. SUD alongside a greater focus of activity on fewer but significant "signature" projects. Refocus activity on co-ordination rather than delivery.	Approval to disengage from lower priority projects	140	0	0
EE3	Economy and Development - shared services	Share costs with other agencies (e.g. with AWM in relation to feasibility studies) and review payments to outside bodies & consultants (e.g. BIDs where the pilot is being brought to a close).		150	0	0

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
EE4	Economy and Development - increase income	Refocus the service to reduce time spent on non-funded activities (such as EBP) and generate more income from the business property portfolio.		80	90	25
EE5	Gypsy and Traveller Services.	Increase income and reduce costs following improvements to sites.	Agree provision of educational services. Agree the management of Pathlow Gypsy and Travellers site with Stratford District Council.	55	0	15
EE6	Economy and Development - management structure	Implement the third tier restructuring & take advantage of opportunities for further downsizing in 2010 as managers retire.	Agree arrangements for management of Camp Hill with N&BBC.	200	0	50
EE7	Economy and Development - unidentified savings			0	31	26
EE8	Waste Disposal - service reconfiguration.	Reconfigure the service with more emphasis on partnership working with neighbouring authorities and the waste collection authorities to reduce costs. This will include higher levels of recycling and composting and a move away from landfill to alternative forms of waste treatment such as Energy from Waste.		175	0	0
EE9	Environment - reduce services	Reconfigure services, including the closure or reduction in opening times of Household Waste Recycling Centres.	Approval of changes in services.	0	100	150
EE10	Environment - ICT projects	Reduce ICT project funding.		10	0	0
EE11	Country Parks	Increase visitor numbers and associated income.		50	0	0
EE12	Smallholdings - increased income	Increase fees and charges and rents above RPI. Develop new ventures with third parties that generate income and/or visits and/or profit share arrangements.		0	10	20

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
EE13	Smallholdings - estate management	Put the management of the estate onto a proactive footing with a focus on maximising its value as a long term asset for WCC, promoting the enhancement of the Warwickshire landscape and public accessibility and maximising the food and agricultural diversification opportunities.	Agree policy and direction for the estate, that includes rationalisation through an agreed acquisitions and disposals strategy.	20	0	0
EE14	Environment - management structure	Reduce the number of management posts.	Agree the creation of sub-regional waste authority	0	50	50
EE15	Resources	Restructure and rationalise service provision.		51	0	0
EE17	Environment - unidentified savings			0	270	232
EE18	Trading Standards Service - reprioritisation	Refocus the frontline resource by customising the National Intelligence Model (NIM) for identifying priorities. This will allow a reduction in staff numbers.		75	0	0
EE19	Development Regulations	Rationalise monitoring/administration		15	0	0
EE20	Trading Standards Service & Emergency Planning Unit shared services and partnership working	Introduce a shared approach for regulatory and emergency management delivery. Savings will derive from economies of scale, sharing management and specialist capacity.	Agree to enter shared services contracts and associated changes in governance arrangements	0	0	25
EE21	Trading Standards, Regulation and EM - travel costs	10% saving on travel costs		14	0	0
EE22	Trading Standards - BPI review of key processes.	Review and develop processes to eliminate waste, thereby reducing costs.		0	49	42
EE23	TSREM support services	Streamline all activity that isn't direct frontline service delivery. Maximising the opportunities afforded by joint working within the directorate.		0	10	0
EE24	TSREM - income generation	Generate additional income from S38 and Green Travel Plans		12	0	0
EE25	TSREM - management structure	Reduce number of management posts		0	50	50

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
EE26	TSREM - unidentified savings	Rationalise and reconfigure services to deliver further savings		0	84	97
EE27	Street Lighting	Reduce street lighting energy usage through a policy of switching off/dimming some street lights at certain times.	Approve changes to street lighting policy	0	100	100
EE28	Park and Ride	Increase in income from Stratford Park and Ride.		10	20	20
EE29	Highway Maintenance	Reduce the cost of highways maintenance delivered by the new maintenance contract. Secure efficiencies through the Customer Service Centre.	Award of Highway Maintenance contract from April 2011.	0	300	100
EE30	Transport and Highways - management structure	Reduce number of management posts		0	50	100
EE31	County Highways	Rationalise services and deliver efficiencies		300	0	0
EE32	Rights of Way	Rationalise services and deliver efficiencies		50	50	50
EE33	Transport Planning	Reduce accommodation costs, reduce the transport development budget & equipment purchases.	Termination of lease on Swan Street offices.	75	0	0
EE34	Road Safety	Reduce staff numbers and withdraw from or increase income from road safety education and training activity.		20	0	0
EE35	Traffic Projects	Withdraw funding for minor works, e.g. provision of "signs and lines".	None	25	0	0
EE36	Transport Operations	Reduce spending through e-procurement and ongoing efficiency savings.		28	0	0
EE37	Transport and Highways - reduce services or the cost of services	Reductions in services, to be determined.	Steer from Members will be required on priorities.	0	175	275
EE38	Leadership Team	Reduction of one Head of Service post		0	100	0
EE39	Unidentified savings			(7)	(140)	(34)
<b>Directorate Total</b>				<b>1,803</b>	<b>1,399</b>	<b>1,463</b>

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
<b>Fire and Rescue</b>						
<p><i>At this stage all proposals for savings in the Fire and Rescue Service are provisional and will be considered as part of the consideration of the Fire Improvement Plan, following the current consultation. This will take account of the need over the longer term for the Fire and Rescue Service to deliver savings along with all other services.</i></p>						
<b>Resources</b>						
RE1	Re-organisation and restructuring	Reorganisation and restructuring across the directorate.		77	132	70
RE2	Administrative support	Review admin processes and the deployment of support staff across the directorate to reduce costs.		40	0	0
RE3	Training	Reduce training budgets across the directorate.		25	0	0
RE4	Learning and Development Academy	End funding for the project manager post once business case has been developed.	Agreement of the business case by partners	43	21	0
RE5	One-off savings			43	(45)	4
RE6	Facilities and Asset Management - market testing	Market test elements of direct service delivery. The exact nature of the service delivered following market testing and the level of any savings will be determined by the results of the testing exercise.	Approve any changes to service delivery following market testing	0	Not known at this stage	Not known at this stage
RE7	Facilities and Asset Management - contribution from trading activities	Improve efficiency within existing in-house traded services leading to an increased contribution.		50	0	0
RE8	Strategic Asset Management Service and County Offices	Restructure administrative support, re-organisation of fire security duties and efficiencies from new Property/FM systems to reduce costs.		47	20	20
RE9	Car Park service	Remove the car park attendant service.	Agree to remove service	42	0	0



## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
RE10	Property Portfolio	Rationalise the property portfolio across the County by occupying our buildings in a more effective way (either individually or with partner organisations) and/or utilising the results of disposals.		0	Not known at this stage	Not known at this stage
RE11	Accommodation	Decrease our need for accommodation by undertaking a thorough review, across all services, to identify those suitable for modern and flexible working followed by a managed plan to implement appropriate arrangements .	Commitment to the review and its outcomes	0	Not known at this stage	Not known at this stage
RE12	Financial Management - authority-wide	Implement the new financial system and associated process and structural changes.		Not known at this stage	Not known at this stage	Not known at this stage
RE13	Corporate Finance	Streamline processes in Corporate Finance as a result of implementing new financial systems.		2	80	19
RE14	Car loans	Stop offering employee car loans.	Agree to stop scheme	0	15	0
RE15	Payslips	Stop providing payslips to staff with self service access to HRMS.		10	0	0
RE16	Financial support to VFM and the MTFP	Reduce support to corporate financial planning processes.		0	12	29
RE17	Strategic Procurement	Reduce support to sustainable procurement.		0	0	0
RE18	Corporate Finance - minor savings			2	0	0
RE19	ICT - corporate applications development	Rationalise corporate funding for applications development and research. Utilise more generic facilities via the internet, develop more flexible systems and continue consolidation of ICT systems.		50	0	100
RE20	ICT - research	Reduce research.		0	0	32
RE21	ICT - staffing	Reduce ICT staffing.		6	78	0
RE22	ICT staff training facilities	Introduce and embed improved ICT staff training facilities.		0	0	0

## Medium Term Savings Plan

Savings Area		Description of Savings Option	Decisions needed prior to implementation	Saving 2010/11 £'000	Extra Saving 2011/12 £'000	Extra Saving 2012/13 £'000
RE23	ICT - increase efficiency	Streamline technical support, support at the Service Desk and to the PC roll-out programme as number of authority users reduces.		31	31	38
RE24	ICT - management support	Rationalise management support, marketing, events etc partially offset by improved efficiency and e-communication to staff.		0	0	33
RE25	Quantity surveyors	Replace external contractor contracts by more efficient use of use of in-house quantity surveyors.		40	0	0
RE26	Property and Construction Services - procurement	Review sub regional opportunities for better procurement.		Not known at this stage	Not known at this stage	Not known at this stage
RE27	Property and Construction Services - process reengineering	Deliver efficiencies from process re-engineering and the new property FM systems		37	47	10
RE28	Design and Construction Service	Streamline the Design and Construction Service in the light of anticipated reductions in the capital programme. Generate efficiencies by re-engineering functions, including Clerk of Works. This may include increasing fees.		64	11	0
RE29	Schools Technical Support	Remodel and reduce the STS service.		85	(28)	0
RE30	Strategic Resource Development - increase efficiency	Increase efficiency from implementation of new financial processes and the implementation of the new financial/property systems.		17	9	48
RE31	Directorate training	Reduce training budgets		40	20	0
RE32	Development capacity	Reduce development capacity across the support functions		0	28	31
RE33	Strategic Resource Dev't - minor savings			6	0	0
			<b>Directorate Total</b>	<b>757</b>	<b>431</b>	<b>434</b>
			<b>WCC TOTAL</b>	<b>9,773</b>	<b>7,674</b>	<b>7,884</b>

Extra Saving 2013/14 £'000
92
0
0
0
449
0
214
246

Extra Saving 2013/14 £'000
25
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0
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0
0
(52)
0
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66
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Extra Saving 2013/14 £'000
0
2,592
70
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70
(507)
0
367
<b>3,632</b>
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Extra Saving 2013/14 £'000
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Extra Saving 2013/14 £'000
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1,756
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Extra Saving 2013/14 £'000
Not costed yet
Not costed yet
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<b>368</b>
39
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Extra Saving 2013/14 £'000
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Extra Saving 2013/14 £'000
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Extra Saving 2013/14 £'000
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52
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Extra Saving 2013/14 £'000
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Not known at this stage
45
0
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13
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46
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435
8,065

## 2010/11 Area Based Grant Allocations

Grant Recipient	Themed Pot	Element of ABG Grant	2009/10 Approved Allocation £000	2010/11 ABG Grant £000	2010/11 Proposed Allocation £000	Top-Slice £000
WCC Directorate	Adult Health and Community Services	Supporting People Administration Preserved Rights		255		
				2,347		
		<b>Sub-total</b>		<b>2,602</b>		
		less 3% Efficiency Top-slice		0		
		<b>Total</b>	<b>2,751</b>	<b>2,602</b>	<b>2,602</b>	<b>0</b>
	Children, Young People and Families	Child Death Review Processes		50		
				<b>50</b>		
		<b>Sub-total</b>		<b>50</b>		
		less 3% Efficiency Top-slice		(2)		
		<b>Total</b>	<b>48</b>	<b>48</b>	<b>48</b>	<b>2</b>
	Environment and Economy	Detrunking		1,130		
		Rural Bus Subsidy		1,098		
		<b>Sub-total</b>		<b>2,228</b>		
		less 3% Efficiency Top-slice		(67)		
		<b>Total</b>	<b>2,141</b>	<b>2,161</b>	<b>2,161</b>	<b>67</b>
	Customers, Workforce and Governance	Local Involvement Networks		214		
				<b>214</b>		
		<b>Sub-total</b>		<b>214</b>		
		less 3% Efficiency Top-slice		(6)		
		<b>Total</b>	<b>213</b>	<b>208</b>	<b>213</b>	<b>1</b>
<b>Grant Recipient Total</b>				<b>5,019</b>	<b>5,024</b>	<b>70</b>
Children and Young People Partnership	School Improvement and Support	Extended Schools Start-Up Grants		681		
		School Development Grant		1,013		
		Primary NS - Central Co-ordination		274		
		Secondary NS - Central Co-ordination		254		
		School Improvement Partners		252		
		School Intervention Grant		163		
		14 - 19 Flexible Funding Pot		155		
		Secondary NS - Behaviour & Attendance		126		
		Designated Teacher Funding		37		
		Education Health Partnerships		105		
		<b>Sub-total</b>		<b>3,060</b>		
		less 3% Efficiency Top-slice		0		
		<b>Total</b>	<b>3,877</b>	<b>3,060</b>	<b>3,060</b>	<b>0</b>
	School Transport	Extended Rights to Free Transport		383		
		School Travel Advisers		71		
		Sustainable Travel - General Duty		42		
		<b>Sub-total</b>		<b>496</b>		
		less 3% Efficiency Top-slice		(15)		
		<b>Total</b>	<b>377</b>	<b>481</b>	<b>481</b>	<b>15</b>
	Empowering Children, Young People & Families	Connexions		4,099		
		Children's Fund		940		
		Child & Adolescent Mental Health		672		
		Care Matters White Paper		369		
		Positive Activities for Young People		355		
		Teenage Pregnancy		187		
		Children's Social Care Workforce		119		
		Young Peoples Substance Misuse		157		
		Choice Advisers		35		
		Child Trust Fund		10		
		<b>Sub-total</b>		<b>6,943</b>		
		less 3% Efficiency Top-slice		(208)		
		<b>Total</b>	<b>6,581</b>	<b>6,735</b>	<b>6,735</b>	<b>208</b>
<b>Grant Recipient Total</b>				<b>10,276</b>	<b>10,276</b>	<b>223</b>
Healthier Communities & Older People Partnership	Supporting Independent Living	Learning Disability Development Fund		372		
		Mental Capacity Act & IMCA Service		267		
		<b>Sub-total</b>		<b>639</b>		
		less 3% Efficiency Top-slice		(19)		
		<b>Total</b>	<b>629</b>	<b>620</b>	<b>629</b>	<b>10</b>
	Social and Community Care	Carers		2,283		
		Adult Social Care Workforce		1,316		
		Mental Health		1,310		
		<b>Sub-total</b>		<b>4,909</b>		
		less 3% Efficiency Top-slice		(147)		
		<b>Total</b>	<b>4,504</b>	<b>4,762</b>	<b>4,762</b>	<b>147</b>
<b>Grant Recipient Total</b>				<b>5,382</b>	<b>5,391</b>	<b>157</b>



## 2010/11 Area Based Grant Allocations

Grant Recipient	Themed Pot	Element of ABG Grant	2009/10 Approved Allocation £000	2010/11 ABG Grant £000	2010/11 Proposed Allocation £000	Top-Slice £000
Safer Communities Partnership	Safe and Sustainable Travel	Road Safety Grant		1,572		
		<b>Sub-total</b>		<b>1,572</b>		
		less 3% Efficiency Top-slice				
		<b>Total</b>	<b>1,584</b>	<b>1,572</b>	<b>1,572</b>	<b>0</b>
	Safer Communities	Safer and Stronger Communities Fund		584		
		<b>Sub-total</b>		<b>584</b>		
		less 3% Efficiency Top-slice		(18)		
		<b>Total</b>	<b>566</b>	<b>566</b>	<b>566</b>	<b>18</b>
<b>Grant Recipient Total</b>				<b>2,138</b>	<b>2,138</b>	<b>18</b>
Supporting People Partnership		<b>Sub-total</b>		10,147		
				<b>10,147</b>		
		less 3% Efficiency Top-slice		0		
		<b>Grant Recipient Total</b>		<b>10,147</b>	<b>10,147</b>	<b>0</b>
<b>SPENDING TOTAL</b>					<b>32,976</b>	<b>468</b>
<b>FUNDING</b>						
ABG Allocation to Services					32,976	
Top-Slice to Corporate Resources					468	
<b>FUNDING TOTAL</b>					<b>33,444</b>	

## Summary of Narrowing the Gaps Funding Allocations

Priority Theme and Project	Description	Allocation		
		2010/11 £m	2011/12 £m	2012/13 £m
<b>Young People</b>				
Virtual School PTA	Mentoring/work experience/apprenticeship placement. There are around 400 young people in care in school years 6-12.	0.033	0.050	0.050
FLARE	Fire and Rescue/Connexions proven record well evidenced with positive destinations for young people 36 students a year at cost of £3000 per head.	0.067	0.100	0.100
Children's/Young People's University	Expansion of successful Children's University scheme already running with targeted young people run during school holidays.	0.033	0.050	0.050
Knight School	Parents and year 6/7 pupils intensive course that works on self-esteem, raising aspiration and building resilience with parental support. 3 x 12 week course x 3 Knight schools (by 2013) x 12 participants per course @ £500	0.018	0.035	0.035
Breakthrough	Pilots running since 2007 and intensive course with targeted year 11 in Nuneaton in 2009. This would be targeted at National Challenge Schools with identified young people who need intensive work to lift their grades. This would be a contribution towards to support schools.	0.010	0.015	0.015
<b>Sub-total</b>		<b>0.161</b>	<b>0.250</b>	<b>0.250</b>
<b>Adults/Older People</b>				
Meeting the challenge of an ageing Warwickshire	The proposal is for: <ul style="list-style-type: none"> <li>• Development of a Prevention Strategy and implementation plan kick started by the multi agency Prevention Conference planned for 30<sup>th</sup> November 2009.</li> <li>• Pump priming support for preventative initiatives e.g. Telecare/Telehealth Falls Prevention etc.</li> <li>• 3 year post to assist the new Joint Lead Commissioner- Health Inequalities in monitoring national excellence in preventive work, development of robust local evaluation and to make recommendations in respect of sustainability and with a particular focus on preventing premature deaths in targeted areas</li> <li>• Better understanding the role of Universal services in promoting health/wellbeing and equality</li> </ul>	0.133	0.200	0.200
Winter deaths and fuel poverty	<ul style="list-style-type: none"> <li>• To undertake work to address the key contributing factors towards fuel poverty amongst the local community.</li> </ul>	0.067	0.100	0.100

Appendix D

Priority Theme and Project	Description	Allocation					
		2010/11 £m	2011/12 £m	2012/13 £m			
Person Centred Planning/Personalisation	This funding will be used to appoint two person centred facilitator post (one in the north and one in the south of the County) to work with people with learning disabilities to assist them in accessing personalised care through the use of person centred plans. In addition to the appointment of two co-ordinators we would also utilise resources through this bid to ensure increased levels of advocacy are in place to support people with learning disabilities during the process of the development of person centred plans.	0.133	0.200	0.200			
<b>Sub-total</b>		<b>0.333</b>	<b>0.500</b>	<b>0.500</b>			
<b>Enhancing Jobs &amp; Skills Opportunities</b>							
Support into employment	To maximise the impact, scope and sustainability of two emergent economic inclusion activities, part funded by ERDF. The Community Enterprise and Employment project in N&B Regeneration Zone and the Connections to Opportunities programme in wider Warwickshire. The funds will also enable us to have a more coherent, joined-up and active role in employer engagement strategies for the hard to reach priority customers especially in the area of supporting JCP's Local Employment Partnership (LEP) activity and that of the ESF Public Sector Hub.	}	}	}			
Support for self-employment	Enterprise support is available via Business Link West Midlands. However, residents of some disadvantaged areas and certain disadvantaged groups require additional support. Pro-active, community-based outreach work by enterprise coaches along with confidence building, mentoring and on-going support is the most effective way to reach such individuals and groups. The funding will also sustain the Enterprising Warwickshire Initiative that was initially funded by ABG for 1 year only. Some funding will also replace CNRZ funding for N&B lost in the recent review by AWM of its Corporate Plan.				0.273	0.400	0.400
Skills development	Many young people, redundant workers and under-employed workers do not have the right skills (including attitudes and motivations) to ensure they fulfil their potential for better paid, appropriate and sustained employment. These under skilled people are generally clustered in the areas of greatest socio economic deprivation and worklessness. The new jobs (post recession) will be created in new growth sectors e.g. precision engineering, media, high knowledge intensive sectors, and also in occupations associated with the ageing population and the climate change/sustainability agenda.						
<b>Sub-total</b>		<b>0.273</b>	<b>0.400</b>	<b>0.400</b>			

Appendix D

Priority Theme and Project	Description	Allocation		
		2010/11 £m	2011/12 £m	2012/13 £m
<b>Community Development &amp; Community Champions</b>				
Community Development & Community Champions	To establish a sound community development infrastructure in the priority communities. The proposal would result in the employment of 6 experienced Community Development Workers, the recruitment, training and ongoing support of local people as volunteers to act as champions/ advocates for their local communities through appropriate community groups and organisations and a small budget to pump prime local community events and initiatives. They would work along side relevant staff employed by the County Council and its partners from the Voluntary and Community Sector and District: Borough Councils. This is directly in line with work that has already been undertaken successfully in Rugby, Nuneaton/Bedworth and South Leamington (Sydenham), North Leamington (Lillington) and Warwick West (Packmores) and is in response to an emerging national and local evidence base which illustrates the significance and effectiveness of the approach. Without intensive community development there is a substantial risk that investment in priority neighbourhoods to 'narrow the gaps' will rely on top-down / imposed solutions. Solutions rooted in and owned by local communities have always proved to be more effective.	0.233	0.350	0.350
	<b>Sub-total</b>	<b>0.233</b>	<b>0.350</b>	<b>0.350</b>
	<b>TOTAL</b>	<b>1.000</b>	<b>1.500</b>	<b>1.500</b>

## Capital Programme New Starts in 2010/11 - Existing Indicative Approvals

Scheme Details	Expenditure			Financing 2010/11				
	2010/11 (£)	2011/12 & Later # (£)	Total (£)	Revenue (£)	External Funding (£)	Self - Financed Borrowing (£)	Capital Receipts (£)	Prudential & Supported Borrowing (£)
<b>Adult, Health and Community Services</b>								
Adult Social Care Premises and Accommodation	115,000		115,000					(115,000)
Small Scale Reactive Works - Base Programme								
Vehicle and Equipment Replacement - Base Programme	110,000		110,000					(110,000)
Libraries and Heritage Premises and Accommodation - Small Scale Reactive Works Base Programme	110,000		110,000					(110,000)
Mental Health Grant	178,000		178,000		(178,000)			
Adult Social Care It Infrastructure Grant	159,800		159,800		(159,800)			
<b>Directorate Subtotal</b>	<b>672,800</b>	<b>0</b>	<b>672,800</b>	<b>0</b>	<b>(337,800)</b>	<b>0</b>	<b>0</b>	<b>(335,000)</b>
<b>Children, Young People and Families</b>								
Extended Schools	884,700		884,700		(884,700)			
Harnessing Technology Grant	750,000	1,477,500	2,227,500		(750,000)			
Primary Capital Programme	4,732,000		4,732,000		(4,732,000)			
Targeted Capital Fund 14-19 Diplomas, Special Educational Needs and Disabilities	5,050,000		5,050,000		(5,050,000)			
Basic Need Schemes	1,259,500		1,259,500					(1,259,500)
Devolved/School Level Budgets	7,092,400	8,382,100	15,474,500	(800,000)	(6,292,400)			
Playbuilder Grant	598,000		598,000		(598,000)			
Aiming High For Disabled Children	585,800		585,800		(585,800)			
Premises Small Scale Reactive Works - Base Programme	110,000		110,000					(110,000)
Youth Capital Fund	230,000		230,000		(230,000)			
Children's Centre Maintenance	186,000		186,000		(186,000)			
Phase 3 Children's Centres Grant	1,089,000		1,089,000		(1,089,000)			
Early Years Childcare Grant	1,963,200		1,963,200		(1,963,200)			
Schools Access Initiative	985,000		985,000					(985,000)
<b>Directorate Subtotal</b>	<b>25,515,600</b>	<b>9,859,600</b>	<b>35,375,200</b>	<b>(800,000)</b>	<b>(22,361,100)</b>	<b>0</b>	<b>0</b>	<b>(2,354,500)</b>

## Capital Programme New Starts in 2010/11 - Existing Indicative Approvals

Scheme Details	Expenditure			Financing 2010/11				
	2010/11 (£)	2011/12 & Later # (£)	Total (£)	Revenue (£)	External Funding (£)	Self - Financed Borrowing (£)	Capital Receipts (£)	Prudential & Supported Borrowing (£)
<b>Customers, Workforce and Governance</b>								
Safer and Stronger Communities Grant	173,400		173,400		(173,400)			
<b>Directorate Subtotal</b>	<b>173,400</b>	<b>0</b>	<b>173,400</b>	<b>0</b>	<b>(173,400)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Environment and Economy</b>								
Highways Maintenance - LTP and Base Programme *	8,527,000		8,527,000					(8,527,000)
Structural Maintenance of Bridges	2,801,000		2,801,000					(2,801,000)
Casualty Reduction Schemes *	1,000,000		1,000,000					(1,000,000)
Integrated Transport *	723,000		723,000					(723,000)
Safer Routes To School *	600,000		600,000					(600,000)
Traffic Management/Congestion *	500,000		500,000					(500,000)
Warwickshire Quality Rail Partnership *	480,000		480,000					(480,000)
Public and Community Transport *	280,000		280,000					(280,000)
Crossings Facilities *	200,000		200,000					(200,000)
Area Committee Delegated Budgets *	200,000		200,000					(200,000)
Walking and Cycling *	100,000		100,000					(100,000)
LTP Monitoring *	25,000		25,000					(25,000)
Decriminalisation - Nuneaton and Bedworth	0	491,500	491,500					
Famington Farm - Compensation	93,500		93,500				(93,500)	
Countryside Maintenance - Base Programme	110,000		110,000					(110,000)
Smallholdings Maintenance - Base Programme	350,000		350,000					(350,000)
Street lighting - Base Programme	560,000		560,000					(560,000)
<b>Directorate Subtotal</b>	<b>16,549,500</b>	<b>491,500</b>	<b>17,041,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(93,500)</b>	<b>(16,456,000)</b>
<b>Fire and Rescue</b>								
Equipment For Fire Appliances - Base Programme	110,000		110,000					(110,000)
Fire Capital Grant - Improvement Plan	988,500		988,500		(988,500)			
Fire Appliances Replacement - Base Programme	675,000		675,000			(675,000)		
<b>Directorate Subtotal</b>	<b>1,773,500</b>	<b>0</b>	<b>1,773,500</b>	<b>0</b>	<b>(988,500)</b>	<b>(675,000)</b>	<b>0</b>	<b>(110,000)</b>

## Capital Programme New Starts in 2010/11 - Existing Indicative Approvals

Scheme Details	Expenditure			Financing 2010/11				
	2010/11 (£)	2011/12 & Later # (£)	Total (£)	Revenue (£)	External Funding (£)	Self - Financed Borrowing (£)	Capital Receipts (£)	Prudential & Supported Borrowing (£)
<b>Resources</b>								
Document Management/ Intranet	100,000		100,000	(100,000)				
Internal Software Developments For Directorates	200,000		200,000	(200,000)				
Infrastructure and E Government	200,000		200,000	(200,000)				
Structural Maintenance	600,000		600,000	(150,000)				(450,000)
Removal and Treatment of Asbestos - Base Programme	285,000		285,000					(285,000)
Safe Water - Base Programme	110,000		110,000					(110,000)
Major Structural Maintenance (Non Schools) - Base Programme	1,300,000		1,300,000					(1,300,000)
Boiler Replacement - Base Programme	395,000		395,000					(395,000)
Small Scale Reactive Property Maintenance - Base Programme	285,000		285,000					(285,000)
Fire Precautions - Base Programme	285,000		285,000					(285,000)
Rewiring - Base Programme	170,000		170,000					(170,000)
<b>Directorate Subtotal</b>	<b>3,930,000</b>	<b>0</b>	<b>3,930,000</b>	<b>(650,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(3,280,000)</b>
<b>Total</b>	<b>48,614,800</b>	<b>10,351,100</b>	<b>58,965,900</b>	<b>(1,450,000)</b>	<b>(23,860,800)</b>	<b>(675,000)</b>	<b>(93,500)</b>	<b>(22,535,500)</b>

**Notes**

Schemes marked with an asterisk ( \* ), above, are funded from the Local Transport Plan settlement. £1,952,000 of the 2010/11 settlement is grant-funded with the remaining £14,632,000 being supported borrowing. The decision on which schemes to fund by grant and which to fund by borrowing is made by Environment and Economy Directorate. For the purposes of this table, it is assumed that the grant would be applied to schemes which have already started, but have expenditure in 2010/11, leaving the schemes which have yet to start to be funded from the supported borrowing element.

# financing of schemes in later years is either from external funding or self-financed borrowing. There is no supported and prudential borrowing that would require a specific allocation to be made in the revenue budget.

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** Corporate Business Planning 2010-2013

**Summary** This report presents the proposed approach to developing the 2010-2013 Corporate Business Plan.

**For further information please contact:** Gereint Stoneman  
Corporate Planning Manager  
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Emma Curtis  
Performance and Improvement Officer  
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emmacurtis@warwickshire.gov.uk

**Would the recommendation decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]** No.

**Background papers** None

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

- Other Committees
- Local Member(s)
- Other Elected Members  Cllr Appleton, Cllr Roodhouse, Cllr Tandy, Cllr Naylor, Cllr Boad
- Cabinet Member  All Portfolio Holders
- Chief Executive  Jim Graham
- Legal  Jane Pollard
- Finance
- Other Chief Officers  Monica Fogarty
- District Councils
- Health Authority



- Police
- Other Bodies/Individuals  SDLT, Virginia Rennie

**FINAL DECISION**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

.....  
**Cabinet - 17 December 2009**

**Corporate Business Planning 2010-2013**

**Report of the Assistant Chief Executive**

**Recommendation**

That Cabinet endorse the approach and timetable for preparing the 2010/13 Corporate Business Plan outlined in the report.

**1.0 Introduction**

- 1.1 On 30<sup>th</sup> July 2009 Cabinet agreed the process and timetable for preparing the 2009/10 Budget, Corporate Business Plan (CBP) and Medium Term Financial Plan (MTFP).
- 1.2 This year marks an unprecedented amount of change for the business and financial planning process. The level of savings required has necessitated the development of an expanded Star Chamber process alongside the development of a long-term transformational vision for the authority.
- 1.3 The output of these two streams of work will be critical to the future direction of the organisation and the Corporate Business Plan (CBP) will be used to articulate this vision for the Organisation.

**2.0 Purpose of the Corporate Business Plan and its relationship to the Budget**

- 2.1 The Budget and Medium Term Financial Plan are intrinsically linked to the Corporate Business Plan. Together they provide a focus to the delivery of sustainable and improving services for the citizens of Warwickshire.
- 2.2 We are committed to maximising the integration of our financial and service planning, and delivering a business-led budget:
  - **The Corporate Business Plan** - Identifies where we are going by reaffirming our Vision, Priorities and outcomes for 2010 – 2013 and setting out how we will know when we have achieved them.
  - **The Budget and Medium Term Financial Plan** – Ensures that the resources are in place to allow us to achieve our ambitions.
- 2.3 The Plan is being developed in the context of the emerging budget proposals. The initial framework of the Corporate Business Plan will be agreed by Full

Council alongside the final Budget. The final Corporate Business Plan will be considered alongside the Medium Term Financial Plan in March.

### 3.0 Content of the Corporate Business Plan

3.1 The Corporate Business Plan is a 3 year plan which is refreshed annually. It will comprise of two inter-related parts:

- **The Context** - Contextual and background information at a national, local and organisational level.
- **“Vision for Warwickshire”** - The overall vision of where we want to be by 2013 as an authority and as a contributing partner to the Sustainable Community Strategy. This section will also provide a vision statement outlining what we want to achieve for each of our corporate priorities and underlying themes.

3.2 All Directorates will be involved in refreshing the Plan and the content of these sections is addressed in more detail in **Appendix A**.

3.4 It is proposed that this year’s Plan emphasises more clearly the outcomes which we want to achieve for the people of Warwickshire, therefore the accompanying detailed targets and measures will be housed in Directorate Business Plans.

### 5.0 Next steps

5.1 A timeline of the next steps is provided below:

- |                   |   |
|-------------------|---|
| <b>Dec 2009</b>   | Draft Budget and Corporate Business Plan approach presented to Cabinet (17 <sup>th</sup> Dec)   |
| <b>Jan 2010</b>   | Joint scrutiny of the proposed Budget and Corporate Business Plan framework by Member panel (6 <sup>th</sup> Jan)   |
| <b>Feb 2010</b>   | Final Budget and Corporate Business Plan framework agreed by Council (16th Feb am)  |
| <b>March 2010</b> | <ul style="list-style-type: none"><li>• Scrutiny of proposed full Corporate Business Plan (w/c 1st March)</li><li>• Consolidated Directorate Report cards presented to O&amp;S (1<sup>st</sup>-4<sup>th</sup>Mar)</li><li>• Final Corporate Business Plan and 2010/11 to 2013/14 Medium Term Financial Plan to be agreed by Council (March 30<sup>th</sup>)</li></ul> |

Monica Fogarty  
Assistant Chief Executive  
Shire Hall  
Warwick

## Proposed Corporate Business Plan content – Item 9 Appendix A

Chapter Heading	Content
<b>Introduction</b>	
<b>Foreword</b>	This section provides an introduction to the plan from the Leader and Chief Executive of the Council
<b>Corporate Plan Overview</b>	A summary of the content of the CBP
<b>Context</b>	
<b>About this Plan</b>	<p>Explanation of the relationship between the following documents and the role of each:</p> <ul style="list-style-type: none"> <li>• State of Warwickshire &amp; Quality of Life Report</li> <li>• The Corporate Business Plan</li> <li>• The Budget and Medium Term Financial Plan</li> <li>• Organisational Development Strategy</li> <li>• Directorate Business Plans</li> </ul>
<b>The Story of Warwickshire</b>	An introduction to Warwickshire as a place, aligned to the uses for the Sustainable Community Strategy (SCS) and the messages from the Quality of Life and State of Warwickshire Report.
<b>Vision for Warwickshire</b>	
<b>Vision for WCC</b>	This section will articulate the key elements of the <i>Vision for the authority in 2013</i> .
<b>Working in Partnership</b>	This section will provide an overview of the SCS a summary of how the 9 outcomes link with the corporate priorities
<b>Vision for our priorities and underlying themes</b>	
<b>The Corporate Priorities</b>	<p>(This approach will be replicated for each priority )</p> <p><u>e.g. Priority 1 – Raising Levels of Educational Attainment</u></p> <ul style="list-style-type: none"> <li>• Background</li> <li>• Where do we want to be by 2013?</li> <li>• A table will show how the priority links to the related SCS outcome, the partners that we will work with, key measures of success, related savings plans, contributing Directorates and key improvement activities.</li> </ul>
<b>The Cross-cutting Themes</b>	<p>(This approach will be replicated for each cross-cutting theme )</p> <p><u>e.g. Cross-cutting Theme 1 – Customer Focus</u></p> <ul style="list-style-type: none"> <li>• Background</li> <li>• Where do we want to be by 2013?</li> <li>• A table will show how the priority links to the related SCS outcome, the partners that we will work with, key measures of success, related savings plans, contributing Directorates and key improvement activities.</li> </ul>

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** Transfer of New Dimension Assets

**Summary** This paper informs Members of the publication of Fire & Rescue Service Circular 59/2009 which requests that Fire and Rescue Authorities sign up to the final agreement for the transfer of ownership of New Dimension assets.

**For further information please contact:** Graeme Smith  
Chief Fire Officer

Contact: Graeme Smith  
Tel; 01926 423231  
[graemesmith@warwickshire.gov.uk](mailto:graemesmith@warwickshire.gov.uk)

**Would the recommended decision be contrary to the Budget and Policy Framework?** No

**Background papers** Fire and Rescue Service Circular 59-2009

**CONSULTATION ALREADY UNDERTAKEN:-**

Details to be specified

Other Committees	<input type="checkbox"/>	
Local Member(s)	<input type="checkbox"/>	
Other Elected Members	<input checked="" type="checkbox"/>	Cllr Richard Chattaway, Cllr Chris Davis
Cabinet Member	<input checked="" type="checkbox"/>	Cllr Richard Hobbs,
Chief Executive	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	Sian Stroud
Finance	<input checked="" type="checkbox"/>	Helen Murphy
Other Strategic Directors	<input type="checkbox"/>	
District Councils	<input type="checkbox"/>	

Health Authority

Police

Other Bodies/Individuals

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

Further consideration by  
this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation

## Cabinet 17 December 2009

### Transfer of New Dimension Assets

#### Report of the Chief Fire Officer

##### **Recommendation**

That Cabinet approves the proposed transfer of ownership of New Dimension Assets from the Department of Communities and Local Government to Warwickshire Fire and Rescue Authority on terms acceptable to the Chief Fire Officer, the Strategic Director of Customers, Workforce and Governance, and the Strategic Director of Resources.

#### **1. Background**

- 1.1 The New Dimension programme has been undertaken as a collaborative exercise between Communities and Local Government (CLG) and the Fire and Rescue Service (FRS) and has enhanced the ability of the Fire and Rescue Service to respond to major disruptive events involving chemical, biological, radiological and nuclear materials, collapsed or unstable structures, and to displace large volumes of water.
- 1.2 Its origins were a result of the tragic events of the 2001 attack on the Twin Towers building in New York. Following this, both the Government and the FRS had to adapt to new levels of threat to the population and, at the same time, to the unpredictability of disasters arising from extremes of weather. The aim of the New Dimension project has been to ensure that FRSs throughout the country are resourced and equipped to provide a fully co-ordinated, coherent and unified national response to the widest possible range of potential national emergency incidents.
- 1.3 As the delivery of the project has drawn to an end, CLG have been increasingly focussed on the long-term management plans for New Dimension, to ensure the new capabilities are fully integrated into FRS core business and that standards are maintained to guarantee national interoperability over the life of the equipment. Long term arrangements have focussed on four areas:
  - Physical maintenance of the vehicles and kit
  - Assurance that the capabilities continue to be fit for purpose
  - Funding for the above
  - Transfer of the assets from CLG to Fire and Rescue Authorities (FRAs)

- 1.4 The first three of these are in place. A long term national maintenance contract for the assets has been in place since October 2008, managed by Firebuy on behalf of the Department and the FRS customers. Fixed costs under the contract (£100m over 16 years to cover routine maintenance and servicing) are being paid for by CLG, and once assets are transferred to the FRAs, CLG will provide this funding via the FRAs.
- 1.5 It is a condition of transfer of ownership that FRAs sign up to the maintenance contract. Maintenance costs due to unfair wear and tear arising from the use of New Dimension assets for FRA purposes, currently being borne by CLG, will be payable by the FRAs in future regardless of ownership.
- 1.6 Through this programme a substantial amount of assets have been delivered to FRSs, including hundreds of vehicles and thousands of pieces of equipment. The assets that have been delivered to Warwickshire Fire and Rescue Authority are as follows:
- High Volume Pump Module – 1
  - HVP Hose module – 1
  - Prime Mover – 2
  - Incident Response Unit – 1
- 1.7 A number of Fire Service Circulars have been issued by CLG addressing the proposal to transfer the assets to the host Fire and Rescue Authorities. Through Fire Service Circular 51/2007 and 16/2009 CLG consulted Fire and Rescue Authorities on a draft Transfer of Ownership Agreement for the New Dimension assets.

## **2. Fire and Rescue Service Circular 59-2009**

- 2.1 In this circular CLG provide a response to the most recent consultation undertaken in early 2009 and they ask each FRA to sign up to the final version of the Transfer of Ownership Agreement by the end of December 2009.
- 2.2 CLG wishes each FRA, which has Assets allocated to it, to agree to the legal title for those Assets being transferred to the respective FRA, under terms that will also require the FRA to enter into an access agreement in respect of the National Maintenance Agreement. This will result in the Contractor continuing to have responsibility to maintain and replace the Assets, but will also then require the FRA to pay the Contractor the maintenance costs (rather than CLG).
- 2.3 The local use wear and tear maintenance costs to Warwickshire Fire and Rescue Service are unknown at this stage. However, under the terms of the National Maintenance Contract, if an Asset is destroyed/damaged beyond repair, the Contractor will replace the Asset and the Authority would be responsible for the costs of such replacement. The Authority could mitigate the risk of such liability by insuring the vehicles and equipment against loss.



2.4 The final agreement provides that, on transfer of the legal title in the Assets to Warwickshire Fire and Rescue Authority, the Authority is required to enter into an access agreement in relation to the National Maintenance Contract. However, the agreement provides no corresponding obligation on CLG to meet the costs incurred by the Authority in the maintenance and replacement of the Assets, which could be substantial. CLG has instead indicated, in Circular FSC 36/2008 that it will fund maintenance costs in line with new burdens principles subject to Treasury and Ministerial approval.

### **3. Options**

3.1 Warwickshire Fire and Rescue Authority now has the following main options:-

1. Inform CLG that it is not willing to enter into the Transfer of Assets Agreement, but is willing to continue to host the assets on the basis that CLG will continue to be responsible to meet the maintenance costs, and provide grant funding for the staffing of the relevant vehicles. In this case, CLG may agree to this arrangement or may decide to reassign the Assets to another FRA or FRA's, which are willing to enter into the agreement, in which case the Authority would lose current grant funding for staffing of the Assets.
2. Inform CLG that it is not willing to enter into the Transfer of Assets Agreement, and request CLG to reassign those Assets to one or more other FRA's, in which case the Authority will not receive any further grant funding in relation to the staffing of those Assets.
3. Enter into the Transfer of Assets Agreement as drafted. Under this option, whilst the Authority currently receives grant funding for staffing of the assets and will receive grant funding towards the maintenance costs, in the medium and longer term (i.e. after 3 years and for the remaining further 13 years or so of the maintenance arrangements) there is a risk that grant funding may cease or that it will not meet all costs and liabilities throughout the term of the arrangement, in which case the Authority will need to meet such costs itself.

3.2 On balance, option three above is the most beneficial option for Warwickshire Fire and Rescue Authority; i.e. to enter into the Transfer of Assets Agreement and therefore accept legal ownership of the New Dimensions Assets and funding for the staffing of these Assets – and it is this option which forms the basis of the recommendation below. However, although the Transfer of Assets Agreement proposed by CLG is in its final form, and there is therefore little scope for local negotiation, nevertheless officers will undertake a final detailed review of its terms before it is signed, if that is Cabinet's decision.

Graeme Smith
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Chief Fire Officer
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18 November 2009

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet

**Date of Committee** 17 December 2009

**Report Title** Project Transform - Sub-Regional Residual Waste Treatment Solution - Evaluation Criteria

**Summary** The report outlines the evaluation criteria to be used throughout the procurement process to evaluate submissions proposed by tenderers for permission for a new residual waste treatment solution to serve the needs of the sub-region (Coventry Solihull and Warwickshire).

**For further information please contact** John Daly  
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**Would the recommended decision be contrary to the Budget and Policy Framework?** Yes/No

**Background Papers** Project Transform - Submission of an Outline Business Case for PFI Credits.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

Other Committees  Council Report - 21 October 2008.  
Environment and Economy Overview and Scrutiny Committee – 3 December 2009.

Local Member(s)  .....  
(With brief comments, if appropriate)

Other Elected Members  Councillor D Bryden } for information  
Councillor M Doody }  
Councillor R Sweet }  
Councillor J Whitehouse }

Cabinet Member  Councillor A Cockburn – for information  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

- Chief Executive  D Clarke, Strategic Director of Resources
- Legal  S Burrell – agreed.
- Finance  .....
- Other Chief Officers
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  .....

**FINAL DECISION**                      **YES/NO**      *(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  In 2012 for contract award .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Cabinet - 17 December 2009**

**Project Transform - Sub-Regional Residual Waste Treatment  
Solution - Evaluation Criteria**

**Report of the Strategic Director for  
Environment and Economy**

**Recommendation**

Cabinet is recommended to approve the criteria for the contract award decision as detailed in this report.

**1. Background**

- 1.1 In October 2008, Council (together with Coventry City Council and Solihull Metropolitan Borough Council) approved the submission of an Outline Business Case for Private Finance Initiative (PFI) credits, to the Department for the Environment, Food and Rural Affairs (Defra), to support the provision of a new residual waste treatment solution for the sub-region for the twenty five year period between 2016 and 2041. Following a review of the Outline Business Case by Defra and HM Treasury, Project Transform (the sub-regional partnership) was awarded £129 million of PFI credits (in June 2009) to support the delivery of the Project. Since the award of the PFI credits, the project team and their advisors have been developing the documentation for the procurement of the solution to meet the partners' requirements.
- 1.2 In order to ensure that the partners' obtain the best solution to their needs and meet the European procurement rules, it is necessary to develop a defined set of criteria by which to evaluate the solutions submitted and thereby determine the final contract award decision.
- 1.3 The criteria will require approval from the partner councils which is being requested, in addition to this meeting, at the Cabinet meetings of Coventry City Council on the 15 December 2009 and Solihull Metropolitan Borough Council on the 17 December 2009.
- 1.4 There are no direct financial implications of this report. The criteria relating to finance, detailed within this report, will ensure that the Project remains with the affordability approved by Council in the October 2008 report.
- 1.5 The contract award decision will be the subject of a report to the full Councils of each of the partners at the end of the procurement process in 2012.

## **2. Context**

- 2.1 It is recognised that the Council requires a long-term solution to its residual waste treatment needs as its existing primary means of disposal using landfill is unsustainable due to its increasing cost, reducing capacity and impact on the environment.
- 2.2 In response to the need for a new solution and to achieve value for money, the Council has formed a partnership with Coventry City Council and Solihull Metropolitan Borough Council to develop a new residual waste treatment solution.
- 2.3 In October 2008, the Council and its partners approved the submission of an Outline Business Case to Defra for PFI credits to support the new solution. The partners were awarded £129 million of PFI credits in June 2009.
- 2.4 In order to determine the solution which best meets the partners' needs and comply with the European procurement rules, there needs to be a set of criteria in place to evaluate the solutions submitted. The criteria has to be published, prior to requesting the pre-qualified organisations to submit their outline solutions, and cannot be changed during the procurement process.
- 2.5 The Project has already been advertised in the OJEU and organisations that submitted pre-qualification questionnaires, in response to the OJEU notice, are being evaluated on their track record of delivering residual waste treatment solutions and their financial standing. This means that we will only invite organisations to provide outline solutions that have the technical and financial ability to provide a solution to meet our residual waste treatment needs.
- 2.6 Although the reference project developed for the PFI Outline Business Case was a combined heat and power energy from waste plant on the London Road site in Coventry, this is an open procurement in which bidders can propose any technical solution at any location. This process will help ensure the widest possible range of options can be considered.
- 2.7 A bidders day was held, for private sector organisations interested in bidding for the contract, in order to provide information relating to the contract and set out our approach to the procurement. This day was well attended and included representatives from the main private sector organisations that provide waste disposal solutions.

## **3. Options Considered and Recommended Proposals**

- 3.1 The criteria recommended to evaluate the solutions proposed to meet the Council and its partners' residual waste treatment needs have been developed:-
  - (i) To take account of local requirements;
  - (ii) Following guidance provided by the Waste Infrastructure Delivery Programme (WIDP) - a partnership between Defra and Local

Partnerships (formerly 4ps – the Local Government Association’s organisation formed to provide advice and guidance to Councils undertaking complex procurement exercises); and

- (iii) From the lessons learnt and best practice from similar projects further into the procurement process.

3.2 The criteria have been subject to appraisal by the Project’s allocated Defra WIDP advisor and he has confirmed that the recommended criteria are line with other similar projects and build on the lessons learnt from these projects.

3.3 The nature of the contract in that it is:-

- (i) a sub-regional partnership,
- (ii) follows a PFI procurement route;
- (iii) has an forecast total contract cost, over the twenty five year period, in excess of £1 billion; and
- (iv) will cover a twenty five year period (planned to be 2016 to 2041).

means that it requires a robust and detailed set of criteria in order to effectively evaluate proposed solutions.

3.4 The process for the development of the criteria has been:-

- (i) Initial formulation by the project team, representing the three partner Councils, and their specialist advisors;
- (ii) Consideration by the Project Board (made up of Directors from the three partner Councils and our WIDP advisor);
- (iii) Consideration by a stakeholder workshop (see consultation section below);
- (iv) Presentation of the principles of the criteria to Members of the three partner Councils at Members Seminars; and
- (vi) Approval by the Project Board.

### **Principles of the Evaluation Criteria**

3.5 The evaluation criteria have been split into three areas described as ‘Level 1 Criteria’ namely:-

- (i) Finance;
- (ii) Legal; and
- (iii) Technical

3.6 The three Level 1 criteria have been further split down into ‘Level 2 and Level 3’ criteria which consider more detailed aspects of the proposed solution.

3.7 At each level and for each criteria, a weighting has been attached to reflect its relative importance at each stage, namely the outline solution, detailed solution and call for final tenders stages of the procurement process.

- 3.8 The criteria will be applied initially to determine whether the solutions meet the minimum threshold requirements (e.g. are within the Project's approved affordability) and then a scoring system will be applied to measure how closely each part of the solution meets the relevant criteria. The solutions will then be ranked and the highest ranking solutions taken into the next stage of the three stage procurement process.

### **Financial Evaluation Criteria**

- 3.9 The main objectives of the financial evaluation criteria are to ensure that the solution:-
- (i) Is within the approved affordability;
  - (ii) Incentives the provider of the solution to deliver the performance levels defined in the contract; and
  - (iii) Is bankable; i.e. the proposed funding package for the Project is deliverable.

### **Legal Evaluation Criteria**

- 3.10 The main objectives of the legal evaluation criteria are to ensure that the proposed solution:
- (i) Achieves value for money through risk transfer to the provider of the solution; and
  - (ii) Is structured in a manner which protects the interest of the partner Councils.
- 3.11 The basis of the legal evaluation will be the latest standard form PFI contract (SoPC4) as tailored by WIDP to reflect the issues arising and lessons learnt from earlier projects. Any derogations from the standard form contract require approval from WIDP and failure to agree any derogations would mean the withdrawal of PFI funding.

### **Technical Evaluation Criteria**

- 3.12 The technical evaluation criteria covers all aspects of the solution which are not covered by the finance or legal criteria (see table below).
- 3.13 In respect of the performance evaluation criteria, this includes a number of targets to ensure maximum diversion from landfill and maximum pre and post treatment recycling.

## Evaluation Criteria

- 3.14 The recommended Level 1 and 2 criteria at the different stages of the procurement process are set out in the table below:-

	Outline Solution		Detailed Solution		Call for Final Tenders	
	%	%	%	%	%	%
<b>Technical</b>		<b>75</b>		<b>50</b>		<b>35</b>
➤ Deliverability of the technology	33		33		33	
➤ Sustainability including green house gas impacts	10		10		10	
➤ Service quality	20		20		20	
➤ Service continuity	5		5		5	
➤ Performance	27		27		27	
➤ Compliance with contract specifications	5		5		5	
	100		100		100	
<b>Financial</b>		<b>20</b>		<b>35</b>		<b>50</b>
➤ Cost	20		40		70	
➤ Financial quality	80		60		30	
	100		100		100	
<b>Legal</b>		<b>5</b>		<b>15</b>		<b>15</b>
➤ Risk allocation and commercial terms	70		70		70	
➤ Commercial deliverability	30		30		30	
	100		100		100	

- 3.15 As we move through the procurement process from outline solutions, detailed solutions and then to call for final tenders, the relative importance of the criteria and hence the weightings change to reflect the aspects of the solution which are being tested at that stage of the process.
- 3.16 At the outline solution stage (about two years before the final contract award), the main objective of the evaluation is to test the technical deliverability of the Project. Further into the process as our confidence in the deliverability of the technical aspects of the solution increases we place more emphasis on the financial and legal aspects. Once call for final tenders is reached, the main determinant will be price as, by this stage, we will have confidence that the technical solution meets our needs and is deliverable.

## Other Options

- 3.17 Throughout the development of the criteria, the project team has considered other options in terms of the weights attached to the criteria. The recommended criteria are considered to provide the best fit with the achievement of the partner Councils' objectives and to be consistent with best practice.



## **Recommendation**

- 3.18 Cabinet is recommended to approve the criteria for the contract award decision as detailed in this report.

## **4. Results of Consultation Undertaken**

- 4.1 A stakeholder day was held to ascertain the views of a range of invited stakeholders regarding the draft evaluation criteria. Invited stakeholders included the Environment Agency, Government Office of the West Midlands, transport specialists from each of the Councils, Trade Unions and local environmental groups.
- 4.2 Attendance at the day was low, however there was a broad consensus from the attendees, including a representative of a local environmental group, that the right areas had been included in the evaluation criteria and that the weightings allocated reflected the relative importance of the individual criteria.
- 4.3 The stakeholders unable to attend the day were sent a follow-up e-mail, including the presentation that was given on the day, asking if they had any views they wished to contribute to the process. No further comments were received.

## **5. Timetable for Implementing this Decision**

- 5.1 The evaluation criteria will be included in the Invitation to Participate in Dialogue documentation which will be issued to pre-qualified organisations in January 2010 at the commencement of the Invitation to Submit Outline Solutions stage of the procurement process.

## **6. Finance and Legal Implications**

### **Financial Implications**

- 6.1 There are no direct financial implications arising from this report.

The October 2008 report covering the submission of the Outline Business Case for the Project set out the affordability envelope for the Project. Any variation from this position will require approval from the partner Councils.

### **Legal Implications**

- 6.2 It is a requirement of the Public Contract Regulations 2006 that the evaluation criteria against which all of the tenders will be evaluated prior to the contract award decision are set and published prior to the submission of tenders. The regulations also require that the relative weightings associated to the criteria are published.

These evaluation criteria are in compliance with the regulations.

## **7. Other Implications**

### **7.1 Risk Management**

The Project has a detailed risk register which is regularly reviewed and considered by the Project Board. The risk to the Council associated with the failure to deliver the Project is included on the Corporate Risk Register.

### **7.2 Impact on the Authority**

The procurement of a residual waste treatment contract in partnership and through a PFI procurement process will impact on the organisation in a number of ways including:-

- (i) The requirement to ensure the Council meets its recycling targets as set-out in the Outline Business Case and thus complies with Waste Strategy for England 2007; and
- (ii) The establishment of a joint contract monitoring arrangement with Coventry and Solihull.

### **7.3 Implications for (or Impact on) the Environment**

The provision of a new treatment solution for residual waste will provide a positive impact on the environment through the diversion of waste from landfill. There are sustainability elements within the evaluation criteria.

### **7.4 Implications for Partner Organisations**

The project provides a framework within which future sub-regional projects between the Council, Coventry and Solihull Councils can be delivered.

The structure used and lessons learnt can be incorporated into the emerging plans for sub-regional collaboration, in a number of areas of service delivery, to ensure that the Council together with its' partners provides maximum benefit to the million residents (of the sub-region) from our collective resources.

PAUL GALLAND  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

25 November 2009



- Chief Executive  .....
- Legal  L Arben – comments incorporated.
- Finance  .....
- Other Chief Officers  .....
- District Councils  as standard consultees for individual TROs.
- Health Authority  .....
- Police  as a Statutory Consultee for TROs.
- Other Bodies/Individuals  Rights of Way special interest groups plus statutory consultees for individual TROs Internal and external consultees are listed in **Appendix 4**.

**FINAL DECISION**

**YES/NO** (If 'No' complete Suggested Next Steps)

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Cabinet - 17 December 2009**

**The Use of Traffic Regulation Orders (TROs)  
on Recreational Highways**

**Report of the Strategic Director for  
Environment and Economy**

**Recommendation**

That Cabinet approves the document contained as **Appendix 3** as Warwickshire County Council Policy, to take immediate effect, and to be included in the next revision of the Countryside Access and Rights of Way Improvement Plan (CAROWIP).

**1. Introduction**

- 1.1 The Countryside Access Team (CAT) manage those public highways usually used for recreation namely, Recreational Highways, the definition of which is set out in **Appendix 1**. The procedure for making permanent Traffic Regulation Orders (TROs) is prescribed by law in the Road Traffic Regulation Act 1984 (as amended) (RTRA84) and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended). A summary of the sections of RTRA84 which allow the making of TROs is given in **Appendix 2**. The purpose of this Policy is to provide guidance as to when and how the County Council should make a permanent TRO on Recreational Highways. The County Council has no current Policy which covers this.
- 1.2 The purpose of the proposed Policy set out in **Appendix 3**, together with revised internal procedures, is to provide a framework which will enable Officers and Area Committees to take a consistent approach across the County, and ensure that the legal tests set out in the RTRA84 are fully considered.
- 1.3 Sixteen Policies were developed as part of Warwickshire's 'Countryside Access and Rights of Way Improvement Plan 2006-2016' (CAROWIP). The proposed new Policy will take effect from the date on which it is approved by Cabinet and will be inserted into the Policy section of the CAROWIP at its next publication, anticipated to be 2010-2011.
- 1.4 This report does not seek to amend or vary the current delegations to officers and to the Area Committee. Cabinet should be aware though that Area Committees can only act within the Council's overall policies and would not be able to make a decision which did not accord with the proposed Policy. Such a decision could only be made by Cabinet.

## **2. Background**

- 2.1 RTRA84 gives WCC as local traffic authority the power to make TROs. TROs can be either temporary or permanent. For WCC to make a permanent TRO it has to be satisfied that it is expedient to do so on the grounds in sections 1, 22, 22A or 22C, as applicable, as set out in detail in Appendix 2. TROs can be used to prohibit, restrict or regulate the use of a road by traffic (which includes non-motorised users such as pedestrians, horseriders, carriage drivers and cyclists).
- 2.2. Section 122 RTRA84, as set out in detail in Appendix 2, requires WCC as local traffic authority to carry out a balancing exercise when making decisions, with its duty to secure the expeditious convenient and safe movement of traffic (including pedestrians) on the one hand and access to premises, effect on the amenities of any locality affected and the importance of facilitating the passage of public service vehicles and the safety and convenience of people using those vehicles on the other.
- 2.3 Permanent TROs are orders which remain in force indefinitely unless they are either varied or revoked.
- 2.4 The proposed Policy deals solely with permanent TROs.
- 2.5 There may be some temptation for local traffic authorities to use TROs to restrict the use of public highways where they have been failing in their duty to maintain them and to avoid spending money to bring them up to standard. Similarly, local residents or landowners may put pressure on authorities to close individual routes. These circumstances should not, by themselves, be considered grounds for preventing the public from exercising their rights.

## **3. The Demand for TROs on Recreational Highways in Warwickshire**

- 3.1 The demand for permanent TROs on Recreational Highways has been low. In recent years, the CAT has made 3 TROs which impose weight restrictions on historic bridges to protect the structure and public safety but they do not restrict the normal traffic from using the highway, which has a lesser weight than the restriction. In addition, one TRO has been made to prohibit all traffic from a section of old road which is now a deep, and sometimes fast flowing, river. In general the CAT, has not made permanent TROs on Recreational Highways, instead it has proactively sought to keep highways open for all users if at all possible.
- 3.2 Enquiries from the public and local communities about TROs have however increased, in particular about restricting motorised vehicles in the countryside. This is a controversial topic that produces strong opinions for and against, with motorised use groups taking an increasingly proactive approach by challenging decisions by local traffic authorities to make TROs that restrict or prohibit their use.

## **4 The Need to use TROs Effectively and in the Right Situations**

- 4.1 Even if a TRO is made to restrict or prohibit use of the road to some traffic, the legal rights still exist (and can be reinstated by revoking or varying the TRO). Most maps, and satellite navigation systems will still show a highway as existing, and it will not be obvious to the public that their rights have been restricted until they arrive at the start of the route and observe the traffic signs.
- 4.2 A TRO by itself, would not prevent illegal use. Illegal use is already enforceable by the Police and a TRO is not needed as a pre-requisite for Police action. A TRO should only be considered as a way of dealing with illegal activities where the Police can demonstrate what enforcement action has already been taken and how a TRO will assist them further in controlling the problems. A TRO should not be seen as the first option for controlling illegal use. Illegal use can include underage drivers, unroadworthy vehicles, and driving without tax or insurance.
- 4.3 Enforcement for breach of a TRO is a criminal offence and in most cases it is the police who prosecute for the offence. It is therefore important that proposals for TROs are supported by the Police.
- 4.4 Without adequate enforcement (Police surveillance and action and/or physical barriers and signs) there is a risk that the public (who support the restriction or prohibition) will become disheartened and frustrated as persons who may contravene the TRO come to realise there is a minimal risk of being caught and charged.
- 4.5 It should be recognised that if TROs are not supported by the public who use the highway, they are unlikely to be complied with and consideration must be given to whether physical restrictions are needed. Without support from the public and physical restrictions, TROs are unlikely to achieve their purpose. Experience has shown that restrictive barriers can be removed (sometimes repeatedly), particularly in isolated locations. A high demand for continual repair has a significant impact on staff time and budgets, which can render it unrealistic to sustain physical restrictions.
- 4.6 The proposed Policy will help to ensure that permanent TROs are made only where evidence and professional experience demonstrates a reasonable need for a TRO. It will also avoid TROs being made in response to problems which are perceived but not proven and unsubstantiated opinion. The Policy would also ensure a consistent approach from Officers and Area Committees across Warwickshire.

## **5. Alternatives to TROs**

- 5.1 In addition to TROs there are other options available to a Highway Authority for managing traffic on any public highway, which may address the public's concerns and be more effective than a TRO.

## 5.2 **Stopping Up Orders**

A permanent Stopping Up Order could be considered if a public highway is unnecessary or not needed by the public (Highways Act 1980 sections 116 and 118). It should however be noted, that Stopping Up Orders apply to everyone (other than the landowner or those with private rights of way). Consequently, other than the landowner, or someone with their consent, or with the benefit of a private right of way, the former highway could not be used to gain access to land or property. WCC would not be able to grant such a permission unless it was the landowner. It is therefore problematic to meet the legal tests if a highway is used for access and the landowner is unknown or not willing to grant permission to those who need access or if a highway is in use. It is difficult to argue a highway is unnecessary or not needed if it is being used by the traffic, whose rights the Authority wishes to extinguish. In order to stop up a vehicular highway WCC must apply to the Magistrates' Court for an Order under section 116 Highways Act 1980. Section 118 Highways Act can be used for footpaths, bridleways and restricted byways but if there are any objections the Stopping Up Order can only be confirmed by Secretary of State.

## 5.3 **Enforcement**

It is often alleged that there is illegal use by motor vehicles on Byways Open to All Traffic (BOATs) and unsealed unclassified roads (UCRs). Use by vehicles is not necessarily illegal (provided public vehicular rights exist) but vehicles must be registered, taxed with MOT and fully roadworthy. Similarly, drivers must be licensed and insured. Instances where illegal activity is taking place, e.g. where un-roadworthy vehicles are in use, or where drivers are underage or unlicensed, should be reported to the Police who may take enforcement action. Problems with flytipping should be discussed with the District/Borough Council who have enforcement powers to deal with it. A TRO should not however be considered the first option for tackling unlawful behaviour as people are unlikely to be dissuaded from such action by a prohibitive or restrictive road sign.

5.4 Without effective enforcement, a TRO is unlikely to address the proven problem because users will become aware that there is little risk of being caught. This could accentuate public frustration.

## 5.5 **Voluntary Restraint**

This is often used to control motor vehicle use on recreational highways. Motorised user groups will, after discussion with a Highway Authority, advise their members of routes which are in a poor condition and ask their members to refrain from using it for a fixed length of time. The disadvantages of this are that there are generally no signs on site and individuals outside that group are unaware of the restraint and are likely to continue to use the route. In addition, if there were a danger, or potential danger to the public the Council would still have a liability if the route was still legally open. WCC does not therefore believe that voluntary restraint can be a substitute for a TRO.

## 5.6 **Improvement of the Highway**

If the issue to be addressed is deterioration to the surface condition, or is damage to the land over which the highway passes, then the first consideration is whether the route is out of repair. WCC has a duty to maintain any highway suitable for the normal traffic of the area. If a route is out of repair, then WCC



should be seeking to invest money to repair the route and keep it in good repair thereafter. Often a problem will disappear once the surface is repaired and there will be no further need for a TRO. Budgets may not however permit all such highways to be improved immediately and temporary TROs may be required to protect the existing surface from damage during the wetter winter season until it can be upgraded to a more durable surface.

## **6. Procedure for TROs**

### **6.1 Permanent TROs**

Delegated powers exist which allow Officers to propose the making of a TRO. It is proposed that Officers produce a draft Statement of Reasons using a pro-forma which allows them to consider the proposal against the statutory tests set out in the legislation.

6.2 The proposal is advertised in the local paper and on site, and there is a fixed time to allow for objections to be made. The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended) lists the requirements for who is to be consulted. If there are no objections then Officers can make the TRO.

6.3 If objections are received then the proposal must go before Area Committee who will consider the draft Statement of Reasons and look at the objections received. Councillors will consider the objections and decide whether the TRO should still be made.

6.4 A public inquiry must be held in certain circumstances, for example if the TRO would prohibit loading/unloading during the times specified in the relevant Regulations and an objection has been received, or if the passage of public service vehicles would be prohibited or restricted and the operator has objected. A permanent TRO cannot be made without the consent of the Secretary of State in cases where the TRO would prohibit or restrict the use of a road so as to prevent access, for more than 8 hours in any period of 24 hours, for vehicles of any class to any premises situated on or adjacent to the road or to any other premises accessible for vehicles of that class from, and only from, the road, unless no owner, lessee or occupier of such premises has objected.

### **6.5 Legal Challenges**

If a member of the public believes that a decision taken by WCC is flawed then it is open to them to take WCC to the High Court for Judicial Review of that decision. This may happen if WCC has not complied with the legislation, either in procedural matters or in its application of the legislative tests.

6.6 WCC must be careful to balance its duty to exercise its functions to secure the expeditious, convenient and safe movement of vehicular and other traffic against its powers to restrict or prohibit such traffic, and against the effect of such a TRO. This needs to be carefully considered and documented before a TRO is made as failure to do so can be grounds for a High Court challenge

6.7 Following recent legislation which has removed vehicular rights from many routes, vehicular users are more sensitive to the potential loss of further

recreational routes. A recent attempt by the Yorkshire Dales National Park to impose TROs on several BOATs resulted in a High Court challenge which was won by the Land Access and Recreation Association (LARA) – a motorised user group. The challenge succeeded because it could be shown that the Authority had not properly considered section 122 RTRA84.

- 6.8 It is not sufficient that WCC relies upon or refers to a relevant statutory ground. There also needs to be evidence sufficient to substantiate the ground and make the decision objectively reasonable.
- 6.9 If a TRO is quashed by the High Court then a new TRO could be proposed and consulted upon if the fault which led to the quashing was essentially procedural rather than an absence of good grounds for a TRO. However, a renewed proposal would be likely to receive similar objections.

## **7. Consultation**

- 7.1 The organisations who have a particular interest in countryside access have been consulted about this proposal. These include user groups representing walkers, horseriders, cyclists and motorised users as well as landowner organisations such as the Country Land and Business Association (CLA) and National Farmers' Union (NFU).
- 7.2 The normal consultees for TROs were consulted. This includes all the District/Borough Councils and the Police.
- 7.3 Members were also advised of the proposed Policy.
- 7.4 Results from the consultation are included at **Appendix 4**.

## **8. Financial Implications**

- 8.1 The costs associated with permanent TROs are borne by the applicant if it is made at the request of a third party. If the TRO is initiated by CAT then the costs are met from the existing revenue budget. These costs include the public notices in a local newspaper, £400; the road signs at £100 each; and suitable barriers at approximately £750 each.
- 8.2 It is not anticipated that the proposed Policy will have any affect on the current workload or resources of CAT or the County Council.

## 9. Summary

- 9.1 The proposed Policy set out in **Appendix 3** will provide guidance to, and support the work of both Officers and Members of the County Council.
- 9.2 Permanent TROs will be used as a last resort, ideally with Police support or where barriers or other physical means, will provide a realistic chance of resolving the identified and proven problem.

PAUL GALLAND  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

2 December 2009

Cabinet - 17 December 2009

**The Use of Traffic Regulation Orders (TROs)  
on Recreational Highways**

**Definitions used in this report**

byway open to all traffic (BOAT)	A highway over which the public have a right of way for all purposes (including motorised vehicles) i.e. a carriageway therefore having public vehicular rights. However a BOAT is mainly used for the purposes for which footpaths and bridleways are used.
public bridleway	A highway over which the public have a right of way on foot, riding or leading a horse and (since 1968) riding a pedal cycle.
public footpath	A highway over which the public have a right of way on foot only, not being a footway.
recreational highway	This term includes the types of highways listed below; <ul style="list-style-type: none"> <li>▪ public footpaths, public bridleways, restricted byways and byways open to all traffic shown in the Definitive Map and Statement of Public Rights of Way in Warwickshire,</li> <li>▪ unclassified roads (UCRs) without a sealed surface (generally referred to as E roads) which are managed by the Countryside Access Team,</li> <li>▪ stubs of other UCRs (generally referred to as D roads and usually having a tarmac surface) which form a continuous route with a one of the above, provided the Officers who manage these highways are in agreement.</li> </ul>
restricted byway	A highway over which the public have a right of way on foot, on horseback and leading a horse and for vehicles other than mechanically propelled vehicles e.g. pedal cycles and horse-drawn vehicles
road	A 'road' is defined in Section 142 of the Road Traffic Regulation Act 1984 as meaning any length of highway or of any other road to which the public has access, and includes bridges over which a road passes'. The term 'roads' is therefore a catch-all term which includes any class of highway, including footpaths and bridleways.
traffic regulation order (TRO)	An order which restrict the rights of the public This can either be for an unspecified length of time i.e. without an expiry date, or it can be made on a temporary basis. A permanent TRO is not actually permanent even if sometimes referred to in that way. A separate order can be made to vary or remove the restrictions in a permanent TRO.
UCR	An unclassified road. The abbreviation dates from a time when they were known as 'unclassified county roads' and they are still sometimes referred to as such, even though the term has been obsolete since 1974.
user	User of the highway, which may include pedestrians, cyclists, horseriders, motorised and non-motorised vehicles.

**Cabinet - 17 December 2009**

**The Use of Traffic Regulation Orders (TROs)  
on Recreational Highways**

**Summary of Legislation**

A TRO may be made where it appears to the County Council that it is expedient for one or more of the following reasons.

Legislation	Duration	Reasons
<p><b>Traffic Regulation Order</b> (Section 1(1) Road Traffic Regulation Act 1984)</p>	<p>permanently or until the Order is varied or revoked</p>	<ul style="list-style-type: none"> <li>a. for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising</li> <li>b. for preventing damage to the road or to any building on or near the road</li> <li>c. for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)</li> <li>d. for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property</li> <li>e. (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot</li> <li>f. for preserving or improving the amenities of the area through which the road runs</li> <li>g. for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).</li> </ul>
<p><b>Traffic Regulation Order</b> (Section 22 Road Traffic Regulation Act 1984)</p>		<p>For a limited number of specific locations including Special Sites of Scientific Interest (SSSIs), National Parks, Nature Reserves, Country Parks, Areas of Outstanding Natural Beauty (AONBs) - for the purposes of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area</p>
<p><b>Traffic Regulation Order</b> (Section 22A Road Traffic Regulation Act 1984)</p>		<p>On certain classes of highway where Section 22 cannot be used - for the purposes of conserving natural beauty (flora, fauna and geological and physiographical features)</p>
<p><b>Traffic Regulation Order</b> (Section 22C Road Traffic Regulation Act 1984)</p>		<p>Enables permanent TROs to be made to avoid or reduce the likelihood of danger connected with terrorism or to prevent or reduce damage connected with terrorism. Orders can only be made on the recommendation of the Chief Officer of the Police.</p>

### **Section 3 Road Traffic Regulation Act 1984**

#### **Restrictions on traffic regulation orders**

3. (1) *a traffic regulation order shall not be made with respect to any road which would have the effect*
- (a) of preventing at any time access for pedestrians, or*
  - (b) of preventing for more than 8 hours in any period of 24 hours access for vehicles of any class,*
- to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians, or (as the case may be) for vehicles of that class, from, and only from, the road.*
- (2) *Subsection (1) above, so far as it relates to vehicles, shall not have effect in so far as the authority making the order are satisfied, and it is stated in the order that they are satisfied, that*
- (a) for avoiding danger to persons or other traffic using the road to which the order relates or any other road, or*
  - (b) for preventing the likelihood of any such danger arising, or*
  - (c) for preventing damage to the road or buildings on or near it, or*
  - (d) for facilitating the passage of vehicular traffic on the road, or*
  - (e) for preserving or improving the amenities of an area by prohibiting or restricting the use on a road or roads in that area of heavy commercial vehicles,*

*it is requisite that subsection (1) above should not apply to the order.*

### **Section 122 Road Traffic Regulation Act 1984**

#### **Exercise of functions by local authorities.**

- 122.(1) *It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway or, in Scotland the road.*
- (2) *The matters referred to in subsection (1) above as being specified in this subsection are:-*
- (a) the desirability of securing and maintaining reasonable access to premises;*
  - (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;*
  - (bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);*
  - (c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and*
  - (d) any other matters appearing to the local authority to be relevant.*
- (3) *The duty imposed by subsection (1) above is subject to the provisions of Part II of the Road Traffic Act 1991.*

## The Use of Traffic Regulation Orders (TROs) on Recreational Highways

### Policy CA17 :

#### Use of permanent Traffic Regulation Orders (TROs) on Recreational Highways

This Policy covers highways for which the main use is recreational. Recreational Highways are likely to fall into one of the following categories:

- Public footpaths, public bridleways, restricted byways and byways open to all traffic shown in the Definitive Map and Statement of Public Rights of Way in Warwickshire.
- Unclassified roads (UCRs) without a sealed surface (generally referred to as E roads) which are managed by the Countryside Access Team.

Stubs of other UCRs (generally referred to as D roads and usually having a tarmac surface) which form a continuous route with a one of the above.

- WCC will not seek to make a permanent TRO for a Recreational Highway either
  - to avoid its maintenance liability or
  - if it is not possible to enforce it without restricting access for permitted traffic.

N.B. enforcement may either be through the installation of barriers or through Police involvement.

WCC will give favourable consideration to the making a permanent TRO for a Recreational Highway

- where there is an actual or foreseeable long term danger to the public which a TRO would resolve (and which could not be resolved through routine maintenance).

In all other circumstances, each proposed TRO for a Recreational Highway will be considered on its own merits, based on the evidence available to WCC. Each proposed TRO must satisfy at least one of the grounds set out in section 1(1) the Road Traffic Regulation Act 1984 (RTRA84) or sections 22, 22A or 22C as appropriate. Additionally WCC must have regard to the matters specified in section 122(2) of the RTRA84.

Examples of cases where a TRO could be used are given in the background to this Policy.

TROs may be reviewed in the following circumstances

- where the TRO excludes one or more classes of user from a Recreational Highway AND
- where evidence becomes available which demonstrates that the circumstances which led to the making of the TRO have changed.

A review may lead to a TRO being revoked or it may result in a variation which could either impose greater restrictions or lessen the existing restrictions.

### Background

Consideration of TROs which may last indefinitely (or until varied or revoked) on Recreational Highways is a relatively rare occurrence within WCC. However, the number of requests has increased in recent years.

The main reason for these requests is as a result of use (or anticipated use) of recreational vehicles using the non-tarmac vehicular highways (unsealed unclassified roads and byways open to all traffic). This is often an emotive issue, and this Policy has been developed so that a consistent baseline approach for all Recreational Highways can be adopted across the County whilst still allowing local circumstances to be considered.

It is important to note that in addition to its powers contained in the Road Traffic Regulation Act 1984, it is also open to WCC to seek to extinguish a route under powers contained in the Highways Act 1980 if it can be shown that the route is unnecessary.

Pre-emptive restrictions or prohibitions will be considered if site circumstances are such that it is reasonably foreseeable that they could either give rise to a likelihood of danger to the public or serious damage. For example, if in winter an area has a high water table and is prone to regular waterlogging or the geology of the road make it susceptible to damage after period of adverse weather.

Enforcement powers for TROs generally rest with the Police. It is therefore preferable that TROs are enforced by physical barriers wherever possible, but barriers will not be used if they would restrict users who are not prohibited by the TRO.

Legislation does not require WCC to review a TRO once it has been made. However, if evidence is discovered which indicates that circumstances have changed, then it is open to WCC to use its discretion to review the TRO. There will normally be at least five years between reviews of a TRO.

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### **Examples of the types of reasons and evidence which might lead to a Traffic Regulation Order (TRO) being made under the Road Traffic Regulation Act 1984 on Recreational Highways**

*N.B. As defined by RTRA84 s142 'road' refers to any class of highway and includes footpaths and bridleways.*

This is not an exhaustive list and that there may be other situations which WCC will consider on its own facts and merit. Defra have published useful guidance entitled 'Making the Best of Byways' which will be of use when considering whether to make a TRO on Recreational Highways.

The normal aim is in favour of keeping the road open for as many classes of user as reasonably possible. The suitability and existence of alternative routes for each class of user should also be considered.

#### **Section 1(1) Road Traffic Regulation Act 1984**

- a. for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising**
- where a road coincides with a watercourse and it is not practicable (e.g. for environmental reasons or flood prevention) to construct or repair the 'road' to make it suitable for certain users in the near future
  - where a road runs parallel to or over a steep escarpment, particularly if it is unstable and/or site or ground conditions preclude the installation of safety barriers.
  - where the natural character or built environment physically prevents certain traffic from travelling along the road
  - where a professional highway engineer, with specialist knowledge of road safety, considers that a junction with the road is dangerous
  - where a road has a proven accident record



<p><b>b. for preventing damage to the road or to any building on or near the road</b></p> <ul style="list-style-type: none"> <li>▪ where the underlying geology, or the lack of drainage (which cannot reasonably be improved) makes it prone to surface damage and surface repairs are unlikely to prevent the damage re-occurring quicker than would be expected under normal circumstances through normal wear and tear</li> <li>▪ where a professional structural engineer demonstrates that the weight or volume of traffic on the road is or could damage a building (including a bridge) on or next to the road</li> </ul>
<p><b>c. for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)</b></p> <ul style="list-style-type: none"> <li>▪ where there is a documented ongoing conflict between particular classes of user</li> </ul>
<p><b>d. for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property</b></p> <ul style="list-style-type: none"> <li>▪ where a vehicular road is too narrow to physically allow certain classes of user</li> <li>▪ where a road passes through or over an international, nationally or locally designated and protected historic landscape (by statute) or archaeological site (i.e. Scheduled Ancient Monument) and a professional archaeologist or landscape expert confirms that traffic would cause irreversible damage and mitigation measures cannot reasonably be implemented</li> </ul> <p>N.B. Section 22 or Section 22A should be used if the purpose of a TRO is for conserving or enhancing the natural beauty of the area (flora, fauna and geological and physiographical features).</p>
<p><b>e. (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot</b></p> <ul style="list-style-type: none"> <li>▪ where a vehicular route leads onto a footpath or bridleway but is a cul-de sac for vehicles</li> <li>▪ where traffic counts demonstrate that there is a significant level of traffic making the route unsuitable (due to the character of the road) to walkers and horses.</li> </ul>
<p><b>f. for preserving or improving the amenities of the area through which the road runs</b></p> <ul style="list-style-type: none"> <li>▪ where Officers from the borough/district council's Environmental Health department (or another suitably qualified professional) confirms that the traffic using the road is having an unacceptable impact on the health of residents living on or next to the road i.e. noise and pollution levels.</li> </ul>
<p><b>g. for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).</b></p> <ul style="list-style-type: none"> <li>▪ this is unlikely to apply to recreational highways although it will be considered if a qualified professional demonstrates that the traffic on the road <u>is</u> breaching the Act</li> </ul>
<p><b>Section 22 Road Traffic Regulation Act 1984</b>  <i>applies only to designated areas including AONB, Local-authority-run Country Park, Nature Reserve, long distance routes, land owned by the National Trust, SSSI</i></p>
<p><b>i. conserving or enhancing the natural beauty of the area (flora, fauna and geological and physiographical features)</b></p> <ul style="list-style-type: none"> <li>▪ if a 'Red Data Book' species, classed as vulnerable, endangered or critically endangered has been recorded living/breeding/hibernating on the road and a professional ecologist confirms that traffic would significantly impact on the species and mitigation measures can not be implemented. Seasonal Orders should be considered if species are only susceptible to disturbance at certain times of the year. Orders should not be considered for species that are classed as locally or regionally rare but which are abundant elsewhere.</li> <li>▪ preventing damage to a SSSI</li> </ul>
<p><b>ii. affording better opportunities for the public to enjoy the amenities of the area</b></p>
<p><b>iii. affording better opportunities for the public to enjoy recreation</b></p>
<p><b>iv. affording better opportunities for the public to enjoy the study of nature in the area</b></p> <ul style="list-style-type: none"> <li>▪ Each case will be considered on its own merits as a special case.</li> </ul>

## **Section 22A Road Traffic Regulation Act 1984**

*applies only to*

- unclassified roads, restricted byways or byway open to all traffic in areas not covered by Section 22 above

### **i. conserving or enhancing the natural beauty of the area (flora, fauna and geological and physiographical features)**

- as Section 22 above

## **Section 22C Road Traffic Regulation Act 1984**

### **ii. for the purpose of avoiding or reducing, or reducing the likelihood of, danger connected with terrorism**

- Each case will be considered on its own merits as a special case.

## The Use of Traffic Regulation Orders (TROs) on Recreational Highways

Consultation October/November 2009

The following within WCC were consulted on the draft Policy

Graeme Fitton	Head of Transport and Highways
Andrew Savage	County Highways Contract and Policy Manager
Lisa Arben	Environment Team leader, Law and Governance
Jonathan Simkins	Traffic Projects
Katrina Pedlar	Traffic Projects
Caroline Burrows	Safety Engineering
Roger Harding	Road Safety Intelligence
Lynn Harding	Safer Routes to School
Jonathan Parkhouse	Archaeology
David Lowe	Ecology

The following organisations were consulted on the draft Policy

Ramblers' Association HQ
Ramblers' Association - Area rep
British Horse Society HQ
Cyclists' Touring Club HQ
Cyclists' Touring Club Warwickshire
Trail Riders' Fellowship HQ
Trail Riders' Fellowship - Area representative
Green Lane Association – Area representative
Byway and Bridleway Trust
British Driving Society HQ
Open Spaces Society HQ
LARA HQ
LARA Area rep
NFU – West Midlands
CLA – Rights of Way Adviser
CLA – West Midlands
District Solicitor – Stratford on Avon District Council
Borough Solicitor – Rugby Borough Council
District Solicitor – Warwick District Council
Borough Solicitor – Nuneaton and Bedworth Borough Council
Borough Solicitor – North Warwickshire Borough Council
Freight Transport Association
Road Haulage Association
Warwickshire Fire and Rescue
Warwickshire Police
West Midlands Ambulance NHS Trust

The following comments were made regarding the TRO Policy:

<b>Address/ Organisation</b>	<b>Overall opinion</b>	<b>Specific comments</b>	<b>Proposed changes</b>	<b>Reason</b>
Green Lanes Association (GLASS)	No objection.	n/a	n/a	n/a
Land Access and Recreation Association (LARA)	Good thing that Warwickshire is considering a policy document but wording must be right otherwise will be used to close routes.	The TRO is not a public-led process, but fact driven.	No change.	The legislation is clear on the grounds under which a TRO can be made. Nevertheless, there is pressure and demand from local communities. It is this increased expectation and demand from the wider community which has led to the proposed policy being deemed necessary by officers.
		Voluntary Restraint has proved effective.	No change.	Although voluntary restraint can be helpful, it is not a substitute for a TRO, and can have a negative impact by advertising the existence of a route more widely, leading to increased use. Not all users are members of responsible organisations.
		Would like to see an explicit statement to the effect that a permanent TRO will only be used where other measures have failed.	No change.	WCC will consider whether it is possible to address a problem without the use of a TRO, , but will not rule out the possibility of making a TRO if it is believed that other measures will not be successful.
		Would want to see reference to government guidance 'Making the Best of Byways'.	Reference will be added in the background to the proposed Policy CA17.	
		Some Counties include a review period in the order itself.	No change.	WCC recognises that it may be possible to include a review period in the order, but would prefer a more flexible approach which would allow review at any time if it became necessary.

<b>Address/ Organisation</b>	<b>Overall opinion</b>	<b>Specific comments</b>	<b>Proposed changes</b>	<b>Reason</b>
Warwickshire Police	No issues with the policy.	Suggests annual review of each restriction, in line with WCC duty to keep roads open to the public.	No change.	It is open to the County to review a TRO at any time. Limited resources mean that it is not possible to commit to a regular review cycle.
		Warwickshire Police could not support implementation of a TRO unless being done on grounds of road safety.	No change.	The views are noted.
Trail Riders Fellowship (West Midlands)		The title of this Policy is misleading to the Members who will ultimately be making these decisions as the same regulations applies to ALL Highways and not just those unsurfaced or unclassified highways within Warwickshire.	No change.	The legislation may apply to all highways, but the Policy will only apply to the highways defined by WCC as 'recreational highways'. Members making decision on TROs for other highways will not be bound by this Policy, even though they will be making decisions within the same legislative framework..
		It should also be taken into consideration that Section 130 of the Highways Act 1980 places a duty on the Highway Authority to protect the rights of the public to use and enjoy the highway. This should be referred to in the Policy along with Section 122 of the Road Traffic Regulation Act 1984	no change	Section 130 Highways Act deals with the duty of the Council to ensure that highways are free from danger, obstruction and nuisances. It was clearly envisaged by government when passing Road Traffic Regulation Act 1984 that it would be necessary in some cases to restrict the usage of some roads. There is no inherent conflict between the duty under Section 130 of the Highways Act 1980 and the power to restrict or prohibit, provided that the appropriate tests in the legislation are met before a restriction or prohibition is imposed.  It is not proposed to include any reference to Section 130 within the proposed TRO Policy, as the policy does not deal with enforcement.

<b>Address/ Organisation</b>	<b>Overall opinion</b>	<b>Specific comments</b>	<b>Proposed changes</b>	<b>Reason</b>
Open Spaces Society	Concerned about implications for footpaths and bridleways.	Concerned that TROs could be used to restrict access on horse or on foot to areas such as SSSIs, AONBs, nature reserves.	No change.	This has always been the case, and WCC would always consider whether alternatives to a TRO are possible.
		Concerned that consultation for a TRO is less than for other processes involving rights of way.	No change.	There is a full and adequate consultation process involved in the making of a TRO. What differs is that if there are objections in other processes they end up in court or at a public inquiry. This is a matter for the law and is out of WCC's hands TROs to which there are objections must go before WCC Area Committee where those objections will be considered.

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Cabinet  
**Date of Committee** 17 December 2009  
**Report Title** Future use of Old Shire Hall, Courts and Associated Facilities

**Summary** This report seeks to update Cabinet with progress on establishing an outline business case in connection with the future use of Old Shire Hall, Courts and associated facilities following the relocation of the Courts Service to the Southern Justice Centre in December 2010.

**For further information please contact:** Phil Evans Head of Facilities and Asset Management Tel: 01926 412293 phillevans@warwickshire.gov.uk  
 David Soanes Group Manager – Strategic Asset Management Tel: 01926 736128 davidsoanes@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?**

**Background papers** Cabinet Report – 15<sup>th</sup> October 2009

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

- Other Committees  .....
- Local Member(s)  Cllr Ashford, Cllr Hopkinson, Cllr Warner
- Other Elected Members  Cllr Appleton, Cllr Gittus, Cllr Davis, Cllr Moss, for information.  
Cllr Vereker, Cllr Saint, Cllr Davis, Cllr Naylor, Cllr Hayfield (as the Members Panel)
- Cabinet Member  Cllr Martin Heatley – Approved for Consideration
- Chief Executive  .....
- Legal  Barry Jukes
- Finance  David Clarke – Reporting Officer

- Other Chief Officers  David Carter
- District Councils  Chris Elliott – WDC
- Health Authority
- Police
- Other Bodies/Individuals  Warwick District Council, Warwick Town Council, Warwick Society and others via “Warwick 2026” Steering Group”, English Heritage, Helen Maclagan, Sara Board, Julie Crawshaw, Julian Humphreys, Steve Smith, Geoff Taylor, Sandra Russell, Kushal Birla, Sarah Antill, Colin Stocker

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....



## Cabinet - 17 December 2009

### Future use of Old Shire Hall, Courts and Associated Facilities

#### Report of the Strategic Director of Resources

##### **Recommendation**

That Cabinet notes the progress to date in preparing an outline business case in relation to the future use of Old Shire Hall, Courts and associated facilities (included as Appendix A) and delegates approval to the Portfolio Holder for Resources, in conjunction with the established Member Panel, to oversee the next stage of feasibility work and receive update reports as required.

#### **1. Background**

- 1.1 Cabinet at its meeting on 15<sup>th</sup> October 2009 received a report concerning the potential future use of Old Shire Hall, Courts and associated areas following the planned relocation of Her Majesty's Courts Service (HMCS) to the new Southern Justice Centre in December 2010. The relocation would leave the complex vacant with the exception of limited mainly ceremonial use by the offices of the Lord Lieutenant and the High Sherriff and there would be a loss of income to the County Council of approximately £210,000 per year.
- 1.2 Cabinet agreed to pursue Option 4 within the report as a preferred future use of the accommodation based upon a mixed use proposal including historical/visitor tours, an 'event venue' including the possibility of holding weddings, and wider use of the accommodation for County Council purposes.
- 1.3 Cabinet resolved that officers undertook further investigation into Option 4 with a view to presenting a further report on the viability of potential future uses in two months time. This report seeks to inform Members of the current position in relation to the investigations undertaken so far.

#### **2. Progress to Date**

- 2.1 A Member Panel has been established comprising of Councillors Heatley, Saint, Hayfield, Vereker, Naylor and Davis. The Panel has met with officers twice, has received the outcome of a survey of all Members, and a number of Members have undertaken a 'fact finding' visit to Staffordshire County Council's former Shire Hall and Courts to see what has been achieved there.

- 2.2 An Officer Working Group consisting of Officers from a number of Directorates has also been established and has met on a weekly basis over the last two months. The group has considered the feasibility of Option 4 and their thoughts and findings are set out in the attached Draft Outline Business Case/ Interim Progress Report (**Appendix A**). As some considerations remain outstanding the report is currently presented as an interim progress report, to ensure consistency with the final report however a business case format is used. The document, which provides details of meetings held with a number of external organisations including HMCS, English Heritage and St Mary's Church, seeks to set out the potential for delivering a viable business model capable of meeting the Council's needs in relation to the future of Old Shire Hall, the Courts and associated accommodation. Meetings have been arranged with several major players in the local visitor economy and verbal updates will be provided at the Cabinet meeting
- 2.3 Given the relatively short time period between Cabinet reports considerable progress has been made in testing the potential uses for the accommodation and a number of extremely useful stakeholder discussions have taken place. The final business case is however some way off being complete and a number of important metrics, particularly relating to the commercial potential and financial viability of potential future uses remain outstanding. It has also become apparent that high quality, external consultancy resource will be required to move the project forward to a point where a complete Business Case can be prepared. It is imperative that the Council engage the right combination of skills in the areas of visitor/destination management, function/event/hospitality management and architectural/heritage matters, to formulate and deliver a successful project. It is believed that consultancy support to the value of approximately £40,000 will be required. No specific budget provision currently exists for this consultancy support and Officers are currently investigating suitable means of funding the required support from within existing resources. Subject to existing resources being identified Cabinet is requested to note that approval to engage appropriate consultancy support necessary to move the project forward will be undertaken by the Head of Facilities and Asset Management following consultation with the Portfolio Holder for Resources.
- 2.4 The analysis to date has focussed on the potential to deliver in a relatively short timeframe an acceptable solution for the Old Shire Hall, Courts and associated areas which is based upon reducing the financial impact to the County Council of the Courts relocation, ensuring greater public access to the accommodation and not compromising the important architectural and heritage elements of the accommodation. The analysis has not considered the issue of the widening of the scope of the project to include additional accommodation owned by the County Council or partners within Warwick Town Centre and the potential impact of planned and emerging regeneration focussed work. It is however believed that the eventual outcome of this discrete piece of work would be complementary to any future developments that may occur.

- 2.5 It is recommended that Cabinet delegates approval to the Portfolio Holder for Resources, in conjunction with the established Member Panel, to oversee the next stage of feasibility work and progress work to the point where a fully costed Business Case can be presented to Cabinet for consideration. This report, which is expected for early in the New Year, will also bring forward proposals in relation to the potential refurbishment of the Council Chamber and Committee Room Suite.

DAVID CLARKE  
Strategic Director of Resources,

Shire Hall  
Warwick  
03 December 2009

# Draft Outline Business Case / Interim Progress Report for the Future use of Old Shire Hall, Courts and associated facilities

Required authorisation forum:

<i>Tick as appropriate:</i>	
Council	
Cabinet	√
SDLT	
DMT	
Other:	

Alignment with the Four Corporate Objectives:

<i>Tick as appropriate:</i>	
Raising levels of educational attainment	√
Maximising independence for older people and adults with disabilities	
Pursuing a sustainable environment and economy	√
Protecting the community and making Warwickshire a safer place to live	

**Author:** David Stevenson/David Soanes

**Owner:** Phil Evans

**Last Edited:** 27<sup>th</sup> November 2009

**Release Version:**

**Document Location:**

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# 1 Document History, Contributors, Distribution & Approval

## 1.1 Revision History

Version	Revised By	Date	Status	Release Notes
1.0	D Stevenson	18.11.09	Draft	
1.1	D Stevenson	23.11.09	Draft	Amendments made following progress meeting of 20.11.09
2.0	P Evans	25.11.09	Draft	
2.1	D Stevenson	26.11.09	Draft	Amendments following progress meeting on 26.11.09
2.2	P Evans	27.11.09	Draft for Cabinet Report	
2.3	P Evans	01.12.09	Final Version for Cabinet Report	

## 1.2 Member Panel

The following Members form the Member Panel

Name
Councillor Heatley
Councillor Davis
Councillor Hayfield
Councillor Naylor
Councillor Saint
Councillor Vereker

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## 1.3 Document Contributors

The following people contributed to the production of this document:

<b>Name</b>	<b>Title</b>
Phil Evans	Head of Facilities and Asset Management
David Soanes	Group Manager-Strategic Asset Management
David Stevenson	Programming and Policy Officer
Steve Smith	Head of Property
Julian Humphreys	Group Manager -Design and Construction
Sandra Russell	Group Manager - Catering
Colin Stocker	Group Manager - Facilities Management
Geoff Taylor	Group Manager-Estates
Kushal Birla	Head of Customer Service and Communications
Sarah Antill	Communications Officer (Internal Communications)
Helen Maclagan	Group Manager - Heritage and Culture (Museums)
Julie Crawshaw	Regeneration Project Engineer

## 1.4 Distribution List

<b>Name</b>	<b>Title</b>	<b>Date</b>	<b>Release Version</b>
D Clarke	Strategic Director of Resources		
All Members of Cabinet	N/A		

## 2 Glossary of Terms

The following acronyms and abbreviations have been used in this document:

<b>Abbreviation</b>	<b>Full Description</b>
WCC	Warwickshire County Council
HMCS	Her Majesty's Courts Service
SJC	Southern Justice Centre

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### **3 Content**

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## 4 Executive Summary

- 4.1 As a consequence of Her Majesty's Courts Service (HMCS) relocating to the new Southern Justice Centre (SJC) in December 2010 the Old Shire Hall, Courts, various rooms in the Judges House and the basement cell area (refer to attached plan) will become vacant and stewardship of the accommodation will revert to Warwickshire County Council (WCC). Beneficial use of the accommodation must be found that seeks to deliver increased public usage, is respectful and sympathetic to the architectural importance and heritage value of the buildings, is complementary to the needs and aspirations of stakeholders seeking to aid the renaissance of Warwick Town Centre and significantly reduces the reduction in income to WCC arising from the relocation.
- 4.2 Cabinet have agreed in principle to the future use of the accommodation based upon a multi use option including using elements of the space for a judicial based heritage attraction, using elements as an 'event space' with a particular emphasis on wedding use (including overnight accommodation) and as general meeting space and office accommodation.
- 4.3 A Member Panel has provided guidance on the investigations, canvassed the views of fellow Members and visited a similar facility at Stafford. A number of meetings have taken place with interested parties and external organisations to obtain advice and thoughts on potential collaborative work.
- 4.4 These issues have been the subject of further analysis and whilst further detailed work is required, particularly in relation to the collection and interpretation of data and metrics and some aspects of commercial viability, the following headline issues can be reported:
- The possibility of using the buildings as a wedding/function venue has been shown to merit further detailed investigation
  - English Heritage have visited and provided pre-application advice identifying those areas in which they would wish to see minimal change and those where there is greater scope for alteration
  - A cross Directorate working group has effectively collaborated to pursue those issues on which we have in-house experience and to identify where external advice is required
- 4.5 Further detailed work is required to validate the initial findings set out in the report and to receive and analyse data currently outstanding. When completed a final business case will be presented for consideration. As some considerations remain outstanding this report is currently presented as an interim progress report, to ensure consistency with the final report however a business case format is used.



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- 4.6 The analysis has not considered widening the scope of the project to include additional accommodation owned by the County Council or partners within Warwick Town Centre and has not factored in the potential impact of planned and emerging regeneration focussed work. It is however believed that the eventual outcome of this discrete piece of work would be complementary to any future developments.

## **5 Background**

- 5.1 The Old Shire Hall, Courts, various rooms in the Judges House and the basement cell area are currently leased to Her Majesty's Courts Service (HMCS), serving as the Crown and County Court for Warwick and associated judicial functions. The attached plans (annex A) identify the areas in question. The accommodation is primarily used by HMCS with some additional limited, mainly ceremonial, use by the offices of the Lord Lieutenant and the High Sherriff.
- 5.2 The primary arrangement with HMCS will come to an end when the new SJC is completed. The anticipated date for transfer of judicial functions is December 2010. It is anticipated that the limited ceremonial use of the accommodation by the Lord Lieutenant and the High Sherriff will continue for the foreseeable future.
- 5.3 Old Shire Hall and the Courts are of significant architectural interest and importance to the town. They are Grade 1 listed (the highest listing status) so the degree to which they could be altered is extremely limited. The Judges House and cell complex are Grade 2 listed so whilst there is greater potential to make amendments the nature of any amendment would be limited due to the nature of the accommodation. (See letter from English Heritage at annex B)
- 5.4 HMCS currently pay £93,000 p.a. rent for these premises, plus an additional £114,000 p.a. in service charges to cover maintenance, utilities, indirect costs etc. This County Council income will cease when HMCS relocate and in the current financial climate it is imperative that the impact of this reduction in income is minimised.
- 5.5 HMCS also make use of the catering and domestic facilities within the Judges House. It is expected that this use will be substantially reduced when the service relocates to the SJC. This will enable the County Council to make more productive use of all the space within this building. However HMCS have indicated that they would still like to make use of the residential accommodation on certain occasions, albeit they would require exclusive use of the whole of the Judges House when they are in residence.

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- 5.6 In addition to the premises referred to above, the Court offices (or Northgate South) will also become surplus to requirements by HMCS once judicial services transfer to the SJC. A rent of £51,000 is currently paid for this property. Northgate South is not however included within the issues outlined within this report and the future use of this property will be considered through established protocols.
- 5.7 At its meeting on 15th October 2009 Cabinet approved further work being carried out to test the viability of a 'mixed use' option (principally using elements of the space for a judicial based heritage attraction, using elements as an 'event space' with a particular emphasis on wedding use (including overnight accommodation) and as general meeting space and office accommodation). A Member Steering Panel was established to assist officers in these investigations.

## **6 Business Need**

- 6.1 Following the relocation of the courts to the SJC in December 2010 WCC will have a funding gap in the region of £210,000 p.a.. It is imperative that the impact of this is reduced to an absolute minimum. (It should be noted that there will be ongoing costs for the complex (maintenance, security etc.) between December 2010 and the time when the future use comes in to being).
- 6.2 In addition to the funding issues it is important that beneficial use of the accommodation be found that delivers increased public access to a building of significant importance to Warwick and its residents. The increased usage must reflect the architectural importance and heritage value of the buildings whilst also being complementary to the needs and aspirations (both current and emerging) of a wide variety of stakeholders seeking to aid the renaissance of Warwick Town Centre.
- 6.3 Any decision on the future use should link to Council's corporate objectives as these underpin the activities of the Council. It is believed that the usage of the building as outlined above will allow for a connection with the following objectives:
- Raising levels of educational attainment - by maximising the use of the judicial based heritage attraction to local school children and by providing curriculum links where appropriate
  - Pursuing a sustainable environment and economy - both in terms of increased economic activity in the town centre generated by the commercial use of the property and by the sympathetic treatment of the building in a built environment context.

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## 7 Progress to Date

### 7.1 Member consultation

A recent Member consultation provided the full membership of the County Council with the opportunity to present opinions on the potential future use of the accommodation. Whilst there was a very poor response (3 returns out of 62), Members views were that:

- Any proposal should seek to retain the Old Shire Hall/Courts complex in public ownership and with public access.
- Whichever future use is finally determined should contribute to rather than fully recover the projected loss of income.
- The chosen option could be delivered in conjunction with a private sector partner if appropriate.

### 7.2 Member visit to Stafford

Several members of the Member Panel have visited Staffordshire County Council's Old Shire Hall which was the subject of a similar return to County Council stewardship from the Courts Service in the early 1990's. The arrangements there are not dissimilar from the arrangements at Warwick with a large Shire Hall, two courts and associated cells area. The visit centred on the Shire Hall area which is currently used to house a contemporary art gallery and the Courts which are used for a variety of educational and general visitor use. A large element of the cell complex has been used to house the town centre library in a purpose built extension. The main findings from the visit are set out below:

- This venue is operated solely by the Council, not in partnership with external providers, and officers were not aware whether any other options had been considered for the use of the building when it was changed to its current use.
- Staffordshire County Council's main driver is delivery of in-house arts and museum services, rather than income generation.
- The former Shire Hall is used as an exhibition space for arts and crafts with fixed exhibition display panels. Their main income comes from taking a commission on sales of local arts and crafts within their craft shop and exhibitions (Christmas is a key opportunity to bring in income).
- They use one of the former courts as a heritage attraction. This is open to the public, free of charge. It contains a small amount of court related interpretation. The court is used by schools to re-enact mock trials and also by a local amateur dramatic society. The space is available for private hire, for example Stafford Police use the space for training cadets.
- They have not pursued television work to any degree as this would compromise public access to both the court and the gallery.

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- They were aware of English Heritage constraints on changes to the building but these do not appear to have caused them too many problems in what they have wanted to do. The main problem they have had is that they have not been able to erect signage outside the building.
  - The second court is used for storage and workshop space. They have moved various bits of the courts 'furniture' and understand that as long as they do not attach anything to the structure or furniture of the court, EH are happy with this.
  - They have placed some interpretation in one of the former cells and there is a small area of the former cell complex which visitors can view. The balance is used as storage, or has been converted along with an open courtyard at the back of the building into a 3 storey library (the main library for Stafford)
  - One of the main problems found with trying to use the building for large numbers of visitors is the shortage of toilet facilities.

A similar visit is planned to St Georges Hall in Liverpool which has been cited as a good example of a multi-use facility in former court buildings.

### 7.3 Coroners service

The Coroners Service have indicated that they may have a requirement for the use of the Courts following the relocation of HMCS to the SJC in December 2010, however it is believed that this requirement may be accommodated elsewhere within Shire Hall if required.

### 7.4 Her Majesty's Courts Service

A meeting has been held with HMCS and Judge Hodson. Discussion centred on items that they would like to relocate to the new SJC (pikes, some pictures, items of furniture and the coat of arms); some of these raise Listed Building, conservation and other issues which are being addressed.

HMCS indicated that they would like to continue to use the Judges House for ceremonial functions on a commercial basis. There is the potential for some limited overnight accommodation need following the relocation but this remains subject to confirmation. Due to particular security issues any overnight accommodation would need to be on an exclusive basis. Should the need be confirmed the request would need to be considered against WCC's requirement to maximise income from the premises.

### 7.5 St Mary's Church

The Church have previously undertaken feasibility work to develop an extension to the side of the church which would be used as offices, catering and lounge area, hall, heritage centre etc. However this proposal is not currently being progressed due to financial issues associated with

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the general downturn in the economy and some local resistance on architectural grounds.

They currently rent office space in Church Street but would look to withdraw again on financial grounds when the lease expires in 2010.

The Church receives a significant number of visitors, particularly as a result of the historic heritage attraction of the building and Warwick in general. Any addition or improvement in relation to the heritage offer is therefore welcomed by the Church authorities in the hope of an increasing footfall to the church itself.

#### 7.6 Future meetings

At the time of drafting, future meetings have been arranged with several major players in the local visitor economy to discuss ideas and possibilities for the management of any future proposal.

#### 7.7 Communications

A clear and robust communication, consultation and engagement plan will be a key aspect of the development of proposals. A timeline will accompany the plan, setting out responsibilities clearly.

To ensure a co-ordinated and consistent approach, communication and engagement work should be managed in one place, within the council's Corporate Communications and Media Team. However, it is recognised that all officers on the project working group will need to input into the communication process, particularly with regard to consulting with some key stakeholder groups. There will be a number of stakeholder groups we will need to consult with, and these will be outlined in a more detailed communications plan. A consultation toolkit has been developed which will assist this process.

#### 7.8 Historic Environment/Listed Buildings:

The Courts and Old Shire Hall are Listed Grade I (which puts them in the top 2.5% or so of Listed Buildings), the Judges' House and cell complex are Grade II. These listings will both potentially raise opportunities and impose constraints.

Engagement has been held with English Heritage (EH) from the outset of the project and officers have held an initial meeting with EH. EH has provided (annex B) pre listed building application advice outlining what they see as the main issues.

- The need to ensure that any alteration be carried out sensitively with little change being allowed to the Old Shire Hall and Courts but with a greater degree of flexibility to the Judges House and cell complex.

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- It is suggested that the buildings should remain in the public domain and that future uses would fall in to heritage, commercial and educational categories citing similar examples at Bodmin Shire Hall, Kilmainham Gaol, Dublin and St George's Hall in Liverpool.
  - The constraints of the location of the catering facilities, difficulties with access particularly in relation to persons with disabilities and reiterates the importance of the buildings to Warwick.

In addition EH remarks about its desire to be involved in considerations regarding 2-22 Northgate Street and also advises that any decision regarding the accommodation should not be taken in isolation but should consider adjoining properties so that a strategic view of this element of the town centre can be achieved.

In addition to the formal initial view of EH the following issues relating to the historic environment have been identified:

- The formal Listing of the complex is out of date and therefore unhelpful from a process point of view. English Heritage has been requested to review the Listed status of the offices in July 2008 and again at the recent meeting. The review is unlikely to alter the status of the Courts and Old Shire Hall but might affect the 20<sup>th</sup> century elements and would provide greater clarity.
- There are fixtures and fittings attached to the complex which are covered by the Listing and would therefore require consent for removal.
- The buildings contain a range of items, some historically associated with the building but with removal at discretion of the owner. Some of the objects belong to WCC and others to the Warwickshire Justices (Magistrates), who are a separate entity from the Courts Service. Ownership of a few items may need clarifying as part of the process.
- The potential for protected species, of which bats are the most likely, will need to be investigated. Other possible issues could be nesting birds and, if the pond is affected, aquatic species. Expertise in this area is available through WCC Museum Field Services.
- Heritage and Cultural services are currently reviewing the future heritage offer of WCC, and whether some or all of it may be better delivered through a wider partnership. A Member level Warwickshire Heritage Partnership has recently been established. A longstanding concern about the WCC Service has been that its museums are (over-) concentrated in Warwick; any potential new heritage-based visitor offer needs to be considered against this backdrop.
- There is a parallel but linked initiative reviewing the buildings in Warwick Town Centre, many of them historic buildings, which are in public ownership, considering whether this offers a partnership opportunity for heritage-led regeneration in the town in a concerted way. The two museums at Market Hall and St John's House form part of that equation.

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## 7.9 Weddings Potential

WCC's Registration Service has confirmed that in the year 1st April 2008 to 31st March 2009, 1044 ceremonies were conducted across the south of Warwickshire; 270 of these ceremonies took place at Pageant House in Jury Street, Warwick. The only approved venues in Warwick itself are Lord Leycester Hotel and Lord Leycester Hospital at which 44 ceremonies were conducted during this period.

The fee for a venue licence is currently £1800 which lasts for three years. This is a licence for Civil Marriages, Civil Partnerships, Naming Ceremonies and Renewal of Vows Ceremonies. The decision would need to be made where the ceremonies would be held as it is the rooms that are licensed and not the building.

The licensing process can take about 3 - 6 months. Once an application has been received, Planning and Environmental Health Departments and the Fire Officer are notified. A public notice is published in the local newspaper and a 21 day objection period is allowed.

WCC would need to ensure that the Courts complex would be an additional wedding ceremony venue rather than the only WCC venue for Warwick District as one ceremony room should be provided per district at a standard rate; the Courts would need to be charged at a commercial rate.

Informal discussions have been held with St Mary's Church regarding the potential for Old Shire Hall to work in conjunction with the Church acting as "preferred reception supplier" to couples being married there and at St Nicholas Church. St Mary's Church undertook 9 weddings in 2008 and 22 in 2009, St Nicholas Church undertook 6 weddings in 2008 and 5 in 2009.

Recognising the need for commercial expertise to deliver 'wedding packages' and in particular the importance of a 'quality product' information has been requested from similar heritage based venues for details of companies who may be willing to work in conjunction with WCC in this respect.

## 7.10 Legal / Estates Issues

Initial advice has been received in relation to the likely arrangements applicable with mixed use of the accommodation focusing on issues associated with flexibility of use, sole, single/supplier arrangements, lease/licence issues etc. However until more detailed work is completed on an operating model some issues remain unresolved.

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Two models have been identified;

Lease to a commercial operator

This option is most likely to minimise income loss, or even realise a revenue income. Exclusive use of the facilities would involve the grant of a lease. The length of lease is important; any commercial provider would seek a reasonable period of at least 5 or 10 years, ideally with the benefit of break clauses if operations were not profitable. The Council may require a shorter lease period to allow for flexibility if a wider scheme is adopted in the future.

Benefits:

- Likely to maximise income
- Minimise costs of maintaining and running the property
- Potential improved access to external grants or funding

Issues:

- Could limit flexibility of use/potential uses
- Control on use would be reduced
- Reduced access to facilities for the Council and others
- Cost to the Council and others for use of facilities

Operate in-house or with partners:

Clearly this would allow for more flexible use, but income generation could be limited.

Benefits:

- Maximise flexibility for WCC and the variety of uses for the Courts and Shire Hall
- Retention of in-house staff is more likely
- There is an opportunity to explore the wider use of the Council Chamber and Ante Room in conjunction with the Courts complex. This could provide an improved choice of venues and / or allow more functions to take place at a given time with economy of scale benefits.
- Greater use of the Courts including use of part for offices / meeting rooms should result in savings by vacating or disposing of accommodation elsewhere.

Issues:

- Reduced income
- Reduced commercial interest for partial use (area or time)
- WCC would remain responsible for maintenance and running costs
- Potential lack of appropriate skills to operate the facility
- Reduced prospect of external grants
- Retention of in-house staff is more likely



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Other general legal/estates issues to be borne in mind and currently unresolved include:

- DDA – accessibility
- Toilets and other facilities
- Bar / licensing issues
- Fire Regulations
- Planning – change of use
- Signage
- Security requirements for functions and security of Shire Hall
- Flooring (suitable for increased usage / wear)
- Noise

#### 7.11 Council Chamber and Committee Rooms

It is intended to resolve the issue of whether it is prudent to refurbish the Council Chamber and Committee Rooms at the same time as determining future use of the accommodation. This will allow for all potential synergies between the two areas to be developed. When last considered, two options were presented to Members and in essence these two options will be re-costed and re-presented:

##### All-inclusive Scheme

- Complete replacement of heating and ventilating plant and ductwork to introduce mechanical cooling
- Increased, high level, acoustic absorption
- New partially reflective suspended ceiling with replacement carpet and furnishings throughout
- New speakers in Hall and microphones at each position
- New speakers in suspended ceiling and Chairpersons master station
- New induction loop and fold-back speakers
- Front projection screen and digital projector. LCD support screens to side areas. Voting display unit and voting system
- Public address system to Ante Chamber. Camera recording and live replay
- Delegate 'conference' system
- Replacement of furniture throughout
- New dimmable down-lighting plus dimmers, and further lighting enhancements and upgrades to existing
- 'Theatre' style lighting

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### Reduced Scheme

- This scheme provides all the elements of the All-inclusive Scheme but modified by:
  - Retention of the committee clerk position in the “well” in front of the Chair’s raised dais
  - Although the chair’s raised dais and the adjacent benching position are retained, there is a reduction in their height that will give some improvement to sightlines
  - Retention of the back wall behind the Chair’s but modified to incorporate screens, speakers etc. and the Chair’s entrance converted to form a control room

## **8 Work to be progressed**

Whilst significant progress has been made the following issues/areas of work remain to be progressed:

Additional data and metrics requested in relation to footfall details for Warwick attractions

Completion of outstanding investigatory meetings/intelligence:

- RSC
- SBT
- Merlin Group
- WDC
- St Georges’ Hall, Liverpool

Identification of potential partners in areas covering:

- Wedding packages
- Catering provision
- Visitor management
- Online experience

To progress feasibility work, subject to the availability of resources, specialist consultants (internal/external) will need to be commissioned particularly in the areas of:

- Architectural/Heritage matters
- Function/event/hospitality management
- Visitor and destination management

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In particular, they would be asked to:

- Provide evidence of demand and/or projected usage of facilities for the varied uses
- Estimate projected income for each use
- Identify significant issues and concerns
- Comment on viability of each proposed function and any conflicts that may arise from the mixed use

When this outstanding work is completed the Outline Business Case can be completed. Additional factors will be addressed at that time including:

- Cost and Funding
- Benefits Realisation
- Critical Success Factors
- Risks
- Key Milestones/Timescales

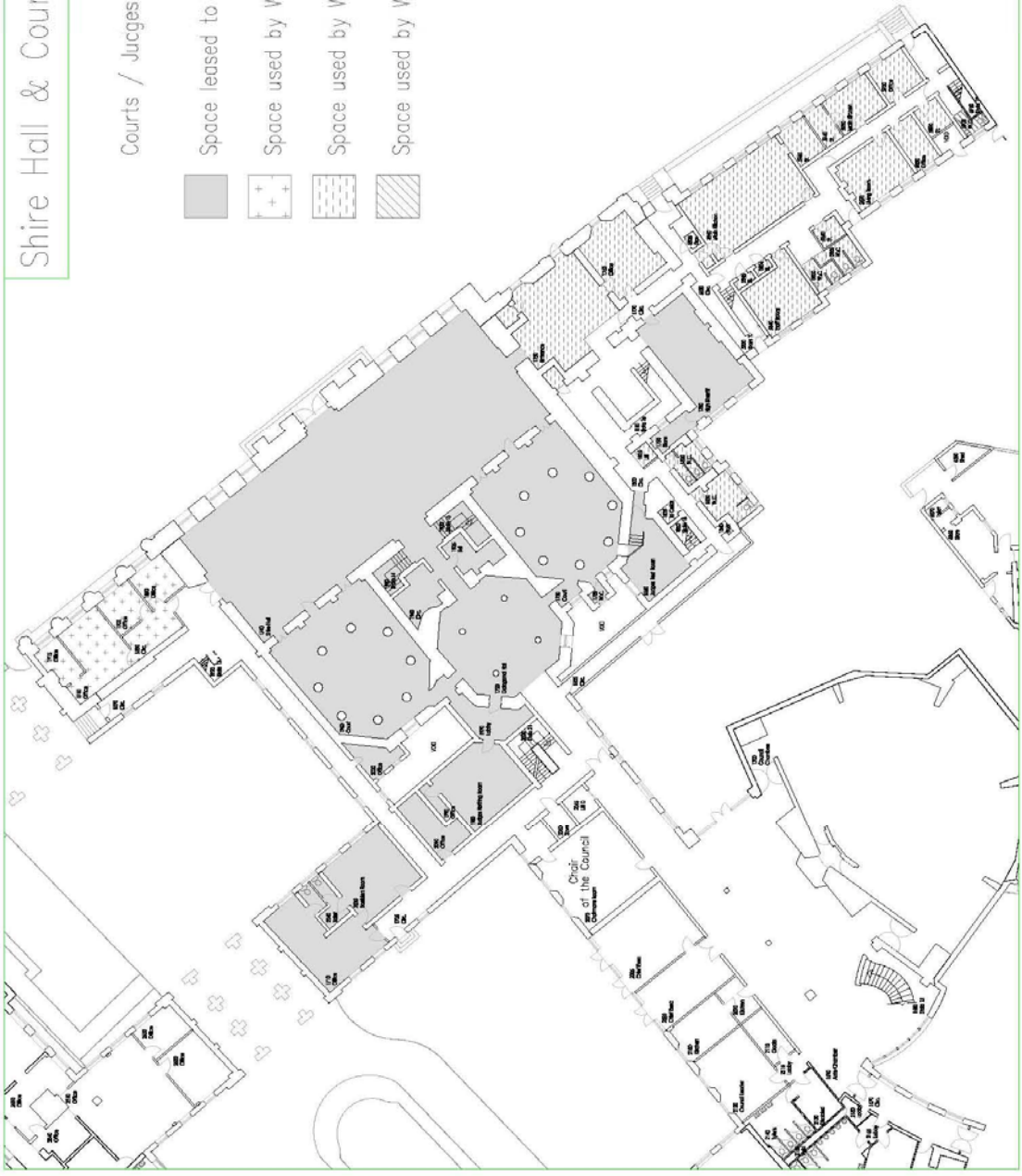
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## **Annex A**



Shire Hall & Courts – Ground Floor

- Courts / Judges House Complex
- Space leased to Courts Service
- Space used by WCC (CW&G)
- Space used by WCC (Judges House Staff)
- Space used by WPA



27 May 2008 (REV)

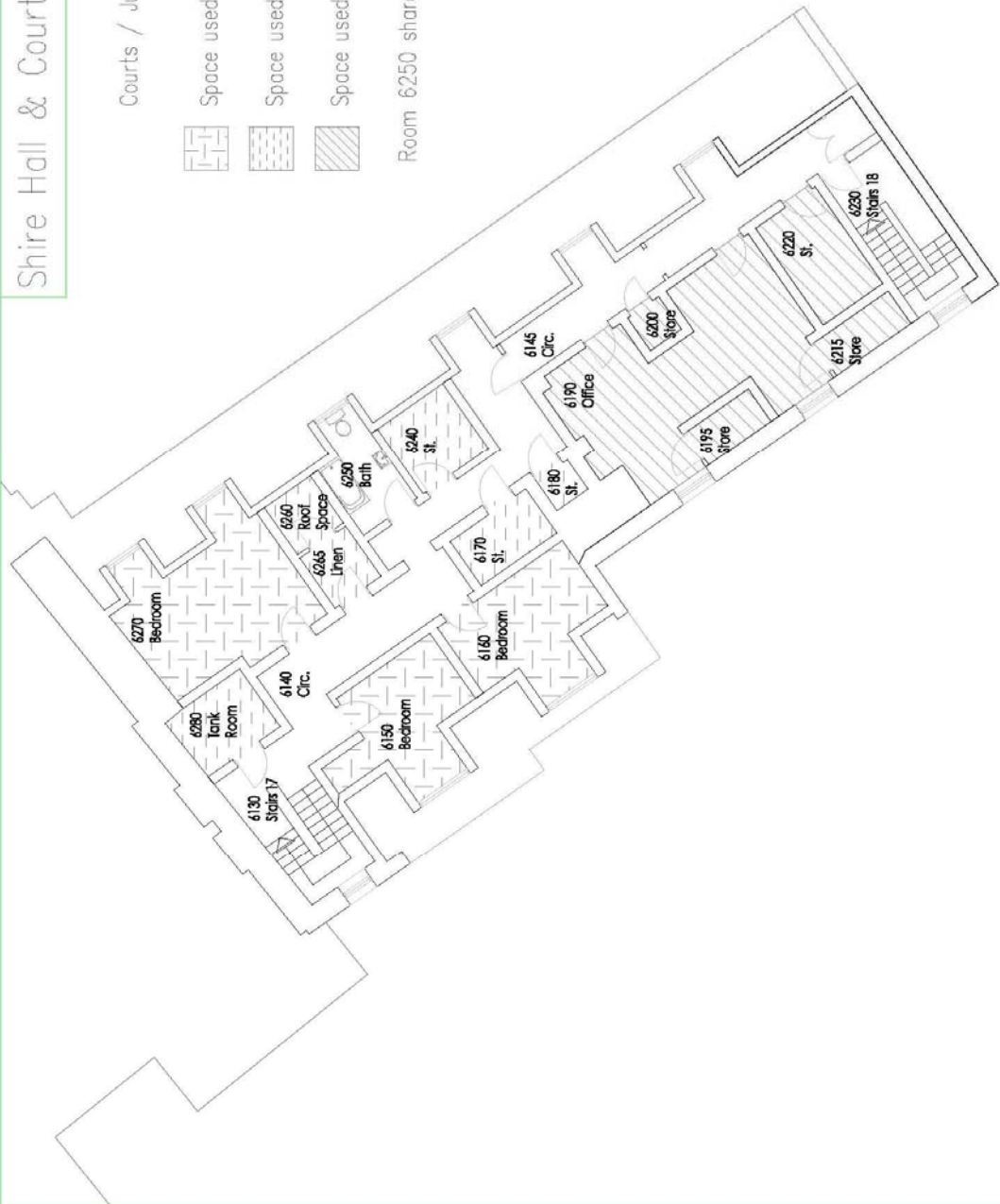


# Shire Hall & Courts – Second Floor

Courts / Judges House Complex

-  Space used by Judiciary
-  Space used by WCC (Judges House Staff)
-  Space used by WPA

Room 6250 shared between Judiciary and WPA



27 May 2008 REV.



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## **Annex B**



ENGLISH HERITAGE

WEST MIDLANDS REGION

Mr Phil Evans,  
Head of Facilities and Asset Management  
Warwickshire County Council  
Shire Hall  
Warwick  
CV34 4SA

Direct line: 0121 625 6857

10 November 2009

Dear Mr Evans,

**Warwick Shire Hall Court Building and former Gaol, Northgate Street, Warwick**

I write following our useful meeting last week when toured these buildings and discussed the future of the complex. It was particularly useful to be accompanied by Nick Palmer who has written the extremely helpful Conservation Statement for the site.

Warwick Assize Court and Assembly Hall, built in 1753-8 by William and David Hiorne, and the façade of the former Gaol (1779-83), are both listed Grade I. Only 2.5% of designated buildings are given this high grade, which recognises the buildings' exceptional interest and high significance nationally and within the built heritage of Warwick. The adjacent Judges Lodgings (1814-6) are listed Grade II. The forthcoming closure of the Warwick Assize Courts within the Shire Hall complex when the court service relocates to Leamington Spa will create an opportunity for the sensitive re-use of these nationally-important buildings and their neighbours.

The Northgate Street elevation of the Courts was refaced in 1948, but internally the layout of the Courts and Assembly Hall is much as designed in 1753. The building comprises a large double-height assembly hall with two courtrooms behind flanking an octagonal anteroom. The courtrooms were originally open to the Assembly Hall, but were screened off in the late 18th century and a gallery added to the north courtroom. The fittings to the court rooms seem to embody 18th century fabric, although their layout was apparently altered in the early 19th century. There is an elegant octagonal roof-light and stucco ceiling in the north courtroom. It has been said that 'there are no prettier courtrooms in England' (SAVE, *Silence in Court*, 2004, p145).

The former Gaol retains its strong architectural façade, but was much altered internally and to the side elevations in 1930s. Notably, the Gaol contains a late 17th-century underground octagonal prison. The Judges Lodgings have also been altered, but contain a cantilever staircase leading to a large dining hall with a plasterwork ceiling. To the south of the Lodgings are 1950s extensions in a neo-Georgian style.



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## ENGLISH HERITAGE

Due to the high architectural and spatial qualities of the Assembly Hall and courtrooms all of the historic fabric should be retained and enhanced. Flexibility will be required to adapt the buildings to a viable use, but the future of the Assembly Hall particularly should respect its characteristic historic layout without subdivision. It would be good to see much of the clutter associated with the court function removed from the hall. The courtrooms are intrinsic to the original purpose of the building and have local social and historic significance alongside their strong architectural character. The spaces and fittings should be retained in their current state as an excellent example of their type. The former Gaol and Judges Lodgings have greater opportunity for change. It is feasible for the Lodgings to continue their current use (if desired) with the adjacent 1950s extension having scope for internal change. The former Gaol is designated and the interwar building behind the facade is an integral part of the listed building. Sympathetic re-use of the entire building should be driven by its significance and respecting its architectural and historic significance will contribute to the final establish building's future.

### Future uses

The future use of the buildings should be in the public domain, to conserve their significance. Falling into three broad categories - heritage, commercial and educational - suggested uses for the whole complex have included a boutique hotel or a high-quality wedding venue. For the latter an 'all-in' package might utilise the Assembly Hall for receptions and dancing, with accommodation, including a bridal suite, provided elsewhere in the building. Hotel use may be more suited to the Gaol building, where there is greater scope for change, although the number of bedrooms that could be created would appear to be fairly limited. Malmaison Oxford is a recent successful example of conversion of a prison to a hotel, but it is difficult to envisage how the Warwick example can provide such atmospheric bedrooms. Extended office use would not provide very much public access and could possibly lead to undesirable subdivision which would impact on the buildings' character. The various components of the site (the courtrooms, Assembly Hall, the interwar Gaol building) might suit museum and/or exhibition use. However, such a use is unlikely to be sustainable without substantial revenue implications for the public purse. On a smaller scale intermittent use of the courtrooms for educational purposes might be feasible, as is the case in a number of historic courts such as at Bodmin Shire Hall, Cornwall. Although encompassing a larger site, Kilmainham Gaol in Dublin houses a museum and offers tours of the building, intrinsic to its many-layered social history. Using the Assembly Hall as a space for temporary exhibitions could be viable, provided that they are freestanding and transient. The scale of exhibits in such a large space would need careful consideration. St George's Hall, Liverpool offers a package of concert space, wedding venue, educational courtroom experiences, exhibition space and film location.



## ENGLISH HERITAGE

A more low key approach is that taken at Worcester Guildhall, which had a very similar arrangement historically with court rooms off the back of an assembly room (although in that case on two levels). They have a combination of an assembly hall used for a wide variety of functions (including a tea room) with the old court rooms as meeting rooms. The Assembly Rooms in York designed by Lord Burlington are an example of the reuse of such a historic building as a restaurant, which affords a level of public access at the same time as providing an economic use for the building. These are both grade I listed buildings.

The success of St George's Hall could be seen as an exemplar, but a thoughtful and original use should nevertheless be considered for Warwick's Assembly Hall and courtrooms.

Constraints to these suggestions include the location of catering facilities, currently housed in the 1950s extensions to the Judges' Lodgings. The buildings also have a number of access issues. Providing ramped access from the Northgate Street entrance appears to be a rather challenging option requiring a very careful design, otherwise it might be feasible to allow access via the market Square entrance to the Shire Hall complex.

### Conclusion

Whilst there are some complex issues surrounding the departure of the courts, there are also other issues which raise concerns for English Heritage in this area of Warwick. There is the matter of the future of the other side of Northgate Street, where I must say that the attempts to sell off the council offices housed in the grade II and II\* houses foundered partly on an ill considered development which simply did not address the significance of the buildings and produced an unacceptable scheme. We are keen to be involved in any brief which might be produced to guide the development of this site to ensure a smooth transition to private ownership with a realistic understanding of the options for the redevelopment of the site.

At the same time the adjoining grade I listed church (St Mary's) which is such a prominent landmark in the town has ambitions with respect to the range of facilities it can offer due to the constraints of the site. They could usefully be involved in any discussions over the future of the whole of this quarter of Warwick which would benefit from an overview of all the potential partners in this part of town.

I appreciate that the County Council has a number of competing objectives as a property owner, service provider, its planning responsibilities, as well as being the highway authority. But this is all the more reason why a strategic view needs to be taken of this whole quarter of Warwick to ensure the best result for the whole town.



ENGLISH HERITAGE

The constructive and informed re-use of the court buildings at the heart of this area presents an exciting opportunity for Warwickshire County Council and for Warwick town centre and we look forward to participating further as the future of this whole area is developed.

Yours sincerely

Nicholas A D Molyneux  
Inspector of Historic Buildings

cc Helen Maclagan