

WARWICKSHIRE COUNTY COUNCIL

Minutes of the Meeting of Warwickshire County Council held on 12 December 2006

Present:

Councillor Chris Davis (Chair)

Councillors John Appleton, George Atkinson, Sarah Boad, David Booth, Ken Browne, John Burton, Les Caborn, Tom Cavanagh, Richard Chattaway, Alan Cockburn, Gordon Collett, Jose Compton, Jill Dill-Russell, Richard Dodd, Michael Doody, Alan Farnell, Anne Forwood, Peter Fowler, Eithne Goode, Richard Grant, Colin Hayfield, John Haynes, Marion Haywood, Martin Heatley, Pat Henry, Bob Hicks, Richard Hobbs, Richard Hyde, Katherine King, Bernard Kirton, Nina Knapman, Joan Lea, Bryan Levy, Barry Longden, Susan Main, Frank McCarney, Helen McCarthy, Phillip Morris-Jones, Brian Moss, Tim Naylor, Raj Randev, Jerry Roodhouse, John Ross, Chris Saint, Izzi Seccombe, Kam Singh, Mota Singh, Ian Smith, Mick Stanley, Bob Stevens, Ray Sweet .B.E.M., June Tandy, Heather Timms, Sid Tooth, John Vereker, C.B.E., John Wells and John Whitehouse.

1a. General

(1) Apologies

Apologies for absence were received on behalf of Councillors Peter Barnes, Mick Jones, Mike Perry and Dave Shilton.

(2) Members' Disclosures of Personal and Prejudicial Interests

District/borough memberships

The following councillors disclosed a personal interest as members of the district or borough council indicated.

North Warwickshire Borough Council

Councillors: Peter Fowler, Colin Hayfield, Joan Lea, Brian Moss, Mick Stanley, Ray Sweet and Sid Tooth.

Nuneaton and Bedworth Borough Council

Councillors Pat Henry and John Ross.

Rugby Borough Council

Councillors: Tom Cavanagh, Gordon Collett, Richard Dodd, Jerry Roodhouse and Heather Timms.

Stratford on Avon District Council

Councillors: John Appleton, Richard Hobbs, Susan Main, Chris Saint, Izzi Seccombe and Bob Stevens.

Warwick District Council

Councillors: Les Caborn, Alan Cockburn, Jose Compton, Chris Davis, Michael Doody, Eithne Goode and Bernard Kirton.

Other interests

Item 5 – World Class Stratford – New Bridge Proposal

The following Councillors declared interests in this item:

Councillors: John Appleton, Richard Hobbs, Susan Main, Chris Saint, Izzi Seccombe and Bob Stevens (personal interests as members of the district council).

Councillor Richard Hyde – as a member of the Board of AWM

Councillors Richard Chattaway, Michael Doody, Pat Henry, Joan Lea, Barry Longden, Susan Main, Brian Moss, Ian Smith and John Wells declared interests as members of the Regulatory Committee and did not take part in the debate.

Councillor George Atkinson declared a personal interest as a member of 'World Class Stratford'.

Item 10 – Options for Shire Hall

Councillor Richard Hyde declared a personal interest as a member of the Board of AWM.

(3) Minutes of Previous Meeting

Resolved:

That the minutes of the meeting held on 31 October 2006 be agreed as a correct record and signed by the Chair.

(4) Awards

Warwickshire Quality Rail Public Private Partnership

The Chair announced that he had attended the signing of this new partnership agreement between Central, Chiltern and Virgin Trains, which promised to lead to station improvements across Warwickshire.

Warwickshire Employer of Choice Awards

The Chair congratulated the Environment and Economy Directorate for receiving the Employer of Choice Award for promoting flexible working practices and encouraging work-life balance.

Switch if off campaign

Councillor Martin Heatley, Cabinet portfolio holder for Environment, reported that Brooke School in Rugby and High Meadow Infant School in Coleshill had received awards for their part in the 'Switch It Off' campaign.

Green Apple Award

The Chair announced that the Council had won the 'Green Champion' award for environmental education and training, for its Eco Schools Programme. The Chair congratulated the Council's staff and schools for their part in the programme.

British Association of Landscape Industries Award

The Chair congratulated staff in the Environment and Economy Directorate for achieving a British Association of Landscape Industries award for the 'Schools Grounds for the Future' scheme at Centenary Gardens, Nursery Hill Primary School, Nuneaton.

(5) Petitions

Deppers Bridge, Harbury

Councillor Bob Stevens presented a petition from residents in Deppers Bridge, who were concerned that there had been a lack of consultation on a proposed scheme to install permanent traffic lights.

The petition was passed to the Strategic Director of Environment and Economy for consideration and report back to Councillor Stevens.

Hilltop and Coventry Road, Nuneaton

Councillor June Tandy presented a petition on behalf of residents in Hilltop and Coventry Road, Nuneaton who were concerned at the speed of traffic on the main road through Coton Arches.

The petition was passed to the Strategic Director of Environment and Economy for consideration and report back to Councillor Tandy.

1b. The Local Government White Paper – '*Strong and Prosperous Communities.*' -Enhanced Two Tier Status in Warwickshire

Jim Graham, Chief Executive, outlined the content of the Government's 'Invitations to Councils in England' which invited local authorities to make

submissions for unitary status or to become a pathfinder for two tier. Each option came with criteria, including direct monitoring if the pathfinder option is followed. Jim Graham advised the Council that those authorities remaining in the two-tier structure would have to deliver the same efficiency gains as would be the case if they were in a unitary structure. The White Paper, increased Gershon targets and the indications around the 2007 Comprehensive Spending Review, also placed an increasing focus on local government achieving greater efficiency. Smaller authorities were likely to find this particularly difficult and this will increase the impetus already in local government for local authorities to look at more joined up solutions and increased working together (particularly on operational 'back room' services such as payroll systems) with a view to realising efficiencies through economy of scale.

Jim Graham reported that discussions had been held with the Leaders and with the Chief Executives of the districts and boroughs in Warwickshire and that the indication to date was that there was support for putting together a bid for enhanced two- tier (not pathfinder).

- A** Councillor Alan Farnell, Leader of the Council, moved the following motion and was seconded by Councillor Bob Stevens:

“That this Council endorses the proposed approach set out in the report as the basis for development of a bid for Enhanced Two-Tier Status”

- B** Councillor June Tandy moved the following amendment and was seconded by Councillor Tim Naylor:

“ That the Council submits a bid to become a unitary council.”

- C** Councillor David Booth moved the following amendment and was seconded by Councillor Jill Dill-Russell:

“ That this Council endorses the proposed approach set out in the report as the basis for development of a bid for Enhanced Two-Tier Status but, if all six councils do not sign up, the County Council bids for whole Warwickshire unitary status.”

At the end of the debate Councillor June Tandy moved (and was seconded by Councillor Tim Naylor) that the Council adjourn. The Chair adjourned the meeting for fifteen minutes.

Voting

The amendment at **C** was put to the vote and was **LOST**, the Chair using his casting vote.

The amendment at **B** was put to the vote and was **LOST**, the voting being 16 for and 27 against.

The substantive motion at **A** was put to the vote and was **CARRIED**, the voting being 25 for and 22 against.

Resolved

That this Council endorses the proposed approach set out in the report as the basis for development of a bid for Enhanced Two-Tier Status.

2. The Council's Vision Statement

Councillor Alan Farnell, Leader of the Council, presented a vision statement for the Council, which had been developed by the Cabinet in consultation with officers and which set out the Council's key priorities for 2006-2015.

Councillor Alan Farnell moved that the statement be adopted. This was seconded and agreed as set out below.

Resolved

That the Council approves and adopts the Vision Statement for 2006-2015 as set out in the appendix to the report.

3. Establishment of West Midlands Fire and Rescue Services Regional Control Centre Company

The Council considered the recommendations from the Cabinet that the Council agree to participate in the West Midlands Fire and Rescue Services Regional Control Centre Company.

Councillor Michael Doody moved the recommendations in the report and was seconded by Councillor Alan Cockburn. Following a debate this was put to the vote and was **CARRIED** as set out below.

Resolved

That Council, in its capacity as Warwickshire Fire and Rescue Authority:

- (i) notes the steps being taken to establish the West Midlands Fire and Rescue Services Regional Control Centre Company by January 2007;
- (ii) agrees that the County Council participates as a member of the company on terms substantially as outlined in the report and its appendices;
- (iii) appoints Councillor Richard Hobbs as a Director of the Company;
- (iv) authorises the Strategic Director of Community Protection and County Fire Officer, the Strategic Director of Performance and Development and the Strategic Director of Resources to take such steps as may be reasonably

necessary to finalise the company documentation in order that the Company may be established by January 2007;

- (v) notes that further reports will update the Council on developments in the Fire Control project and the operation of the Company and in particular proposals for financial apportionment being developed at a local and national level.

4. Corporate Parenting Policy, Strategy and Action Plan 2006-2009

The Chair welcomed a group of young people and support workers to the meeting. These young people had experience of the care system and had taken part in the development of the Council's Corporate Parenting Policy, Strategy and Action Plan.

County Councillor Izzi Seccombe, Cabinet portfolio holder for Children, Young People and Families, presented the proposed Policy, Strategy and Action Plan and invited the young people to give their views.

Councillor Izzi Seccombe moved the adoption of the document and establishment of a standing group of members. Councillor Jill Dill-Russell seconded the proposals and after a debate the Council resolved as set out below.

Resolved

- (1) That the Council adopts the Corporate Parenting Policy, Strategy and Action Plan 2006-2009 as appended to the report.
- (2) That a standing group of members be established with the remit set out at section 5 of the document (page 17).

5. World Class Stratford- New Bridge Proposal

Councillor Chris Saint, Cabinet portfolio holder for Economic Development, presented the report of the Strategic Director of Environment and Economy. The report set out the results of the public consultation on the designs for a new pedestrian and cycle bridge over the River Avon in Stratford. It was reported that Stratford on Avon District Council had considered the issues at a special meeting on 8 December and had not supported the proposals for a bridge.

A Councillor Chris Saint moved the following recommendations, as set out in the report and was seconded by Councillor Bob Stevens.

- “ (1) That Council approves Scheme B for further development, leading to the working up of a detailed design, followed by public consultation

- (2) That issues of concern raised through the consultation process are given further consideration as part of working up a detailed design.
- (3) That the project be added to the Council's Capital Programme
- (4) That the Council notes that the Area Committee and Cabinet will receive further reports in the New Year prior to any decision being made about the submission of a planning application".

B Councillor Jill Dill-Russell moved the following amendment and was seconded by Councillor David Booth:

"That, having considered the contents of the report and in view of the strong opposition recorded in recent surveys of residents of Stratford-upon-Avon to the proposal for a new bridge, no further action be taken to work up a detailed design."

During the debate Councillor Jerry Roodhouse moved (in accordance with standing order 31.3) that the question now be put. This was seconded and put to the vote, which was **LOST**.

The amendment at **B** was put to the vote and was **LOST**, the vote being 10 for and more against.

The substantive motion at **A** was put to the vote and was **CARRIED** the vote being 31 for and 11 against.

Resolved:

- (1) That Council approves Scheme B for further development, leading to the working up of a detailed design, followed by public consultation
- (2) That issues of concern raised through the consultation process are given further consideration as part of working up a detailed design.
- (3) That the project be added to the Council's Capital Programme
- (4) That the Council notes that the Area Committee and Cabinet will receive further reports in the New Year prior to any decision being made about the submission of a planning application.

6. Notices of Motions (Standing Order 5)

(1) Waste Sustainability

- A** Councillor Eithne Goode circulated and proposed the following motion and was seconded by Councillor Ken Browne:

(The motion was a revised version of that printed in the agenda. Revisions shown in italics).

"This Council notes the growing pressure on Warwickshire's local authorities to manage household waste and to meet stringent landfill diversion targets set by the Government and the EU.

This Council also recognises that the split of waste collection and disposal functions across two-tier local authorities is not necessarily an efficient way of managing waste sustainably.

In recognition of the recent Local Government White Paper, "Strong and Prosperous Communities", and the opportunity that it provides for enhancing two-tier working, this Council requests that the Cabinet, along with the Environment Overview and Scrutiny Committee, *with invitations to the District and Borough Councils*, carries out a feasibility study on establishing a Waste Partnership Company for Warwickshire. This study *to be reported to full Council by July 2007 and to include financial information, timescales, and details of which Warwickshire District and Borough Councils would be interested in participating.*"

- B** Councillor Martin Heatley moved the following amendment and was seconded by Councillor John Vereker:

Amend paragraph 3 to read (amended words in italics):

"In recognition of the recent Local Government White Paper, "Strong and Prosperous Communities", and the opportunity that it provides for enhancing two-tier working, this Council *invites the five district and borough councils to consider joining us in carrying out a feasibility study to determine whether a Waste Partnership Company for Warwickshire could be established, and if so, what form this should take.*

This study should be reported to full Council by July 2007 and should include financial information and timescales".

Following a debate, the amendment at **B** was put to the vote and was **LOST** the voting being 20 for and 24 against.

The substantive motion at **A** was put to the vote and was **CARRIED**, the voting being 27 for and 5 against.

Resolved

This Council notes the growing pressure on Warwickshire's local authorities to manage household waste and to meet stringent landfill diversion targets set by the Government and the EU.

This Council also recognises that the split of waste collection and disposal functions across two-tier local authorities is not necessarily an efficient way of managing waste sustainably.

In recognition of the recent Local Government White Paper, "Strong and Prosperous Communities", and the opportunity that it provides for enhancing two-tier working, this Council requests that the Cabinet, along with the Environment Overview and Scrutiny Committee, with invitations to the District and Borough Councils, carries out a feasibility study on establishing a Waste Partnership Company for Warwickshire. This study to be reported to full Council by July 2007 and to include financial information, timescales, and details of which Warwickshire District and Borough Councils would be interested in participating.

(2) Rugby Western Relief Road

Councillor Gordon Collett moved the following motion and was seconded by Councillor Heather Timms.

(The motion was a revised version of that printed in the agenda. Revisions are shown in italics).

"That this Council views with great concern the lack of progress that has been made on the Rugby Western Relief Road. This project is vital to the people and businesses of Rugby and Warwickshire as a whole.

This Council commends the ongoing hard work of Warwickshire County Council officers in developing the Rugby Western Relief Road, but also notes with concern the cost implications of the delayed announcement of the Secretary of State. This Council is disappointed that the delay of the Secretary of State announcement may result in a funding shortfall and hopes that the government recognises this in any future settlement".

Following a debate, the motion above was put to the vote and was **CARRIED**, the voting being 33 for and none against.

7. Member Question Time (Standing Order 7).

(1) Casualty Reduction Schemes

Councillor Ken Browne asked Councillor Martin Heatley (Cabinet portfolio holder for Environment) the following question:

“Would Councillor Heatley please explain to the Council the present criteria for prioritisation of casualty reduction schemes in Warwickshire and whether he believes these are the correct ones for the allocation of finite road safety resources?”

Councillor Martin Heatley replied:

“Schemes have to be prioritised and the system devised is a correct one. Officers believe it is a correct one. It is based on the number of accidents, not necessarily the number of deaths, and on the type of route and hotspots. For instance, in my area, there have been five deaths but there is nothing wrong with the structure of road”.

Councillor Ken Browne asked the following supplementary question:

“ £40,000 a year is currently delegated to each Area Committee to be spent on road safety or other transport projects. Rugby Area Committee recently decided to spend all of this on a casualty reduction scheme on the A45 between Dunchurch and the County boundary. This stretch is 19th on the priority list countywide and only 8th on the list in the Rugby area. This means it has leap-frogged over higher priority schemes in the patches of councillors Smith, Vereker, Collett, Timms, Stevens and Appleton. Given this decision flies in the face of Council policy, does the portfolio holder perhaps feel that his colleagues do not share his supportive approach to the current criteria and are not supportive of maximising value for money in avoiding serious injury and death on Warwickshire’s roads, nor are his colleagues perhaps properly representing the interests of the people who elected them?”

Councillor Martin Heatley replied:

“ Each Area Committee has an amount of money to allocate. We give them the money so that they can make their choices. I would not want that taken away from them. Any member is able to go to their area committee chair and raise a point on a particular road. If the area committee agree, then we should not deny them that authority.”

Councillor June Tandy asked the following supplementary question:

“Will the £40,000 cover all of the work?”

Councillor Gordon Collett gave his assurance that it would.

(2) 11+ Examination system

Councillor John Whitehouse asked Councillor John Burton (Cabinet portfolio holder for Schools) the following question:

“Recent press reports have identified potential security weaknesses in the administration of the 11+ examination system in Warwickshire and have alleged instances of cheating and payments for question in advance. What actions are being taken to address the issues these reports have raised?”

Councillor John Burton replied:

“There has been a lot of press speculation in recent weeks, particularly about the Moray House papers. The accusations of malpractice by certain schools and private tutors has been investigated and found largely unsubstantiated. However, certain concerns have necessitated changes to practice in the future. There is a group looking at alternatives and a different type of test is being looked at with the University of Durham with a view to its introduction for schools to use in the Autumn 2008. Interim arrangements for 2007 will not use the Moray House papers. All tests will be at centres in areas rather than in schools, for example at the Saltisford using external invigilators”.

Councillor John Whitehouse asked the following supplementary question:

“As soon as a plan of action is available and the timings known, can you please ensure it is made available?”

Councillor John Burton replied:

“When we have the regulations and the timetable we will make sure all are informed.”

(3) Bridge Repairs – Woodlands Park Estate, Bedworth

Councillor John Haynes asked Councillor Martin Heatley (Cabinet portfolio holder for Environment) the following question:

“Over the last 12 months there has been no alleviation of the danger to local residents presented by the bad repair of the bridge at Woodlands Park Estate. Will the Cabinet portfolio holder advise me what is happening to alleviate the problem?”

Councillor Martin Heatley replied:

“It is a complicated situation. The bridge once belonged to an estate and then the coal board and was to be transferred under a section 106

agreement with some land in return for planning permission. The section 106 agreement was not completed. The bridge needs repairing but is not our responsibility. The footpath that runs along the top of it is our responsibility. A short term solution would be to bulldozer it but is morally wrong to arbitrarily shut a footpath so we envisage repairs should be undertaken.”

Councillor John Haynes asked the following supplementary question:

“Does the portfolio holder agree with its Leader that Warwickshire County Council puts customers first and if so we are responsible for footpaths and agree that we need a unitary authority?”

Councillor Martin Heatley replied:

“We may have a moral responsibility but not a legal responsibility. We would be entering someone else’s land. Trying to find out who is responsible and taking them to court is a protracted process. An officer has arranged for the damaged brickwork on the eastern side to be taken down and the area fenced. My guess is that it won’t last.

There are also budgetary implications. We could spend a lot on this one bridge when it is not our responsibility.”

(4) Use of Redundant School Site

Councillor John Haynes asked Councillor Alan Cockburn (Cabinet portfolio holder for Resources) the following question:

“What plans are there for the redundant school site adjacent to George Street Ringway, Bedworth?”

Councillor Alan Cockburn replied:

“ The site has been declared surplus and there have been three options have been explored –use as a training venue (but it has found to be too small and has restricted access); retain for other Council use (but none has been identified) or disposal on the open market. So the conclusion is that it should be disposed of with Secretary of State approval. There has been food retail interest but we could get a variety of offers.”

(5) Kings House, Bedworth

Councillor John Haynes asked Councillor Alan Cockburn (Cabinet portfolio holder or Resources) the following question:

“ Has any progress been made in the provision of extra car parking for Kings House. I am told that a plot of land is available so has anything been done about accepting that offer?”

Councillor Alan Cockburn replied:

“ Yes, there is insufficient parking at Kings House. I have not been told what plot of land you are referring to. Nuneaton and Bedworth Borough Council has a pay and display car park available, Bedworth Football Club has offered their 40 spaces and there is a Community Church in Bulkington Road that has around 100 spaces. The United Reform Church has a small area but this would cost some £15,000 to bring up to standard and has a limited life as a car park”.

Councillor John Haynes asked the following supplementary question:

“Could not the Council use the Old Meeting Chapel area which has been offered to the Council and is just two minutes walk from Kings House?”

Councillor Alan Cockburn replied:

“There is a narrow cobbled road to the church with adjacent overgrown land. I know a spokesperson for the site has said that the Council could have it rent free but officers have surveyed the site and found there is a narrow access, and that the site would require lighting and demarcation before it would be suitable for 20-30 cars. Planning permission would be also needed.”

(6) Inquiry into Public and patient involvement in the NHS

Councillor Jerry Roodhouse asked Councillor Alan Farnell, Leader of the Council, the following question:

“ Does the Leader of the Council agree that we should put together a response to the Secretary of State about the changes to the Public Patient Involvement and other matters and that this be signed by all parties?”

Councillor Alan Farnell replied:

“Yes a letter can be put together for Leaders to sign.”

8. Other Items of Urgent Business

There were no other items of business.

9. Exclusion of the Public

Resolved

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 paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

10. Options for Shire Hall, Warwick

NB. The report considered by the Council is exempt (not public) as it contains estimated expenditure which could prejudice the Council's position in tendering for work. The following resolution is the full decision and is public.

Councillor Alan Cockburn presented the report and recommendations from Cabinet regarding the development of HQ accommodation.

Councillor Alan Farnell seconded the proposals.

Following a debate the Council put the following proposals to the vote and these were agreed with one vote against.

Resolved

(1) That the Council proceed with Option 2. In summary this is:

Modernisation of the frontage of Shire Hall
Barrack Street Improvements with new offices on ground floor
Retained offices in Shire Hall modernised
Relocate Library
Safeguard IT in basement
One Stop Shop in Shire Hall frontage

(2) That Council supports the investment needed to define and agree strategies and feasibility studies for:

- The relocation of Warwick Library
- safeguarding IT infrastructure in Shire Hall
- re-accommodating any displaced staff in existing accommodation.
- Providing alternative out of town parking
- The long-term solution to a Shire Hall one stop shop and the implementation of an interim solution
- Investment in the retained offices and Council Chamber
- The future use of the Old Shire Hall and the Courts
- A redefined and consolidated staff club

- (3) That proposals will be prepared which take into account the need for Warwickshire County Council to demonstrate leadership by incorporating the principles of sustainable development into the future proposals.
- (4) That Council supports the commencement of open public consultation of the scheme in partnership with Warwick District Council and Warwick Town Council, supported by the Communications and Media Service of Performance and Development Directorate.
- (5) That the previous provision in the Capital Programme for Shire Hall refurbishment be allocated to fund this option and the Strategic Director of Resources be given authority to engage consultants and internal resources as required.

The meeting rose at 5.25 p.m.

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Chair