

The Cabinet met at the Shire Hall, Warwick on the 6th April 2006.

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 (Environment),
“ Chris Saint (Economic Development),
“ Izzi Seccombe (Children’s Services),
“ Bob Stevens (Performance Management).

Non-Voting Invitees:

Councillor June Tandy, Leader of the Labour Group,
“ Jerry Roodhouse, Leader of the Liberal Democrat Group.

Other Members:

Councillors John Appleton, David Booth, Ken Browne, Richard Chattaway, Josie Compton, Anne Forwood, Richard Grant, Marion Haywood, Mick Jones, Frank McCarney, Helen McCarthy, Tim Naylor, Raj Randev and Sid Tooth.

(1) Apologies for absence.

None.

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

Personal interests relating to any item on the agenda arising by virtue of the members serving as District/Borough councillors and as members of the Warwickshire Police Authority are declared below:

Councillor Alan Cockburn, Member of Warwick District Council.
Councillor Peter Fowler, Member of North Warwickshire Borough Council.
Councillor Colin Hayfield, Member of North Warwickshire Borough Council.
Councillor Richard Hobbs, Member of Stratford on Avon District Council and the Warwickshire Police Authority.
Councillor Jerry Roodhouse, Member of Rugby Borough Council.

Councillor Chris Saint, Member of Stratford on Avon District Council.
Councillor Izzi Seccombe, Member of Stratford on Avon District Council
and the Warwickshire Police Authority.
Councillor Bob Stevens, Member of Stratford on Avon District Council.

Councillor Josie Compton declared a personal interest in any matters affecting the Warwick District Council, as a member of that Council.

Councillor Anne Forwood declared a personal interest in Agenda Item 3 – 2006/07 Revenue Estimates.

Councillors David Booth and Izzi Seccombe declared personal interests in Agenda Item 6 – Admission Arrangements – September 2007, as School Governors.

Councillors John Appleton and Bob Stevens declared personal interests in Agenda Item 27 – Southam Town Centre Redevelopment.

Councillor Alan Farnell declared a personal interest in Agenda Item 5 – Schools Organisation Framework 2005/2010, because his wife was the headteacher at one of the schools listed in the report.

(3) Minutes of the meeting held on the 9th March 2006 and Matters Arising.

With regard to Minute 4, the Establishment of Warwickshire's Safeguarding Children Board, the reference to the Strategic Director of Children, Young People and Family Services should be referred to the Strategic Director of Adult, Health and Community Services.

It was then Resolved:-

That the Minutes of the Cabinet's 9th March 2006 meeting, as amended be approved.

There were no matters arising.

(4) Requests for Discussion of En Bloc Items.

None.

Councillor June Tandy and several other Councillors expressed concern that Agenda Item 26 relating to the 2006/07 Annual Efficiency Statement for the Council as Fire Authority was to be considered in private and requested the Cabinet to consider the matter public.

During the discussion, members were advised that the report raised certain labour relations issues and although the officers considered it was appropriate for the matter to be considered in private, the Cabinet could decide to consider the matter in public if it so wished.

Following a vote the Cabinet decided that having regard to the exempt information contained in the report it should be considered in private.

2. 2006/07 to 2008/09 Medium Term Efficiency Plan

The Cabinet considered the report of the Strategic Director of Resources which sought members' approval of the medium term efficiency strategy and plan. The report provided a forecast level of efficiency gains that were expected to be achieved in 2006/07 that would be submitted to the government in the Council's 2006/07 Forward-Looking Annual Efficiency Statement.

In response to comments made during the debate, Dave Clarke, Strategic Director of Resources, indicated that consideration would be given to including more detail in future reports although regard must be had to the readability of the report.

Members noted that further reports on efficiency savings would be submitted to the Cabinet and Overview and Scrutiny Committees.

Resolved:-

That the Cabinet:

- (1) Approves the Medium Term Efficiency Strategy, attached at Appendix A to the report.
- (2) Approves the Medium Term Efficiency Plan, attached at Appendix B to the report.
- (3) Notes the forecast of efficiency gains for 2006/07.
- (4) Approves the draft 2006/07 forward-looking Annual Efficiency Statement attached at Appendix D for submission to the Government.
- (5) Authorises the Strategic Director of Resources, in consultation with the Leaders and Chief Executive to make any changes necessary to the 2006/07 Forward-Looking Annual Efficiency Statement prior to its submission to the government on 18 April 2006.

3. 2006/07 Revenue Estimates

The Cabinet considered the report of the Chief Executive and Strategic Director of Resources which provided members with further details on Strategic Directors detailed proposals for the use of the resources allocated at Council on 7 February 2006 and their comments on the implications for their service.

During his introduction of this item, Councillor Alan Cockburn suggested that with regard to the proposed increases in the cost of meals on wheels, whereas he had no objection to the proposed increases for the coming year, he felt that the costs for future years should be examined by the appropriate Overview and Scrutiny Committee possibly during the late Summer/Autumn.

It was then Resolved:-

That the Cabinet:

- (1) Approves the detailed estimates for each service directorate as outlined in Appendices A to G of the report and in the accompanying separate document titled “2006/07 Revenue Budget – Detailed Service Estimates”,
- (2) Approves the grants to voluntary organisations listed in section 3 of Appendix A of the report.
- (3) Approves the increase in charges of 35p per meal for meals on wheels and lunch clubs for 2006/07 to allow a phasing out of the management fee as detailed in section 4 of Appendix A and that the cost of meals for subsequent years be examined by the Adult and Community Services Overview and Scrutiny Committee.

4. Children and Young People’s Plan

The Cabinet considered the report of the Strategic Director for Children, Young People and Families which sought the Cabinet’s approval to the first Children and Young People’s Plan.

Following introductory comments from Councillor Izzi Seccombe members discussed several aspects of the report. The following points were raised during the discussion:-

- o The Plan was a strategic document and underlying documents would contain targets.
- o The Plan submitted to the Cabinet would be strengthened in relation to targets and partnership working.
- o Consideration should be given to the way in which the Plan was to be scrutinized given that the Council was one of several partners .
- o The Stratford on Avon District Council had been involved in the preparation of the Strategy through its involvement with the Strategic Partnership Board.

Resolved:-

That Cabinet recommend to Council that the first Children and Young People’s Plan be approved for further development in consultation with partners, stakeholders, and children, young people and their families over the next 18 months.

5. School Organisation Framework 2005/10

The Cabinet considered the report of the Strategic Director for Children, Young People and Families which provided feedback on the formal consultation and sought approval to a document amended in the light of comments and other developments.

Following introductory comments from Councillor John Burton, Councillor Jerry Roodhouse suggested that, the consultations proposed with schools about the use of school accommodation should include the possibility of use for

developments such as one stop shops.

Resolved:-

- (1) That responses to the consultation on the draft School Organisation Framework be noted.
- (2) That the School Organisation Framework 2005/10 be approved as amended.

6. Admission Arrangements – September 2007

The Cabinet considered the report of the Strategic Director for Children, Young People and Families.

The paper contained responses to the Local Authority's proposed admission arrangements for September 2007 and also proposed arrangements for admissions to Voluntary Aided and Foundation schools.

During his introduction of the item Councillor John Burton stressed the need for parents to be made aware of the timetable for admissions arrangements.

Councillor David Booth drew attention to the disadvantages of the time table to members of the armed forces.

It was then Resolved:-

That Cabinet endorse :

- (1) the responses to the Local Authority's proposed admission arrangements and confirm their determination for admissions in September 2007, and
- (2) the proposed admission arrangements from the Voluntary Aided and Foundation schools listed in para. 3 of the Strategic Director's report.

7. Anti-Social Behaviour Strategy

The Cabinet considered the report of the Strategic Director of Performance and Development.

The Cabinet was requested to approve the countywide multi-agency Anti-Social Behaviour Strategy approved by Crime and Disorder Partnerships at district level as a basis for tackling anti-social behaviour. The Strategy related to the Corporate Objective of: 'To reduce crime and improve the safety of the community'.

During his introduction of the item Councillor Richard Hobbs drew attention to the likely need for a review of the Strategy bearing in mind the changes under Police reform and in the Crime Reduction Partnerships.

Resolved:-

- (1) That the Cabinet endorse the Anti-Social Behaviour Strategy and action plan on behalf of the County Council.
- (2) That in view of the changing agenda of the Crime Reduction Partnerships and the fast and ever changing view of the Home Office on Police Reform, the Cabinet ask the Strategic Director of Community Protection to review the Strategy in six months time.

8. Capital Expenditure on New Youth & Community and Adult & Community Learning Facilities in Stratford

The Cabinet considered the report of the Strategic Director for Children, Young People & Families and the Strategic Director of Adult, Health & Community Services.

Approval was sought for the use of a capital grant from the South Warwickshire Primary Care Trust to meet the needs of the Youth & Community and Adult & Community Learning Services in Stratford.

Following introductory comments from Councillor Alan Cockburn, it was Resolved:-

- (1) That the capital projects identified in paragraphs 4 and 5 of the report be added to the 2006/07 capital programme at an estimated total cost of £106,000, to be funded from the grant receivable from the South Warwickshire Primary Care Trust.
- (2) That the balance of the grant be available for corporate capital resources.
- (3) That, in the unlikely event that more funds are needed to complete the project, the matter be referred back to the Cabinet for further consideration.

9. Change to Indicated Admission Number of Oakfield Primary School, Rugby

The Cabinet considered the report of the Strategic Director for Children, Young People and Families which sought approval to proposals to increase the Indicated Admission Number of Oakfield Primary School, Rugby, following the response to formal consultation.

Following comments from Councillor John Burton it was Resolved:-

That Cabinet approve the proposal to increase the Indicated Admission Number of Oakfield Primary School, Rugby, from 25 to 30 places per year.

10. Change to Indicated Admission Number of Thomas Jolyffe Primary School, Stratford

The Cabinet considered the report of the Strategic Director for Children, Young

People and Families which sought approval to proposals to increase the Indicated Admission Number of Thomas Jolyffe Primary School, Stratford, following the response to formal consultation.

Following comments from Councillor John Burton it was Resolved:-

Resolved:-

That Cabinet approves the proposal to increase the Indicated Admission Number of Thomas Jolyffe Primary School, Stratford, from 45 to 60 places per year.

11. Stratford Vision

The Cabinet considered the report of the Strategic Director of Environment and Economy which asked the Cabinet to note the contents, and support where appropriate the Vision Document, published by Stratford on Avon District Council in January this year.

Following introductory comments from Councillor Chris Saint, it was suggested that the Stratford on Avon Area Committee should be kept informed of any developments .

It was then Resolved:-

- (1) That the Cabinet notes the contents of the Stratford-upon-Avon Vision document and suggests further investigations into the transport proposals through the review of the Transport Strategy later this year.
- (2) That the Stratford on Avon Area committee be kept informed of progress with the Vision.

12. Speed Limit on the B4086 Banbury Road at Kineton

The Cabinet considered the report of the Chair of the Stratford Area Committee.

Following formal advertisement of a proposed 30 mph and 40 mph speed limit on the B4086 Banbury Road, Kineton, five objections were received from residents.

The objections were considered by the Stratford on Avon Area Committee on the 15th March.

The Committee resolved that a 30 mph speed limit should be applied to the whole length of Banbury Road concerned rather than the speed limit proposals which were advertised.

Given that such a speed limit would not be in accordance with the Council's normal policy, the Cabinet was asked to consider the matter.

The Area Committee had recommended that the Cabinet resolves either:

- (1) notwithstanding that this is not in accordance with the Council's normal

policy, that a Traffic Order be advertised replacing the existing 40 mph speed limit on the B4086 Banbury Road, Kineton by a 30 mph speed limit;

or (if option (1) was not acceptable)

(2) that a Traffic Order be made in the following terms:

- (i) That the existing 40 mph limit be retained on the B4086 Banbury Road, Kineton with a 36 metre extension of the 30 mph speed limit as advertised;
- (ii) That speed reducing measures be introduced as described in this report to encourage compliance with both speed limits.

During his introduction of the item Councillor Martin Heatley suggested that the Cabinet should defer consideration of the matter pending receipt of new speed limit guidelines from the ODPM. He indicated that when the new guidelines had been received a workshop would be held for Councillors and representatives of the district /borough councils.

During the discussion the following points were made:-

- o An in depth review be undertaken of A and B roads with poor accident records so that decisions could be taken under the new guidelines.
- o The Parish Council had rejected a 30 mph speed limit along the whole section of the road concerned because of the engineering measures that would be needed.
- o There was concern that deferment would lead to delay in reaching a decision concerning Banbury Road. New guidelines were expected during May/June although there was no guarantee regarding the timing.
- o With regard to the process for considering the expected guidelines, it was proposed that a scrutiny workshop be held on 12st September following which the Environment Overview and Scrutiny Committee would consider the issues before making recommendations to the Cabinet. It would then be appropriate for the Cabinet to consider the proposals relating to Banbury Road at Kineton.
- o It was suggested that a seminar for Town/Parish Councils should be held in parallel to the seminar being arranged for members.
- o The Government should be asked to confirm the publication arrangements for the new guidelines.
- o Having regard to the length of time that could be taken in preparing a new strategy, members considered that a time limit should be set for the consideration of the Kineton proposals.

It was then Resolved:-

That consideration of the proposed speed limit on the Banbury Road at Kineton be deferred to enable re-consideration of the council's speed limit policy following receipt of the new guidelines but, in any event, the speed limit proposal for the Banbury Road be reconsidered by the end of November 2006.

13. Revised Policy for the Provision of Pedestrian Crossings and Pedestrian Phases at Traffic Signals.

The Cabinet considered the report of the Strategic Director of Environment and Economy.

The report set out a revised policy for the provision of pedestrian crossings and pedestrian phases at traffic signals to ensure the most effective use of the available resources.

Resolved:-

That Cabinet:-

- (1) Approves the Policy for the Provision of Pedestrian Crossings and Pedestrian Phases at Traffic Signals in Appendix A of the report together with the associated Technical Procedure.
- (2) Authorises the Strategic Director of Environment and Economy or his nominee to review, amend or update the Technical Procedure in accordance with the Policy as he considers appropriate.

14. Warwickshire County Council Submission to the DTI Energy Review

The report of the Strategic Director of Environment and Economy was considered.

The report summarised the current Energy Review Consultation Paper – Our Energy Challenge (securing clean, affordable energy for the long term) – Have Your Say.

The paper contained a draft County Council response to the specific questions raised within it. The consultation was taking place at a highly relevant time and coincided with work on developing a countywide Climate Change Strategy and Action Plan. The Cabinet was asked to consider and comment upon the draft response before it was submitted to the Department of Trade and Industry (DTI) prior to the consultation deadline of 14th April 2006.

Resolved:-

That Cabinet agrees the response to the Department of Trade and Industry (DTI) Energy Review attached as Appendix B to the report.

15. Charges to District Councils for the Disposal of Trade Waste

The report of the Strategic Director of Environment and Economy was considered.

The report recommended charges to District Councils for disposal of trade waste collected in 2006/07.

Resolved:-

That the charges for the disposal of general trade waste collected by the District Councils in 2006/2007 be:-

Ling Hall - £32.19 per tonne
Wilnecote - £37.99 per tonne
Judkins - £45.16 per tonne
Hunters Lane - £56.07 per tonne

16. Request for Financial Assistance for Home Adaptation for a Disabled Person

The report of the Strategic Director of Adult, Health and Community Services was considered.

The report dealt with a proposed loan for a house extension for a person with disabilities to facilitate access to basic facilities within the home.

The report also sought delegated authority to enable the Strategic Director of Adult, Health and Community Services to make such payments in future without reference to the Cabinet. These would then be included in the periodic review of the Capital Programme reported to Cabinet.

Resolved:-

- (1) [That the Cabinet](#) approves an increase to the capital programme by up to £7,000, financed from revenue, to provide an [interest free loan to Mrs X](#) for [the purpose of financing the extension to her house, subject to terms and conditions approved by the](#) Strategic Director of Performance and Development.
- (2) That the Strategic Director of Adult, Health and Community Services be authorised to make grants or loans for house adaptations for people with disabilities in accordance with the agreed policy, on terms and conditions approved by the Strategic Director of Performance and Development. Any payments made to be included in the periodic review of the Capital Programme reported to Cabinet.

17. North Leamington School - Best Value

The report of the Strategic Director of Resources was considered

The report described the procedures to be put in place to ensure that best value

was achieved in the procurement of the new North Leamington School.

Resolved:-

That the strategy described in the report of the Strategic Director of Resources for achieving best value in redeveloping North Leamington School be approved.

18. Instrument of Government for New Woodlands School Opening in April 2006

The report of the Strategic Director for Children, Young People and Families was considered.

Approval was sought for the draft instrument of government for the new Woodlands School opening in April 2006.

Resolved:-

That the Cabinet approves the draft instrument of government for Woodlands School as described in Appendix A of the Strategic Director's report.

19. Railways Act 2005 – Consultation on Provisions on Closures and Minor Modifications

The report of the Strategic Director of Environment and Economy was considered.

The Department for Transport had published consultation on the implementation of the Closures and Minor Modifications provisions of the Railways Act 2005. The provisions set out criteria for the possible withdrawal of railway services and closure of railway stations. It was recommended that Cabinet noted the contents of the report and approved the proposed response of the County Council.

Resolved:-

That Cabinet approves the proposed response to the Department for Transport's consultation on the implementation of the Railways Act 2005 Provisions on Closures and Minor Modifications.

20. Anti-Social Behaviour Act 2003: Sale of Aerosols to Minors

The report of the Strategic Director, Adult, Health & Community Services was considered.

Section 54 of the Anti-social Behaviour Act 2003 makes it an offence for a person to sell an aerosol paint container to a person under the age of sixteen. The report asked the Cabinet to delegate the duty to enforce this to the Strategic Director of Adult, Health & Community Services. Through the recent budget process, Council had decided to pursue a campaign to secure compliance and allocated the necessary funding.

Resolved:-

That the Strategic Director of Adult, Health & Community Services or his/her nominee be authorised to exercise the functions of the County Council in relation to offences concerning the sale of alcohol to children under Section 54 the Anti-Social Behaviour Act 2003 and that the Strategic Director of Performance and Development be requested accordingly to amend Paragraph 13 of Part 6, Section 10, Part 2 of the Constitution to include references to the above.

21. Irrecoverable Debt

The report of the Strategic Director of Performance and Development was considered.

A company owing the County Council money has gone into voluntary liquidation and Legal Services have established that there are no known assets and no chance of the outstanding amount of £1,550.00 being recovered.

Resolved:-

That the debt worth £1,550.00 outlined in the report be written off as irrecoverable.

22. Smallholdings Estate: Maintenance and Improvement Liability Recovery

The report of the Directorate of Environment and Economy was considered.

This report requested agreement to raise the cap level of funds to bring the County Smallholdings Estate into good condition from £287,000 to £375,000 from receipts for the sale of Smallholding Estate land as agreed by the Smallholdings Panel on 29th November 2005.

Resolved:-

That the proportion of receipts from the sale of Smallholding Estate land to be used for strategic land purchases and essential maintenance and improvement of the Smallholdings Estate, capped at £287,000 be raised to £375,000 to bring the County Council Farm Estate into good condition.

23. Any Other Items

There were no urgent items to consider.

24. 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 1, 2, 3, 4 & 5 the Local Government Act 1972'.

25. Exempt Minutes of the Meeting held on 9th March 2006 and Matters Arising. Minutes

Resolved:-

That the exempt minutes of the meeting held on 9th March 2006 be approved as a correct record and the minutes be signed by the Chair.

There were no matters arising.

26. 2006/2007 Annual Efficiency Statement

The Cabinet considered the report of the Strategic Director of Community Protection / County Fire Officer which provided members with the opportunity to comment on the Fire and Rescue Service draft Annual Efficiency Statement for 2006/2007 to be submitted to the ODPM.

Resolved:-

- (1) That the Cabinet notes the requirements placed on the Fire Authority as a result of the Government's efficiency agenda.
- (2) That the Community Safety Overview and Scrutiny Committee consider the issue at the earliest opportunity and report back to the Cabinet with options for making the required efficiency savings.

27. Southam Town Centre Redevelopment

The report of the Strategic Director of Resources was considered

The Cabinet considered present position regarding the feasibility of establishing a Joint Service Centre One Stop Shop in Southam. It was proposed that a further report would be submitted when negotiations have developed further.

28. Rugby Paddox Primary School - Payment of Compensation

The report of the Strategic Director of Resources was considered.

The Cabinet approved negotiations relating to a compensation settlement with the claimant.

The Cabinet rose at 3.50 p.m.