

**The Cabinet met at the Shire Hall, Warwick  
on the 26th May, 2005**

Present

**Cabinet Members:**

Councillor Alan Farnell (Chair) (Policy and Governance),  
“ John Burton (Schools),  
“ Alan Cockburn (Corporate Services),  
“ Peter Fowler (Family Services),  
“ Colin Hayfield (Adult and Community Services),  
“ Martin Heatley (Environmental Services),  
“ Richard Hobbs (Community Safety),  
“ Chris Saint (Economic Development),  
“ Izzi Seccombe (Childrens Services),  
“ Bob Stevens (Performance Management),

**Non-Voting Invitees:**

Councillors Tim Naylor (representing June Tandy, the Leader of the Labour Group),  
Jerry Roodhouse (the Leader of the Liberal Democrat Group).

**Other Members:**

Councillors David Booth, Ken Browne, Richard Chattaway, Jill Dill-Russell, John Haynes, Mick Jones, Helen McCarthy, Kam Singh, Sid Tooth.

**1. General**

**(1) Apologies**

None

**(2) Members Declarations of Personal and Prejudicial Interests**

**Agenda Item 4 – Home to College Transport**

Councillor Richard Chattaway declared a personal interest in as a parent of a young person who could use such transport.

### **Item 11 - Arts Service Key Clients**

Councillor Colin Hayfield declared a personal interest in view of his membership of the North Warwickshire Borough Council and the Primary Care Trust for North Warwickshire.

### **Item 13 - Warwick District Local Plan Revised Deposit Draft - Conformity with Warwickshire Structure Plan 1996 – 2011**

Councillor Sarah Boad declared personal interest in view of her husband being a member of the District Council. Councillor Alan Cockburn declared a personal interest in the item as a member of the District Council. Councillor Richard Hobbs declared a personal interest in the item.

### **Item 24 - Proposed Disposal of Ground Leasehold Interest, Knight's Lane, Tiddington, Stratford-upon-Avon - Update Report**

Councillors Richard Hobbs, Chris Saint, Izzi Seccombe and Bob Stevens declared personal interests as members of the District Council.

## **(3) Minutes of the Meeting held on the 28th April, 2005 and Matters Arising.**

### **(i) Minutes**

Resolved:-

That the Minutes of the Cabinet's 28th April 2005 meeting be approved.

### **(ii) Matters Arising.**

#### **Minute 8 - Trent Valley Rail Service Changes**

In response to comments from Councillor Bob Stevens, Members were advised that further information had been obtained from the Strategic Rail Authority and a further report would be submitted to the Cabinet. This was noted.

## **(4) Requests for Discussion of En Bloc Items.**

It was agreed that item 11 would be discussed before a decision was taken.

## **2. Local Area Agreements**

The Cabinet considered the report of the Chief Executive.

Local Area Agreements (LAAs) aim to give local authorities more leverage to join-up activities locally within the context of national priorities. The Office of the Deputy Prime Minister had announced a second wave of 40 pilot areas to be developed and negotiated in the second half of 2005 for an April, 2006 start date. The Government Office for the West Midlands had requested local authorities to advise them if they wish to submit an expression of interest. The Cabinet was requested to endorse the proposal of the Chief Officers Management Team (COMT) to progress a Local Area Agreement for Warwickshire.

During his introduction of the item Councillor Bob Stevens confirmed that the Area Committees would be consulted as appropriate.

Members were advised that of the Warwickshire authorities, only the Warwick District Council had decided not to enter into the agreement.

It was then Resolved:-

That Cabinet endorse COMT's proposal to  
progress a Local Area Agreement for  
Warwickshire

### **3. Home to School Transport**

The Cabinet considered the report of the Chair of the Learning Overview and Scrutiny Committee.

This was an interim report of the Home to School Task and Finish Group which had been set up by the Learning Overview and Scrutiny Committee. The report had been considered by the Learning Overview and Scrutiny Committee at their meeting on 10 March 2005.

During his introduction of the item Councillor John Burton indicated that, if the Cabinet agreed, the County Education Officer would be requested to arrange for the phased introduction of seat belts with arrangements for primary school transport being considered first.

During the discussion several points were raised including:-

- The existing school transport arrangements were very safe and the proposals would make them even safer.
- The need for a defined timetable for the introduction of seat belts.
- Detailed arrangements for the implementation would include costings.
- The need for the Schools Forum to consider any impact on the budgets of individual schools.
- The need for a further report to be submitted as quickly as possible.

It was then Resolved:-

That the Cabinet approve that all school buses for primary and secondary school children should be suitably equipped with seatbelts and the County Education Officer come forward with a phased implementation [proposal for consideration](#).

#### **4. Home to College Transport**

The Cabinet considered the report of the Chair of the Learning Overview and Scrutiny Committee which related to the Interim Report of the Home to College Task and Finish Group set up by the Learning Overview and Scrutiny Committee. The report had been considered by the Learning Overview and Scrutiny Committee at its meeting on 10 March 2005.

During his introduction of the item, Councillor John Burton advised members that a decision today would enable parents to be given sufficient warning of the increases to be made during September.

It was then Resolved:-

That the Cabinet approve an increase in the charge for Post 16 Transport to £175 (per annum) from September 2005.

#### **5. Education Capital Issues – Seed Challenge Funding**

The Cabinet considered the report of the County Education Officer which proposed the allocation of the 2005/06 Seed Challenge budget to a number of schools.

Following comments about the timing of the allocations, it was Resolved:-

That bids received for Seed Challenge support (listed in Appendix B of the report) be approved and that the remainder of the budget be retained for other bids received during the financial year.

#### **6. The Avon Valley School**

The Cabinet considered the report of the County Education Officer which detailed responses received following consultation to increase the admission number of Avon Valley School and sought to support the school's Governing Body in issuing statutory notices.

Councillor John Burton advised members that the Governors of the Avon Valley School had determined that the size of the School should be increased to 1,100 pupils.

It was then Resolved:-

- (1) That the responses to the consultation on proposals to increase Avon Valley School's admission number be noted.
- (2) That the Local Education Authority support the Governing Body in publishing the necessary statutory notices to increase the size of the school to 1,100 pupils.

## **7. School Funding Consultation**

The report of the County Education Officer and County Treasurer was considered.

The report summarised the key issues arising from the Department for Education and Skills' consultation document entitled "Consultation on New School Funding Arrangements from 2006/07" and outlined a response to the consultation.

During his introduction of this item Councillor John Burton expressed concern about several aspects of the proposals, in particular the short timetable for responding to the consultation, the proposed dedicated schools grant and the potential adverse impact of the proposals on the Council's achievements.

He suggested that the education spokespersons and the County Education Officer should consider a possible campaign to raise more funding for education in Warwickshire.

During the discussion other points were raised including:-

- The proposal would impact on the requirements of the Childrens Act, the Child Care Bill and inter-country adoption arrangements.
- There was a need for a members seminar to cover all aspects of the proposals affecting both the Education and Social Services Departments.
- The issues should be discussed at an emergency meeting of the Schools Forum.
- Parents would look to the Council to make representations to Government.
- The proposals introduce uncertainties and confusion into the school and council budget processes.
- The proposals would have an adverse impact on proposals under the [Lyons](#) Review.

It was then Resolved:-

- (1) That Cabinet retrospectively approve a response to the DfES publication Consultation on New School Funding Arrangements from 2006/07, based on a series of concerns expressed in paragraphs 2.4, 3.3 and 4.4 of the joint report.
- (2) That the member spokespersons for education and appropriate officers consider arrangements for a campaign to raise more funding for education in Warwickshire.

## **8. 'SMART Growth - Midlands Way' - Consultation**

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy.

The inter-regional document, 'SMART Growth: the Midlands Way', had been launched at the Sustainable Communities Summit in February by the Regional Development Agencies for the East and West Midlands. The recommended response to the subsequent consultation reflects views expressed by both the Coventry Solihull Warwickshire Forum and Coventry Solihull and Warwickshire Partnership.

Following introductory comments from Councillor Chris Saint relating to the main aspects of the proposed response, it was Resolved:-

That Advantage West Midlands and the East Midlands Regional Development Agency be informed that Warwickshire County Council considers that its general support for the concept of 'SMART Growth - Midlands Way' could be expressed so long as the document is:-

(i) Progressed to demonstrate added value to, and does not detract from, the existing West Midlands Regional Spatial Strategy and Regional Economic Strategy;

and also that it is

(ii) Revised to address some of the more important housing, economic and transport cross boundary links between the two regions and the issues arising out of the Milton Keynes – South Midlands Growth Area proposals, particularly



those critical to the Coventry Solihull and Warwickshire Sub-Region.

## **9. Best Value Review of Traffic Management - The Final Report**

The Cabinet considered the report of the Chair of the Environment and Rural Affairs Overview and Scrutiny Committee.

The Environment and Rural Affairs Overview and Scrutiny Committee on the 22 March 2005 considered a report by the Director of Planning, Transport and Economic Strategy setting out the Final Report of the Best Value Review of Traffic Management including an Outline Service Improvement Plan. The Overview and Scrutiny Committee endorsed the Review and commended the Outline Service Improvement Plan to Cabinet for approval.

Resolved:-

That the Cabinet approve the Final Report of the Best Value Review of Traffic Management and the Outline Service Improvement Plan.

## **10. School Term and Holiday Dates 2006/07**

The Cabinet considered the report of the County Education Officer which sought approval of the school term and holiday dates for 2006/07.

Resolved:-

That the school term and holiday dates calendar for 2006/07 attached as Appendix A to the County Education Officer's report be adopted.

## **11. Arts Service Key Clients**

The Cabinet considered the report of the Director, Libraries, Heritage & Trading Standards which related to recommendations for Partnership Agreements with, and funding for, key arts deliverers in the county.

During the discussion several points were raised, including:-

- The criteria for awarding funding did not appear to be fair to smaller organisations.
- There appeared to be an imbalance between grants awarded in the north and the south of the county.
- Grants should be awarded in accordance with agreed timescales.

- Reliance of organisations on the Councils funding.
- A review of long term aspects of funding was to be commenced in the Autumn which should include consultations with appropriate portfolio holders.
- It would be possible for the Overview and Scrutiny Committee to monitor the best value aspects of awarded grants.
- The funding issues would be considered in the run up to the next budget.

It was then Resolved:-

That the Cabinet accepts the recommended allocation of funds to Arts Key Clients as stated in paragraph 4 of the report.

## **12. Rugby Borough Local Plan – Re-Deposit Plan**

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which updated Members on changes to Rugby Local Plan as it proceeded towards its Second Deposit Draft stage.

Resolved:-

That the Cabinet endorses the officers' view in advising Rugby Borough Council that the Rugby Local Plan Review (Re-deposit Plan) is in general conformity with the Warwickshire Structure Plan 1996 to 2011 (WASP) provided that the text of the Plan is amended to reflect the comments at paragraph 2.4 of the report.

## **13. Warwick District Local Plan Revised Deposit Draft - Conformity with Warwickshire Structure Plan 1996 – 2011**

The report of the Director of Planning, Transport and Economic Strategy was considered.

Warwick District Council was required to obtain the County Council's view on the general conformity of the revised deposit draft of the new Local Plan review with the Structure Plan before it could be placed on deposit for public comment in June 2005. The Cabinet was requested to authorise officers to write to the District Council advising them of this, and bring its attention to the other matters referred to in this report.

Resolved:-

- (1) That the Warwick District Council be advised that the District Local Plan Revised Deposit Draft is in general conformity with the Warwickshire Structure Plan 1996 - 2011 (WASP).
- (2) That the District Council's attention be brought to the other matters referred to in this report, at paragraph 3.2 of the report.

#### **14. Minerals and Waste Development Scheme**

The report of the Director of Planning, Transport and Economic Strategy was considered.

The Minerals and Waste Development Scheme had been submitted to the Secretary of State on the 24th March 2005, in line with the requirements of the Planning and Compulsory Purchase Act 2004. The County Council had received confirmation from the Secretary of State advising that he would not be intervening and the scheme could now be 'brought into effect'.

Resolved:-

That Cabinet resolves to bring into effect the Minerals and Waste Development Scheme for Warwickshire on 9th June 2005.

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

The Chair indicated that he had agreed to the following item being considered as an urgent item because of the need for the contract arrangements to be ratified before the next meeting.

##### **Procurement of Energy for Street Lights.**

The existing contract for the supply of energy for street lights was extended to the end of June 2005. Following the advice of ESPO, the Director of Planning, Transport and Economic Strategy had accepted a price for a 24 month period for Green energy for street lights.

Consent had also been given to the urgent decision under the Constitution and the decision would have immediate effect.

Resolved:-

That Cabinet ratifies the action of the Director of Planning, Transport and Economic Strategy (PTES), in consultation with County Treasurer and Cabinet Member for Environment in accepting a price for energy for a 24 month period as set out in this report.

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

Resolved:

That members of the public be excluded from the meeting for the following items on the grounds that their presence would involve the disclosure of confidential and exempt information as defined in paragraphs 8 and 9 of Schedule 12A to the Local Government Act 1972.

## **17. Exempt Minutes of the Meeting held on the 28th April, 2005 and Matters Arising.**

Resolved:-

That the exempt minutes of the meeting held on 28th April 2005 be approved as a correct record and the minutes be signed by the Chair.

## **18. Carers Service Tender**

The report of the Director of Social Care and Health was considered.

Following consultation with carers in accordance with the County's Strategy for Carers Action Plan approval was sought to embark on a Tender process to meet the needs identified for a service which enabled carers to have a break by providing evening and overnight support in their own home.

Following introductory comments from Councillor Colin Hayfield it was Resolved:-

- (1) That the Cabinet approve the Tender process for a Carers Service – ***"In Your Place"***.
- (2) That the Cabinet approve authority to be delegated to the Director of Social Care & Health to award the tender to the preferred provider on

terms acceptable to the County Solicitor and County Treasurer.

- (3) That members note that work is currently being undertaken on a new Charging Policy and that whilst currently there are no charging implications for this service this may change in the future.

## **19. Avon Court – Evaluation and Tendering**

The Cabinet considered the report of the Director of Social Care and Health.

The report evaluated the impact of the re-opening of Avon Court Care Home since 17 December 2001 on the communities it served. The report described the reasons for the Avon Court development and focused on the value for money, quality of care and service delivery provided.

An application for exemption from tendering had been submitted to the County Treasurer and County Solicitor, seeking in principle agreement.

Councillor Ken Browne indicated that he was the local member for Avon Court and requested that, in addition to care being exercised regarding the identification of local members, any comments should be recorded and, if none were received, the management sheet should indicate this.

Councillor Colin Hayfield introduced the report and moved the recommendations.

The Cabinet acknowledged the successful outcomes and value for money achieved at Avon Court since re-opening in December 2001, and agreed several other matters relating to future contracts.

## **20. County Record Office Extension Project - Outturn Report**

The Cabinet considered the report of the Director, Libraries, Heritage & Trading Standards and the Director of Property Services which related to the final financial outturn of the Warwickshire County Record Office extension and refurbishment capital project.

The Cabinet agreed the final costs.

## **21. Education Capital Issues**

The report of the County Education Officer was considered.

The report proposed an addition to the amount available for reorganising special educational needs in the North of the County, allocating part of the capital receipt for the former Michael Drayton School site to Hartshill School, and the sale of two small pieces of land currently forming part of the playing field for Canon Maggs C of E Junior School in Bedworth.

During his introduction of the item Councillor John Burton reported that Councillor Richard Grant, the local member for Hartshill, had advised him that he supported the recommendation relating to the former Michael Drayton School.

In response to comments about the use of capital receipts, members were advised of the history of the proposal which went back to schools reorganisation and that the recommendation was in accordance with the Council's policy.

Members were advised that it was possible that the Corporate Services Overview and Scrutiny Committee would consider the operation of the policy for the use of capital receipts when examining the capital programme. This would include issues surrounding the foundation status of primary schools and control of assets.

The Cabinet agreed the recommendations from the County Education Officer

**22. Nuneaton: Land at Attleborough Fields Owned by Nuneaton Rugby Football Club Limited**

The Cabinet considered a request from Nuneaton Rugby Football Club Limited to forego the County Council's right to a share in the increase in the value of land used for non-sporting purposes

**23. Rugby: 21 Dunsmore Avenue - Former Grounds Maintenance Depot**

The Cabinet considered the report of the Director of Property Services relating to the possibility of declaring property surplus to requirements and its disposal on the open market.

**24. Proposed Disposal of Ground Leasehold Interest, Knight's Lane, Tiddington, Stratford-upon-Avon - Update Report**

The Cabinet considered the disposal in part of the County Council's smallholding land, Knight's Lane, Tiddington, Stratford-upon-Avon

**25. Nuneaton: Disposal of Land at Roanne Ringway Area**

The Cabinet agreed certain land transactions following the construction of the Roanne Ringway, Nuneaton.

The Cabinet rose at 3.45 p.m.

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Chair