

CABINET
17 JULY 2024
MEMBERS' QUESTIONS

Cllr Andy Boddington

Car parking a night on the market square against and even in between the stalls. Often cars are still there in the morning obstructing market traders. Some vehicles have been there all day. The market is essential to Ludlow town centre and its visitor footfall.

Ludlow Town Council and unitary councillors first started talking with Shropshire Council about a Traffic Regulation Order in 2014. Recently, Ludlow Town Council was told that a TRO was with legal officers. It is the height of the summer season and there has been no progress.

This is uncontroversial TRO, supported by unitary councillors, Ludlow Town Council and market traders. Could the TRO consultation be put in progress as a priority?

Response –

A draft decision report was awaiting a legal view before finalisation. This was returned to the team on 15/07/24 and will be reviewed. The officer who was leading on this report has left the authority. The job will be re-assigned and we should be able to progress with the authority to proceed in the next few weeks. The process after the approval of the Decision Report will be public consultation via a Traffic Regulation Order under the Road Traffic Regulation Act 1984.

Cllr Kevin Pardy

As you will be aware I'm an ambassador for TMBSS, could you explain why they were only given a 0.2% increase in their budget last year 2023/24, and why according to government data their funding per pupil is £19,265 compare to the national average of £29,569. How can this amazing service remain financially sustainable?

Response –

A range of provision is currently commissioned from the Tuition Medical Behaviour Support Service for those pupils that are permanently excluded, those where their education is at risk of breaking down, for medical reasons and hospital based provision.

The support is delivered from a number of venues across the county or through outreach. Support consists of full time, part time or a shared placement with the mainstream school.

The total number of places commissioned is 156 per year

Primary age : 54 places

Secondary age : 60 places

Medical (Primary and Secondary): 42 places

Hospital based provision: (SaTH and Agnes Hunt) is a needs led provision and sits outside the above commissioning arrangements for TMBSS centres.

In following the Shropshire Plan, we are encouraging children and young people to be as independent as possible, which includes travelling independently to their education setting

where possible. This follows national travel to school guidance outlined here [Travel to school for children of compulsory school age \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

Funded transport is considered in line with the [Transport Policy](#) which generally would apply when travel to school (TMBSS) is over 2 miles (for primary) or 3 miles (for secondary). When the LA commissions a secondary place for pupils who have been permanently excluded or have significant medical needs officers will work with TMBSS to identify suitable provision and allocate a place at an appropriate centre. The LA holds weekly meetings with the Executive Headteacher and Head of School to review placements and discuss any arising issues including transport.

The LA will give consideration in exceptional circumstances to provide more flexible and bespoke transport arrangements in individual cases. During this academic year examples include a young person with SEND who could not access a medical centre situated nearest to her home address. After consultation with the LA, it was agreed that she would attend the medical centre in Shrewsbury and transport was provided. In another example, a young person was exhibiting significant aggressive behaviour in centre and at home towards their parent and sibling requiring police and social care involvement. Due to safeguarding concerns shared by professionals, the LA agreed to a bespoke timetable and additional alternative provision was arranged with bespoke transport funded.

Primary provision

Schools present cases to the multi-agency Inclusion Advice Forum when they wish to access a place a Primary TMBSS provision. The IAF will make a recommendation where they feel a referral to the TMBSS is the most appropriate response to meet the child's needs and the LA meets the full cost of this placement in accordance with the published model, including funding transport even though there isn't a statutory duty to fund this.

In 2023/24 demand for the primary age provision has decreased and the centres have not been at full capacity.

Currently there are 33 children on roll as at 15th July 2024 of which 29 are dual registered (attending part time at TMBSS for 4 mornings or 4 afternoons per week) and 4 are single registered (in a full time place).

Funding is paid based on 54 full time places irrespective of whether they are filled.

Secondary provision

Secondary provision is commissioned to meet the statutory requirements of the LA to meet its duties under Section 19 of the Education Act 1996 (the section places a duty on the LA's to make suitable alternative education for children of statutory school age who cannot attend school because of illness, exclusion or other reason. If a child is permanently excluded the authority must provide full time alternative education from day 6 of the exclusion).

At the outset of the academic year, the authority was in a position to accommodate all children that required 6th day provision. It was intended that secondary schools would be able to directly commission a dual placement with TMBSS to support behaviour management and their place in their home school. However, due to the number of permanent exclusions made in year, all 60 available secondary places were occupied for the purposes of meeting the Section 19 duties of the LA.

Medical provision has had sufficient capacity this year with a surplus of places seen in the Ludlow centre.

Funding

Shropshire follows the national guidance on funding for Pupil Referral Units (PRUs) outlined in the High Needs Operational Guide - [High needs funding: 2024 to 2025 operational guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/high_needs_operational_guide_2024_to_2025_operational_guide.pdf)

Funding is made up from the High Needs Block Dedicated Schools Grant (DSG) allocated to Shropshire and consists of mostly Place Funding (determined by the DfE) (which is currently set at £10,000 per place) and top up funding as shown below.

Shropshire Council funding to TMBSS Based on 156 places	2020/21	2021/22	2022/23	2023/24	2024/25
Commissioned based funding @ £10K per place x 156 places	1,560,000	1,560,000	1,560,000	1,560,000	1,560,000
Top up funding	1,122,895	1,297,848	1,310,824	1,310,827	1,310,827
Supplementary grant allocation			134,520	100,743	100,743
Teachers Pay and Pension Grant (TPAG)	162,104	N/A	N/A	N/A	N/A
Hospital tuition	105,190	105,190	105,190	105,190	108,346
Teachers Pay Additional Grant (TPAG) (Introduced in Sept 2023)	N/A	N/A	N/A	40,560	69,576
Teachers Pension Employer Contribution Grant (TPECG) (Introduced in April 2024)	N/A	N/A	N/A	N/A	92,820
TOTAL	2,950,189	2,963,038	3,110,534	3,117,320	3,242,312

Top up funding rate per place	7,198	8,319	8,402	8,402	8,402
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The total funding levels outlined above do not include additional school level grants or income generation, which would increase the total funding further.

Until 2021/22 the Council applied a 1% inflationary increase to the TMBSS top-up funding rate per pupil. In 2021/22, the increase 15.6% was much larger in order to factor in the Teachers Pay and Pension Grant which was rolled into the High Needs Block DSG for the first time. In 2022/23, a 1% inflationary increase was applied, however in 2023/24 and 2024/25 a decision to pause any inflationary increase to the TMBSS top-up funding rate was made for 2 reasons:

1. TMBSS has historically reported a surplus in the region of £250k to £420k indicating that the top-up funding rate per pupil had been sufficient over the last 4 financial

years to meet the school's expenditure requirements. Please see the TMBSS final school balances for the financial years; 2020/21 to 2023/24 below:

	2020/21	2021/22	2022/23	2023/24
TMBSS Final School Balances	- 266,307	- 358,263	- 417,687	- 393,573
-£ = Surplus				

- The Council has a duty to stay within budget within the overall DSG. In January 2023, a 3 year High Needs Forecast paper was presented to the Shropshire Schools Forum forecasting that the DSG financial position would change from a surplus position as at the end of 2022/23 financial year to a worsening deficit within the next 3 financial years. This was on the basis that the forecast expenditure is expected to exceed the forecast income/funding, particularly as demand on our High Needs Block DSG evidenced by an increase in EHC plans is increasing at the same time as our High Needs Block DSG funding is increasing at a lower percentage year on year.

Subsequent to that paper, the DSG financial position has moved into a deficit position as at the end of the 2023/24 financial year. As there is an expectation that the DSG is brought back into balance over time, an update to the 3 year forecast is required this financial year to ascertain the extent to which High Needs Block DSG expenditure is likely to exceed the High Needs Block DSG income/funding.

As part of this exercise Council Officers are exploring the % increase assumptions against each expenditure budget line to reflect the increase in demand, plus any price inflationary pressures. The TMBSS top-up funding rate % increase is to be considered as part of this exercise and to take account of all information it has presented to date.

In the meantime, given the TMBSS financial position, plus the need to complete the 3 year forecast exercise a decision has been made to pause the % inflationary increase to the TMBSS top-up funding rate until 2025/26. Mainstream top-up funding and SEND Hub top-up funding has also received no % inflationary increase.

We have also been working with the DfE and TMBSS in response to concerns around funding pressures including the national data for average per pupil funding.

As a result we have arranged for a DfE School Resource Management Adviser (SRMA) to visit TMBSS in September to undertake a review which will include identifying potential for cost reduction to be made and opportunities for additional income to be generated.

This independent financial review will provide observations and evidenced based recommendations that will contribute to the High Needs Block funding 3 year forecast review mentioned earlier.

The Shropshire Schools Forum is aware of the intentions to explore whether providing an annual increase to top up funding for all schools (mainstream, special and TMBSS) is achievable from April 2025 onwards.

Therefore, the overall level of funding increase of £124,992 applied to TMBSS between 2023/24 and 2024/25 was 4% including the new Teacher's pay additional grant and Teacher's Pension contribution grant. Based on 156 commissioned places the overall funding of £3,242,312 equates to £20,784 per pupil.

It is important to also note, the average national funding figure of £29,569 per place is anticipated to include any additional income generated directly by schools and covers all maintained PRUs in England, including those in London, therefore funding comparisons should be viewed with caution.

Future commissioning

We will continue to consider and review our commissioning requirements with TMBSS using all available data, information and evidence to forecast future demand and requirements.

The increased demand for secondary aged provision and a decrease in primary aged provision is an example of this and the authority will be seeking to identify available options for addressing this during the 2024/25 academic year.

Any commissioning review will be part of the wider ongoing SEND and AP Change Programme activity to ensure suitable and sufficient provision is available.

Cllr Alex Wagner

The shuts of Shrewsbury are an iconic selling point for our town, full of heritage and integral to residents movement around the loop of the river. It was good to see some progress made on improving the state of them – many of which had not been touched for years – earlier in 2024, however there are still several outstanding problems. One such example is the overgrowth and poor maintenance of Coffee House Passage.

Would the Cabinet Member be able to outline the plan to keep the shuts tidy and what plans Shropshire Council are making to improve their condition?

Response –

These locations are now within the Streetscene routine maintenance programme and are now attended to routinely. In addition to that, we have carried out the removal of litter and detritus linked to rough sleeping and anti-social behaviour. The service and the authority are aware of this ongoing issue. We will make every effort to keep these locations as clean as possible, within what is reasonable, based on the budget and resources the service has available.