

Minutes of the Meeting of Warwickshire County Council held on 3 September 2015

Present:

Councillor Bob Stevens (Chair)

Councillors John Appleton, John Beaumont, Mike Brain, Peter Butlin, Jonathan Chilvers, Chris Clark, Jeff Clarke, Alan Cockburn, Jose Compton, Yousef Dahmash, Corinne Davies, Neil Dirveiks, Richard Dodd, Peter Fowler, Bill Gifford, Mike Gittus, Brian Hawkes, Bob Hicks, John Holland, John Horner, Julie Jackson, Philip Johnson, Bernard Kirton, Keith Kondakor, Joan Lea, Keith Lloyd, Jeff Morgan, Phillip Morris-Jones, Peter Morson, Brian Moss, Bill Olnier, Maggie O'Rourke, Dave Parsons, Caroline Phillips, Wallace Redford, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Izzi Seccombe, Dave Shilton, Jenny St. John, June Tandy, Heather Timms, Alan Webb, Mary Webb, Matt Western, John Whitehouse and Chris Williams.

Invitees

Councillor David Humphreys, Leader of North Warwickshire Borough Council
Councillor Andrew Mobbs, Leader of Warwick District Council
Ron Ball, Warwickshire Police and Crime Commissioner
Dr Eric Wood OBE, DL, Warwickshire Deputy Police and Crime Commissioner
Jonathan Browning, Chair of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP)
Paula Deas, Executive CWLEP
Louise Bennett OBE, Chief Executive of Coventry & Warwickshire Chamber of Commerce
Ian O'Donnell, Chair of Solihull & Coleshill Branch of the Federation of Small Businesses.

The Chair welcomed Councillor Jeff Morgan, recently elected member for Nuneaton Whitestone, to his first meeting and wished him well in his time as a county councillor.

1. General

(1) Apologies for absence

Apologies for absence were submitted on behalf of Councillors Sarah Boad, Les Caborn, Richard Chattaway, Nicola Davies, Sara Doughty, Jenny Fradgley, Colin Hayfield, Kam Kaur, Danny Kendall, Mike Perry, Chris Saint and Angela Warner.

(2) Members' Disclosures of Pecuniary and Non-Pecuniary Interests

None

(3) Former County Councillor Martin Heatley

The Chair formally announced the death of former County Councillor Martin Heatley who died on the 1st of August having been an extremely active and enthusiastic member since his election to the Council in May 1993. Martin

served on most committees, both before and after the introduction of the Cabinet system, and he had particularly enjoyed working within the areas of planning, transport and environment for which he had been Cabinet member for over six years. Martin had also been Chair of the Environment Scrutiny Committee and represented the Council on the Centre for Public Scrutiny. Although his health had started to deteriorate some four years ago, Martin continued to be very active in whatever role he undertook, including as Vice Chair of Council in 2014/15. Martin was known for his love of sport, including diving, climbing and marathon running, and for his sense of humour and would be missed as a dear friend and colleague.

Councillor Izzi Seccombe reminded Council that Martin Heatley's Cabinet roles had included Finance and Corporate Services and that he had also served for many years with the LGA, including on the European Commission, where he was very well regarded. Councillor Seccombe added that Martin had many friends across all political parties and that she was deeply saddened by his passing and expressed her condolences for Martin's family and friends.

Councillor June Tandy added that she had been very saddened by the news and paid tribute to Martin's enthusiasm and continuing hard work during his illness. Councillor Jerry Roodhouse paid tribute to Martin's strength of character, political abilities and his passionate support for scrutiny. Councillor Peter Fowler expressed his sadness and paid tribute to Martin's enthusiasm as a councillor and for his support of the Freemasons and for the fundraising they undertook. Councillor Jeff Clark paid tribute to Martin's hard work as a local councillor and for the many friendships he had built and for his personal friendship.

The Council stood in silent tribute and remembrance of Martin Heatley.

Former County Councillor Peggy Joslin

The Chair announced the recent death of former County Councillor Peggy Joslin. Peggy Joslin had been elected to the Council in 1977 and had served for 20 years representing Wootton Wawen, including being Vice Chair of Council in 1992/3. Councillor Phillip Morris-Jones added that Peggy had also served with great distinction on the County Council and for many years on Stratford on Avon District Council (including as Vice Chair and Chair) and on Snitterfield Parish Council. He added that she was a very community minded person and had attracted widespread respect from all who knew her.

The Council stood in silent memory of Peggy Joslin.

2. Election of County Councillor for Nuneaton Whitestone Division.

The Council formally noted the election of Councillor Jeff Morgan to represent Nuneaton Whitestone Division.

3. Combined Authority & Devolution – Engagement on the West Midland Combined Authority Proposal

The Chair welcomed guests to the meeting. Their contributions are summarised below.

Councillor David Humphreys, Leader of North Warwickshire Borough Council

Councillor Humphreys prefaced his statement by expressing his concern at the lack of information about the proposal for the West Midlands Combined Authority and the manner in which information has been released in parts over time. He added that, as North Warwickshire has a large boundary with Birmingham, many of the people he had spoken to in the Borough perceived that North Warwickshire would become part of Birmingham.

Councillor Humphreys stated his specific concerns and questions:

- There is uncertainty as to how a non-constituent member (i.e. a District Council) will not be forced to accept whatever the metropolitan authorities want to do.
- North Warwickshire's voice in relation to HS2 (including ensuring effective mitigation of the impact for local people) is in danger of being lost amongst the other authorities who are in support of HS2. Strategically the combined authority will have more influence on this in the future.
- What will be the position with regard to transport, especially if Warwickshire County Council are not in the Combined Authority, as it is already difficult to access other areas (e.g. from Atherstone to Leicester) and this will continue.
- The possible impact of the proposed Strategic Land Commission on North Warwickshire
- The likelihood of increasing the pressure on North Warwickshire to provide for more housing to meet regional housing needs.
- Effectively the current LEPs will become one 'Super LEP' and North Warwickshire will have even less of a voice.
- There is uncertainty with regard to voting rights.
- The current understanding is that, if there is a mayor, the mayor will only cover metropolitan areas so who will be representing the interests of other areas?
- What funding will be available and what will be in it for us?

Ron Ball, Warwickshire Police and Crime Commissioner

Ron Ball welcomed the opportunity to raise the issue of the impact of proposals on policing, which had not so far been recognised or discussed. Police and crime commissioners had not been identified as statutory consultees. Ron Ball raised the following issues:

- Crime reduction and prevention are the priority for policing and the relationship between police and local government is going to be ever more important
- Current working relationships are good and this needs to continue into the future

- The form of the proposals to date indicate that decisions are likely to be Birmingham-centric. Decisions on policing for Warwickshire should be taken in Warwickshire.
- What is on offer is unclear and appears to change daily and there is a danger of rushing into a decision without looking at options.

Councillor Andrew Mobbs, Leader of Warwick District Council

Councillor Mobbs reminded members that he had some time back proposed with authority leaders that the possibility of a Coventry and Warwickshire Combined Authority be investigated. The response he received was that Coventry and Warwickshire remain together. Councillor Mobbs outlined the arguments for this:

- Coventry and Warwickshire is a unique special area, it is a unit with regard to health and is a 'brand' that business and residents believe in.
- Coventry and Warwickshire has different skills need from other areas of the West Midlands.
- Coventry and Warwickshire is big enough to be a viable option.
- Finance is important. There will be a smaller amount of money to go round more authorities and specific asks for Warwickshire and for Warwick District could be lost.
- Decision making could be difficult with such a large membership.
- At present, based on current facts, it does not look likely that Warwick District Council will join the West Midlands. Warwick District Council will be considering the option of pursuing a Coventry and Warwickshire option but is not currently looking at proposals that include any other neighbouring areas.

Jonathan Browning, Chair of CWLEP

Jonathan Browning emphasised the importance of Coventry and Warwickshire staying together for economic and business growth. The CWLEP has been rated the top Midlands LEP for innovation and nationally amongst the top three LEPs in terms of jobs and growth creation.

Jonathan Browning outlined the proposals and benefits:

- The three LEPs across the proposed West Midlands Combined Authority have been engaged to produce a Super Strategic Economic Plan, in addition to the individual strategic economic plans for individual areas.
- There will be economic uplift from this 'economic plus model'.
- The three LEPs will continue so that there is a mechanism to focus on local economic issues.
- Coventry and Warwickshire is better together.
- The Combined Authority and devolution represents an opportunity for economic growth beyond what could be achieved separately by Coventry and Warwickshire because of scale, leverage and access to additional instruments
- Whilst opportunities have yet to be absolutely defined, this could represent, in 15 years, growth in GDA of between 5 and 10%, worth £2bn - £3bn.
- Non-constituent members do have the opportunity to have voting rights but this will depend on the constitution of the Combined Authority.

Louise Bennett OBE, Chair of CW Chamber of Commerce & Ian O'Donnell
Branch Chair, Solihull & Coleshill Federation of Small Businesses

Louise Bennett explained that her contribution is based on business intelligence (surveys, discussion with businesses and business events held on this issue).

Louise Bennett made the following points:

- The business community believe in a united Coventry and Warwickshire, recognising the strength of that partnership and wishing to see it continue in some form, whatever the governance model.
- Most business leaders understand the arguments for combined authorities in terms of critical mass (particularly in a time of restricted resources) and see the need to come together and ensure efficiency and effectiveness of services.
- Any deal does need, however, to be the right one and there must be a good business case.

Ian O'Donnell added:

- There is a concern that there may be more bureaucracy.
- There needs to be a full understanding of the benefits.
- There needs to be a level playing field and not continuous change.
- Combined authorities are an opportunity to bring improvements in cross - regional infrastructure (broadband, transport etc.).
- It is an opportunity to be part of the wider 'Midlands Engine' brand, recognising that it is a good place for national/international business.
- A combined Coventry and Warwickshire is a great brand for businesses.

Proposals from Groups

A Conservative Proposal

Councillor Izzi Seccombe, Leader of the Council, moved the following proposal and was seconded by Councillor Alan Cockburn:

"That Warwickshire County Council:

- (1) Does not enter into the West Midlands Combined Authority as proposed.
- (2) Continues to support and pursue the Coventry-Warwickshire Combined Authority as its preferred devolution model.
- (3) Supports a Member Working Group consisting of the Leaders of the Conservative, Labour and Liberal Democrat Groups to task officers to engage with Government on the devolution issue and develop proposals for alternative devolution models for Warwickshire. These models to include a stand-alone Warwickshire model and alternatives with neighbouring non-metropolitan councils.

(4) The work of the member group should be as open and transparent as practicable and should be underpinned by effective consultation to inform final decisions.”

Councillor Izzi Seccombe advised that this was one of the most important debates for the Council and one of the most important decisions she had faced and made the following points in moving her proposal:

- Warwickshire has an enviable record for economic growth and the CWLEP area is one of the top performing in the country. This is not, however, the only priority for the Council. The Council has also agreed that to deliver services that are sustainable and safe and look after people in need. The public has not asked the council to pass this responsibility on to others who have not been elected by them.
- The Combined Authority involves the Council handing over its budget and policy development for transport, economic development and skills to metropolitan authorities who have not been elected by Warwickshire citizens.
- It would create a fourth tier of government and would involve extra cost. The cost of a mayor would be met from a top-slice of the budgets of authorities within the Combined Authority (but would move to a precept in the long term).
- It is uncertain what the creation of a mayor would mean for Warwickshire’s Fire & Rescue Service and for Warwickshire Police.
- There are now proposals to move the criminal justice system to combined authorities. Warwickshire has a good system and in particular the Youth Justice Service has been recognised as excellent. It is uncertain what impact the proposals would have.
- There is concern amongst Health colleagues about the transfer of health and social care into the Combined Authority.
- There is a proposal to pool prudential borrowing into a central fund for distribution to central priority schemes. It is uncertain what this would mean for Warwickshire but Warwickshire’s borrowing costs are not as high as those of metropolitan areas.
- The latest message is that there may be an opportunity for non-constituent authorities to have voting rights but it is not clear what that will mean.
- The impact of the three proposed commissions is unclear but likely to be negative for Warwickshire.
- There is no new money and the Government is looking for savings.
- There has not been enough transparency and more public discussion would be welcomed.
- It is untrue that I have not been attending meetings on this as I have had many discussions with other leaders and partners over the last six months.

Councillor Seccombe concluded that there is no clear business case for the Combined Authority and no clear objectives, risk analysis or finance. The timetable is also too fast.

Councillor Alan Cockburn, in seconding the proposal later in the debate, added the following points:

- The consultant's analysis in appendix 4 of the report to Council demonstrates that there are no benefits for Warwickshire but is benefit for others if Warwickshire join.
- The level of debt of Birmingham City Council is high and would impact on Warwickshire.
- The Combined Authority will be Birmingham-centric with Warwickshire as net contributors. (In a similar way as Coventry City Council contributes £18m each year to the integrated transport authority and gets a maximum of £6m back).
- The Combined Authority option is just a proposal to Government. Warwickshire is entitled to offer an alternative option to Government and to submit one that makes geographical sense.

B Labour Group Proposals

Councillor June Tandy, Leader of the Labour Group, moved the following proposal and was seconded by Councillor Philip Johnson:

"Warwickshire County Council acknowledges that our future as well as our past is intrinsically linked to the West Midland Region. Although our local economy and culture are strongly linked around the nucleus of Coventry, our wider interests are Regional.

We therefore, in the absence of a realistic prospect of a Coventry and Warwickshire Combined Authority, propose as a preferred option that this Council agrees in principle to move toward a West Midlands Combined Authority".

Councillor June Tandy made the following points in presenting the proposal:

- Warwickshire has had a strong link with the West Midlands in the past and has been proud to be part of the West Midlands.
- The Council has not been represented at a senior level at meetings to discuss the West Midlands Combined Authority proposal, indicating that there has never been an intention to support it.
- There are no other options as surrounding shire authorities are looking to others for combination options.

- There are already examples of working with others in the West Midlands (e.g. the Police Alliance).
- Warwickshire needs to retain its links with Coventry and the only option available is to go with them into the Combined Authority.
- The business community support the Combined Authority proposal.
- Coventry City Council have undertaken consultation.
- There is uncertainty about what will happen if Warwickshire County Council does not go into the Combined Authority.
- The Labour Group would support the proposed working group (referred to C below) if it includes looking at all options.

Councillor Philip Johnson raised the following points in seconding the proposal, later in the debate:

- The proposal does not say that Warwickshire will be run by Birmingham. Birmingham will have one vote as will other local authorities.
- The proposal is about having strategic overview, not giving up powers.
- England currently has one of the most centralised forms of Government and Warwickshire should welcome this opportunity for the devolution of powers to a local level.
- There is a lack of transport integration in Warwickshire, including no current power to take decisions on bus services. There may be good levels of employment overall but in the north of the county many unemployed cannot access work due to the poor transport system. Being part of discussion within the Combined Authority may provide the opportunity to tackle this.
- There has been no progress on this issue since the February Council and no discussion on this option.

C Liberal Democrat Group Proposal

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, moved the following proposal and was seconded by Councillor John Whitehouse:

“ That:

- (1) Warwickshire County Council should not seek to enter into the West Midlands Combined Authority as currently proposed.
- (2) It should continue to pursue the Coventry-Warwickshire Combined Authority as its preferred devolution model.
- (3) It should establish a cross-party commission of elected members to work with officers, to continue to engage with Government on the Devolution issue, and to develop and evaluate alternative devolution models – to include Warwickshire stand-alone options or forming combined authorities with other neighbouring non-metropolitan councils.

- (4) The work of the cross-party commission should be in the public domain as far as possible, and reported back to Full Council on a regular basis. Its proposals and recommendations should be subjected to the widest possible consultation with the citizens of Warwickshire before any final decisions are taken by this Council.

Councillor Jerry Roodhouse made the following points in presenting the proposal:

- Warwickshire is punching above its weight economically and could survive without the Combined Authority.
- The focus of the Government's spending review (which does not mention combined authorities) is about savings, efficiencies and integration.
- Nobody has identified what will have to go as part of ensuring the proposals are fiscally neutral.
- Housing distribution will impact on Warwickshire.
- It is unlikely that, down the line, the 3 LEPs and 7 Leaders will be retained as it is not efficient or workable. The next step would be combined blue light services
- The introduction of the Mental Health Commission is the start of pulling in NHS and Acute Trusts etc. under one umbrella and a metro-mayor.
- Metropolitan authorities do not have an understanding of Shire, two tier areas. The skills we need here are not the same as in other parts of the West Midlands.
- There needs to be more debate on proposals and more discussions in this council on what the future may be.

Councillor John Whitehouse raised the following points in seconding the proposal later in the debate:

- Liberal Democrats support devolution but does not support cuts to local government under the guise of devolution. There is nothing in the West Midlands Combined Authority proposal that demonstrates that Warwickshire will be better off as a subservient part of the arrangements.
- The last minute offer of voting status appears to be just one vote for the whole of Warwickshire.
- The latest Government advice is that the city region option is not the only one and that they will look at other models.
- There should be more open and wider discussion and therefore the council should support the establishment of a member group and clear consultation.

Debate

The following points were raised against the proposal to join the West Midlands Combined Authority (and also in support of proposals A and C above):

- The lack of understanding of how two tier authorities operate is a concern if entering a partnership.
- There is agreement across the Council membership that Warwickshire and Coventry are naturally linked together and this is probably the view of those in Coventry.
- Efforts should be made to persuade Coventry City Council to consult with their electorate to see who they would choose. At present Coventry are already a net contributor and could lose out from joining the Combined Authority.
- The West Midlands Combined Authority will have a very urban focus and this could result in Warwickshire being 'brought down' to their level of debt or taking on financial problems that are not of Warwickshire's making.
- Warwickshire does not have to be part of the Combined Authority to play an active economic role in the region.
- There is no apparent benefit or advantage for Warwickshire residents.
- Warwickshire would be giving up its policy and powers over transport, land and borrowing for a vague promise of economic leverage.
- The indices of deprivation indicate that Warwickshire residents in areas of deprivation would suffer as more of resource from Warwickshire would go to those in higher deprivation areas outside of Warwickshire.
- The one thing that could be gained from a Combined Authority would be integrated transport and that could be obtained with a combination with Coventry.
- The proposals should be coming through in a transparent way and there should be public consultation.
- It is not possible to pin point the advantages for local people and we are accountable to them.
- Warwickshire is largely rural and has little in common with the other local authorities in the proposed Combined Authority and has more in common with, for example, Gloucestershire and Staffordshire.
- There are no compelling reasons for Warwickshire to join and detailed information is lacking.
- This would be relinquishing responsibilities to our electorate.

The following points were raised in support of the proposal to join the West Midlands Combined Authority (as set out at B above).

- This is the only option on the table at present and it should not be ruled out without giving it some consideration. The proposals at A and C suggests exploring options but rules this one out completely.
- Warwickshire is intrinsically linked to Coventry and should stay with Coventry and if this means joining the Combined Authority then we should.
- There is a danger of 'demonising' people on our doorstep with the 'anti-Birmingham' stance emerging.

- The stage between a strategic overview and a functional combination is massive, does not happen quickly and it is a false conclusion to assume it will happen.
- The Government is driving the agenda and it is unclear what will happen to those authorities who chose not to take part in developing proposals. It is better to be at the table and part of the discussions. The alternative may be that Warwickshire's councils are forced into being a unitary authority in order to meet the savings required of local government.
- The proposal at B keeps the option open to be with Coventry and, if this is not possible, to join the Combined Authority.
- The options in the proposal at A are not viable and excludes metropolitan authorities, even though they are the income generators. This will do businesses and workforce a disservice.
- The legislation does not take away any powers but it does allow Government, (if it accepts the model presented to it) to devolve additional resources and powers. If this model is rejected then it is likely that Warwickshire will not be part of an authority that will get those benefits.
- Warwickshire is late to the game and lacks a strategy. We should have looked at options earlier as requested at the earlier Council meeting.
- The Council should look at options, not close off options, and find out from the public what their views are.
- Warwickshire needs to be at the table in order to help design what we want.
- Although Warwickshire is punching above its rate, it does so because of companies such as JLR and the University of Warwick. Warwickshire should look at wider opportunities and our natural partners are in the West Midlands.
- The Combined Authority has potential for generating vast amounts of prosperity and jobs and Warwickshire should be open to opens or risk missing opportunities.

The Council adjourned at 12 pm and reconvened at 12.05 pm.

D. Councillor Izzi Seccombe moved the following revised proposal (replacing A and C above) and was seconded by Councillor John Whitehouse:

“That Warwickshire County Council:

- (1) Does not enter into the West Midlands Combined Authority as proposed.
- (2) Continues to support and pursue the Coventry-Warwickshire Combined Authority as its preferred devolution model.
- (3) Establishes a Member Working Group consisting of the Leaders and one other Member of the Conservative, Labour and Liberal Democrat Groups (plus one member of the Green Group and one member of the Independent Group as observers) to task officers to engage with Government on the devolution issue and develop proposals for alternative devolution models for Warwickshire. These models to include a stand-alone Warwickshire model and alternatives with neighbouring non-metropolitan councils.

- (4) Agrees that the work of the member group should be as open and transparent as practicable and should be underpinned by effective consultation. Its proposals and recommendations should be subjected to the widest possible consultation with the citizens of Warwickshire before any final decisions are taken by this Council”.

Vote

Councillor June Tandy, Councillor Philip Johnson and Councillor Bill Olnier, requested a recorded vote in accordance with standing order 33.4:

The following members voted for the Labour Group proposal at B above:

Councillors John Beaumont, Chris Clark, Corinne Davies, Neil Dirveiks, Brian Hawkes, Bob Hicks, John Holland, Julie Jackson, Philip Johnson, Peter Morson, Brian Moss, Bill Olnier, Maggie O'Rourke, Dave Parsons, Caroline Phillips, Jenny St John, June Tandy, Alan Webb, Mary Webb and Matt Western.

The following members voted against the proposal at B above:

Councillors John Appleton, Mike Brain, Peter Butlin, Jonathan Chilvers, Jeff Clarke, Alan Cockburn, Jose Compton, Yousef Damash, Richard Dodd, Peter Fowler, Bill Gifford, Mike Gittus, John Horner, Bernard Kirton, Keith Kondakor, Joan Lea, Keith Lloyd, Jeff Morgan, Phillip Morris-Jones, Wallace Redford, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Izzi Seccombe, Dave Shilton, Bob Stevens, Heather Timms, John Whitehouse and Chris Williams.

The Labour proposal at B was lost, the voting being 20 votes for and 30 against.

Councillors Izzi Seccombe, Alan Cockburn and Jose Compton requested a recorded vote on the substantive motion at D.

The following members voted for the motion at D:

Councillors John Appleton, Mike Brain, Peter Butlin, Jonathan Chilvers, Jeff Clarke, Alan Cockburn, Jose Compton, Yousef Damash, Richard Dodd, Peter Fowler, Bill Gifford, Mike Gittus, John Horner, Bernard Kirton, Keith Kondakor, Joan Lea, Keith Lloyd, Jeff Morgan, Phillip Morris-Jones, Wallace Redford, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Izzi Seccombe, Dave Shilton, Bob Stevens, Heather Timms, John Whitehouse and Chris Williams.

The following members voted against the motion at D:

Councillors John Beaumont, Chris Clark, Corinne Davies, Neil Dirveiks, Brian Hawkes, Bob Hicks, John Holland, Julie Jackson, Philip Johnson, Peter Morson, Brian Moss, Bill Olnier, Maggie O'Rourke, Dave Parsons, Caroline Phillips, Jenny St John, June Tandy, Alan Webb, Mary Webb and Matt Western.

The motion was carried, the vote being 30 for and 20 against.

Resolved

“That Warwickshire County Council:

- (1) Does not enter into the West Midlands Combined Authority as proposed.
- (2) Continues to support and pursue the Coventry-Warwickshire Combined Authority as its preferred devolution model.
- (3) Establishes a Member Working Group consisting of the Leaders and one other Member of the Conservative, Labour and Liberal Democrat Groups (plus one member of the Green Group and one member of the Independent Group as observers) to task officers to engage with Government on the devolution issue and develop proposals for alternative devolution models for Warwickshire. These models to include a stand-alone Warwickshire model and alternatives with neighbouring non-metropolitan councils.
- (4) Agrees that the work of the member group should be as open and transparent as practicable and should be underpinned by effective consultation. Its proposals and recommendations should be subjected to the widest possible consultation with the citizens of Warwickshire before any final decisions are taken by this Council.

The meeting rose at 12.30 pm

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Chair