

The Cabinet met at the Shire Hall, Warwick on the 6th OCTOBER, 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),
“ Richard Hobbs (Community Safety),
“ Martin Heatley (Environmental Services),
“ Chris Saint (Economic Development),
“ Izzi Seccombe (Children’s Services),
“ Bob Stevens (Performance Management).

Non-Voting Invitees:

Councillor June Tandy, the Leader of the Labour Group,
“ Jill Dill-Russell, representing the Leader of the Liberal Democrat Group.

Other Members:

Councillors David Booth, Ken Browne, Richard Chattaway, Josie Compton, Michael Doody, Anne Forwood, John Haynes, Marion Haywood, Katherine King, Mick Jones, Helen McCarthy, Tim Naylor, Sid Tooth and John Wells.

**1. General
(1) Apologies for absence.**

None.

(2) Members’ Disclosures of Personal and Prejudicial Interests.

Councillor Jill Dill-Russell declared a personal interest in Agenda Item 9 Admissions to Stratford Grammar Schools as a Governor of Stratford High School.

Councillor Helen McCarthy declared a personal interest in the Studley Bypass item to be considered as an urgent exempt item.

Councillor John Haynes declared a personal interest as a School Governor.

Councillors David Booth, Jill Dill-Rusell, Richard Hobbs, Chris Saint, Izzi Seccombe and Bob Stevens declared personal interests in any matter involving the Stratford on Avon District Council as members of that Council.

Councillors Alan Cockburn, Josie Compton and Michael Doody declared personal interests in any matter involving the Warwick District Council as members of that Council.

(3) Minutes of the meeting held on the 8th September 2005 and Matters Arising.

Resolved:-

That the Minutes of the Cabinet's 21st July 2005 meeting be approved as amended.

There were no matters arising.

(4) Requests for Discussion of En Bloc Items.

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

2. Warwickshire Strategic Partnership Plan 2005 - 2008

The Cabinet considered the report of the Assistant Chief Executive and County Solicitor relating to the outcomes from the final stages of consultation with partner agencies and approval of the Warwickshire Strategic Partnership Plan.

During the discussion the following points were noted:-

- Community safety was included in the Plan as an objective and should also be referred to in the underlying principles.
- A further report would be submitted to the 20th October meeting of the Cabinet.
- The reference to fire under Children Service would be examined to determine if a reference to fire and rescue would be more appropriate.

It was then Resolved:-

That the Cabinet agrees in principle the Warwickshire Strategic Partnership Plan 2005-2008

3. The Warwickshire Compact

The Cabinet considered the report of the County Solicitor and Assistant Chief Executive.

The County Council signed up to the Warwickshire Compact in 2002. The Compact had now been updated and the Cabinet was asked to comment on it and confirm its continuing support.

Various points were raised including:-

- Consideration should be given to departmental champions meeting on a more regular basis than “from time to time”.
- Efforts should be made to ensure that invoices from the voluntary sector were paid as quickly as possible, particularly those in respect of service level agreements, having regard to the financial circumstances of some organisations. Members would be advised of the current arrangements.

Resolved:-

That the Cabinet confirms its continuing support for the revised Warwickshire Compact and authorises the County Solicitor and Assistant Chief Executive to finalise any changes in the content and format.

4. Childcare Bill

The Cabinet considered the report of the Chair of the Sure Start Panel.

The closing date for responses to the Childcare Bill introduced in the Queen's Speech in May was 7 October 2005. Members of the Cabinet were asked to consider the response to the Bill which was considered by the Sure Start Policy Panel on at its meeting on 20 September 2005.

At the Chair's invitation Councillor Helen McCarthy, Chair of the Sure Start Panel, introduced the report and in doing so stressed that every effort would be made to ensure that the best possible child care was always available.

During the debate several points were noted including:-

- Owing to the deadline for responses the views of the Early Years Partnership would be submitted separately.
- The importance of consultations with partners including the PCTs.

Resolved:-

That the Cabinet endorses the response to the Childcare Bill.

5. Action Plan arising from Ofsted Inspection of Youth Service

The Cabinet considered the report of the Chair of the Children and Young People Overview and Scrutiny Committee.

The Council was required to submit to the DfES an Action Plan aimed specifically at responding to the recommendations contained in the Inspection Report. The report presented the Draft Action Plan. The Children and Young People Overview and Scrutiny Committee considered the report at its meeting on 22 September 2005.

During his introduction of this item Councillor Peter Fowler suggested that the draft Action Plan should be produced subject to funding being available.

During the debate the following points were raised:-

- Consideration should be given to involving members in the monitoring of the Action Plan, possibly through the Overview and Scrutiny Committee.
- The reference to education included learning and development
- Funding would be the subject of a bid in the next budget round, otherwise costs would have to be met from within existing resources.

Resolved:-

That the Cabinet approves the draft Action Plan produced following the Ofsted Inspection of the Youth Service, subject to funding being available.

6. Modernisation of Higher Education Student Finance

The Cabinet considered the report of the County Education Officer which updated Members on consultation on proposals to modernise Higher Education Student Finance.

Following comments from Councillor John Burton about the need for “of such an agreement” to be deleted from the recommendation it was Resolved:-

(1) That the Cabinet notes the request for a Service Level Agreement with the DfES and endorses the decision not to sign such an agreement at this stage.

(2) That a further report be submitted once the outcome of the pilot scheme is known.

7. Final Report of the Drugs, Substance and Alcohol Misuse in Rugby Panel

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

The Health Overview and Scrutiny Committee had considered the final report of the Drugs, Substance and Alcohol Misuse in Rugby Panel. This was a joint review carried out in conjunction with Rugby Borough Council. The Committee approved the report and adopted the recommendations of the Panel.

Following introductory comments from Councillor Jerry Roodhouse members discussed several aspects of the report.

Councillor Richard Hobbs felt there was a need for greater clarity with the involvement of the Drug Action Team and was concerned that the Team did not have to go through extensive administrative processes with different organisations to achieve its aims.

Jim Graham, the Chief Executive, indicated that he intended to submit a report to the Cabinet containing his observations on certain issues including the possible extension of the Team's role to include reducing alcohol abuse and the integration of the Team's work into the Council's strategies.

Councillor Bob Stevens moved and it was Resolved:-

That the Cabinet endorses the recommendations of the Health Overview and Scrutiny Committee arising from its consideration of the final report of the Drugs, Substance and Alcohol Misuse in Rugby.

8. Report of the Mental Health Panel on Mental Health Provision in Warwickshire

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

The Health Overview & Scrutiny Committee had considered the report of the Mental Health Panel that reviewed Mental Health provision in Warwickshire. The Committee endorsed the report and recommendations.

During the discussion members highlighted that the differences between the rural and urban areas in Coventry and Warwickshire which would need to be explored by the PCTs.

Resolved:-

That the Cabinet endorses the recommendations of the Health Overview and Scrutiny Committee arising from its consideration of the Mental Health Panel report reviewing mental health provision in the County.

9. Admissions to Stratford Grammar Schools

The report of the County Education Officer was considered.

The Governing bodies of the two grammar schools in Stratford-upon-Avon had requested that the admissions process for the schools be reviewed in light of two years experience of following the arrangements put in place by the Schools Adjudicator. The report set out the views of the governors and a suggested way forward.

Following introductory comments from Councillor John Burton it was Resolved:-

- (1) That the proposed changes to the arrangements for admissions to the Stratford Grammar Schools as detailed in paragraph 3.1 (i and ii) of the report be agreed and that the proposal in 3.1 (iii) be included in the Council's consultation process for admissions in September 2007, and that officers enter into discussions with the Governors of King Edward VI School to ensure the same consultation takes place.
- (2) That the County Education Officer be authorised to consult on proposals for the changes to these arrangements proposed by the Governors of Stratford Girls Grammar School in paragraph 3.3 of the report and ask the Governors of King Edward VI School to consult on similar arrangements.

10. Review of Decriminalisation of Parking Enforcement in Stratford-on-Avon District

The joint report of the Chair of the Stratford on Avon Area Committee, the Acting Chief Executive and the Director of Planning, Transport and Economic Strategy was considered.

The Stratford on Avon Area Committee had considered a report by the Director of Planning, Transport and Economic Strategy relating to a review of the decriminalisation of parking enforcement in the District.

The Committee recommended that in pay and display streets, the free waiting period should be 30 minutes (as opposed to a recommendation that a charge of twenty pence should be made for the 30 minutes period) and that on-street charges on Sunday should be abolished before 12 noon.

The Cabinet was requested to consider the issues.

A letter from the District Council was circulated before the meeting indicating that the District Council's portfolio holder preferred the option involving a 20 pence charge for the 30 minute period and that with regard to the abolition of charges on Sunday before 12 noon, the District Council would not be implementing the same in its car parks.

The views of the Stratford Town Management Partnership had also been circulated before the meeting. The Partnership did not want their name used to support or oppose any of the recommendations from the Stratford on Avon Area Committee.

Copies of these are attached to the signed minutes.

During his introduction of the report Councillor Martin Heatley indicated his support for recommendation 1 in the report and, seconded by Councillor Colin Hayfield, he moved: -

That in those streets in Stratford-upon-Avon with pay and display the 50 pence charge for 40 minutes and the free 20 minute period be abolished and replaced with a 30 minute period free of charge and that on-street charges on a Sunday in Stratford-upon-Avon be abolished before 12 noon.

During the discussion members were advised that the Stratford on Avon Area Committee had requested that the matter should be determined without any further delay in order that any changes to the scheme could be introduced quickly having regard to the time which had elapsed since that Committee's consideration of the review of the scheme and also having regard to the forthcoming Christmas shopping period.

Councillor Ken Browne, Chair of the Environment Overview and Scrutiny Committee, expressed concern over the free parking period proposed in recommendation 1 and suggested that the O and S Committee should be asked for its views before the matter was determined, having regard to several matters including:-

- The financial impact on decriminalisation schemes proposed in other parts of the County.

- The District Council's did not support recommendation 1 and, consequently it was possible that recommendation 1 would lead to increasing congestion in the Town created by people looking for free on-street places.
- The Town Management Partnership had indicated several reasons why they did not support free parking.

During the discussion members were reminded that the Area Committee had requested urgent consideration of the issues and that it would be possible for the proposals relating to parking on Sunday mornings to be separated from the free parking issue.

Councillor Martin Heatley's motion was then put to the vote and was carried.

11. Stratford Park and Ride

The Cabinet considered the report of the Director of Planning, Transport and Economic Strategy which sought approval to the letting of a single contract for the operation of the Park and Ride site and the bus services.

During the discussion the following points were noted:-

- It was anticipated locally that the Park and Ride Scheme would be opened in time for the Christmas shopping period.
- In economic development terms, there had been an investment in the scheme to provide attractive long stay parking for commuters and tourists.

Councillor Ken Browne, Chair of the Environment Overview and Scrutiny Committee indicated that he considered the Park and Ride item was closely allied to the previous item about decriminalisation in Stratford upon Avon and consequently the matter should be deferred until after the decriminalisation issues had been determined.

It was then Resolved:-

That the management of the Park and Ride car park and the provision of the Park and Ride bus services should be let as a combined contract to Johnsons (Henley) Ltd.

12. Reducing Administrative Burdens – The Consumer and Trading Standards Agency

The report of the Director of Libraries, Heritage and Trading Standards was considered.

The Department of Trade and Industry (DTi) were consulting on proposals to address the recommendations in the report by Philip Hampton on reducing administrative burdens prepared for HM Treasury. A proposal was to establish a new government agency, the Consumer and Trading Standards Agency. The report sought approval of a response on behalf of the Council.

Resolved:-

That Cabinet approves the response to the DTi consultation on the Hampton Report.

13. Warwickshire Community Legal Services Partnership

The report of the County Solicitor and Assistant Chief Executive was considered.

The report set out the key points contained in the Legal Services Commission consultation paper 'Making Legal Rights a Reality'. A proposed response was attached to the report.

Resolved:-

That the response to the Legal Services Commission consultation paper 'Making Legal Rights a Reality' as attached to the report be approved.

14. 2005 Formula Grant Consultation - A Response from Warwickshire County Council

The report of the County Treasurer was considered.

The report outlined for members the changes to the Formula Grant methodology proposed in the consultation paper and the possible financial implications for the County Council. It also sought Members' approval to the response to the government to be submitted by 10 October 2005.

Resolved:-

- (1) That the Cabinet notes the proposals for changing the methodology for the distribution of formula grant outlined in the consultation paper and the potential impact on the County Council, and

- (2) That the Cabinet approves the County Council's response to the consultation paper, attached at Appendix A to the report, and authorises the County Treasurer to update the response as necessary in conjunction with the portfolio holder.

15. Rokeby Primary Schools

The report of the County Education Officer was considered.

The report sought permission to undertake formal consultations on a proposal to amalgamate Rokeby Infant School and Rokeby Junior School.

Resolved:-

That the County Education Officer be authorised to conduct formal consultations with relevant stakeholders concerning a proposal to:

- (a) close Rokeby Infant School and Rokeby Junior School.
- (b) establish a new primary school for children aged 4 -11 years on the site of the existing junior school.

16. Any Other Items

The Chair indicated that an issue relating to the Council's court case relating to developments in the Council's legal challenge relating to the Studley Bypass would be considered as an urgent item in the exempt part of the meeting.

17. 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 or exempt information as defined in paragraphs 7,8, 9, 10 and 11 of the Local Government Act 1972.

18. Exempt Minutes of the Meeting held on 8th September 2005 and Matters Arising.

Resolved:

That the exempt minutes of the meeting held on 8th September, 2005 be approved as a correct record and the minutes be signed by the Chair.

19. Irrecoverable Debt

The report of the Director of Property Services was considered.

A company that had been a tenant of a unit at Smallbrook Business Centre in Bidford had gone into voluntary liquidation and the County Solicitor had established that there were no known assets and no chance of outstanding rent of £3, 541.70 being recovered. It was recommended that the debt be written off.

Resolved:-

That the debt worth £3,541.70 outlined in the report be written off as irrecoverable.

20. Bedworth: St. Francis R.C. Primary School, Rye Piece Ringway

The Cabinet approved the sale of land and an easement to in connection with its Chapel Street Flood Alleviation Scheme.

21. Talisman Square Development, Kenilworth

The report of the County Solicitor and Assistant Chief Executive updated members on the position relating to Talisman Square and sought the Cabinet's advice on future action.

The Cabinet was advised that the information being sought from the District Council and the developers had not yet been produced.

Members agreed to defer further consideration of the matter to the next meeting.

URGENT ITEM

22. Legal Challenge to the Government's Proposed Revocation of the Studley Bypass Orders

The Cabinet considered the joint report of the County Solicitor and Assistant Chief Executive and the Director of Planning, Transport and Economic Strategy and agreed a course of action relating to the legal challenge.

During the discussion it was suggested that consideration should be given to seeking reimbursement of the Council's costs and also to publicising the County Council's actions that had been taken to secure the construction of the Bypass.

The Cabinet rose at 2.40 p.m.