

## Minutes of the Meeting of Warwickshire County Council held on 17 May 2016

Present:

Councillor Bob Hicks (Chair)

Councillors: John Appleton, John Beaumont, Sarah Boad, Mike Brain, Peter Butlin, Les Caborn, Richard Chattaway, Jonathan Chilvers, Chris Clark, Jeff Clarke, Alan Cockburn, Jose Compton, Yousef Dahmash, Corinne Davies, Nicola Davies, Neil Dirveiks, Richard Dodd, Sara Doughty, Peter Fowler, Jenny Fradgley, Bill Gifford, Mike Gittus, Brian Hawkes, Colin Hayfield, John Holland, John Horner, Julie Jackson, Philip Johnson, Kam Kaur, Danny Kendall, Keith Kondakor, Joan Lea, Keith Lloyd, Jeff Morgan, Phillip Morris-Jones, Peter Morson, Brian Moss, Bill Olnor, Maggie O'Rourke, Dave Parsons, Mike Perry, Caroline Phillips, Wallace Redford, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Chris Saint, Izzi Seccombe, Dave Shilton, Jenny St. John, Bob Stevens, June Tandy, Heather Timms, Angela Warner, Alan Webb, Mary Webb, Matt Western, John Whitehouse and Chris Williams.

### 1. Election of Chair

Councillor Bill Olnor, seconded by Councillor Peter Morson, proposed that Councillor Bob Hicks be elected Chair for the ensuing municipal year.

There were no other nominations.

#### **Resolved**

That Councillor Bob Hicks be elected Chair of Council until the annual meeting of the Council in 2017.

Councillor Bob Hicks made his declaration of office and thanked the Council for their support and for the honour of representing the Council as Chair.

#### Vote of thanks

The Chair proposed a vote of thanks to the outgoing Chair, Councillor Bob Stevens, and paid tribute to the able, courteous and dignified manner in which he had performed his duties as Chair.

Councillor Bob Stevens thanked the Council for the privilege of serving as Chair which he had found both enjoyable and rewarding. Councillor Stevens highlighted the lessons he had learned during his term of office. These were how important it is to support and encourage those with learning and other difficulties to ensure they get the best out of life (as enthusiastically demonstrated by the work of the Side by Side Theatre Company); how much volunteers in Warwickshire contribute to their communities at all levels (as illustrated in Barford where volunteers run the village shop and have raised money for a state of the art play facility) and thirdly how important is the support and aspirations of the chairmen and mayors of other councils. Councillor Stevens added his thanks to Dawn Mardle, his PA, and also the County caterers and his drivers.

## **Resolved**

That the County Council places on record its appreciation to Councillor Bob Stevens for his excellent service as Chair of the Council during 2015/16.

## **2. Election of Vice Chair**

Councillor Izzi Seccombe, seconded by Councillor John Horner, proposed that Councillor Peter Fowler be elected Vice-Chair for the ensuing municipal year.

There were no other nominations.

## **Resolved**

That Councillor Peter Fowler be elected Vice Chair of the Council until the annual meeting of the Council in 2017.

Councillor Peter Fowler made his declaration of office and thanked the Council for its support.

## **3. General**

### **(1) Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Bernard Kirton and Matt Western.

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

#### Item 5 – Stratford to Long Marston Greenway- Introduction of Parking Charges

Councillor Mike Brain declared an interest as the Cabinet Portfolio Holder for parking on Stratford upon Avon District Council and as Chair of Long Marston Parish Council.

#### Item 8 Education and Learning Schools Sufficiency Strategy 2015-2019

Councillor Chris Saint declared an interest as Governor and Chair of Resources at Shipston High School. Councillor John Whitehouse declared an interest as Governor and Chair of Resources at St Johns Primary School, Kenilworth.

#### Item 12 – Motion on home to school transport

Councillor Joan Lea declared an interest as a close relative of hers had taken an active part in opposition to the charge for transport and took no part in the debate or vote.

#### Item 13 – Question Time

Councillor Maggie O' Rourke declared an interest in the question regarding South Warwickshire CCG as she is employed by the South Warwickshire Foundation Trust.

**(3) Minutes**

**Resolved**

That the minutes of the meeting held on 22 March 2016 be agreed as a correct record.

**(4) Vote of thanks to Ron Ball, Warwickshire Police and Crime Commissioner 2012-2016**

Councillor Izzi Seccombe, Leader of the Council, proposed a vote of thanks to Ron Ball, Warwickshire Police and Crime Commissioner

Councillor Seccombe paid tribute to the significant contribution made by Ron Ball and highlighted his support for the highly acclaimed and successful Alliance with West Mercia; commitment to neighbourhood policing and to protecting a Warwickshire identity for the Force. Councillor Seccombe referred to Ron's openness in listening to both members of the Council and the public and expressed her particular appreciation to Ron for his partnership work and for his support of a wide range of initiatives such as the MASH, drug and alcohol interventions, prevention of rural, business and cyber crime and the additional resources put into tackling domestic abuse. Ron Ball had also achieved a national profile as a member of the National Domestic Abuse Oversight Group, Chair of the Independent Group of PCCs and as a member of the board of the National Police Air Service.

Councillor Izzi Seccombe also paid tribute to Dr Eric Wood, OBE DL, who had used his wide and variable experience in assisting in the development of the Office of the PCC and had led on a number of initiatives, in particular on cybercrime making Warwickshire is one of the leading areas in the country.

Councillor June Tandy, Leader of the Labour Group and member of the Warwickshire Police and Crime Panel, expressed her thanks and that of the Labour Group, to Ron Ball and Eric Wood for their work for Warwickshire and work with the Police and Crime Panel.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, congratulated Ron Ball for his work, in particular in developing the role of the PCC and to both Ron Ball and Eric Wood in raising awareness on issues such as mental health amongst prisoners, neighbourhood policing and cybercrime.

Councillor Keith Kondakor, Leader of the Green Group, added his thanks and in particular welcomed Ron Ball's communication with the public through social media.

Councillor Howard Roberts, Leader of the Independent Group, thanked Ron Ball for his service to Warwickshire and for his honest and genuine approach he had taken in developing his role and for both Ron Ball and Eric Woods work for Warwickshire.

Other Councillors added their thanks to Ron Ball, highlighting his work on the MASH, his attendance at local forums and partnerships (in particular the

Nuneaton and Bedworth Safer Communities Partnership), his support for projects focused on the sources and prevention of crime and the open manner in which he had engaged with Police and Crime Panel.

Ron Ball expressed his appreciation at having had the privilege to serve Warwickshire in the role of PCC. Ron added that the appointment of Eric Wood had been invaluable as had his decision to be located in Warwick which had facilitated the close working relationship he had developed with the Council. Ron thanked the Council for its support .

#### **(5) County Church Service**

The Chair invited members to the County Church Service which this year will celebrate the Queen's 90<sup>th</sup> Birthday and will be held on Sunday 12<sup>th</sup> June at 10.30 am at St Mary's Church in Warwick.

#### **(6) Public Speaking**

The Chair advised Council that notice had been given by Margaret Draper, resident of Old Town Mews in Stratford, who wished to speak in relation to item 5 on the agenda (*see minute 5 below*).

### **4. Appointment to Committees and Other Bodies**

A Councillor Bob Hicks, Chair of Council, moved the recommendations set out in the report and was seconded.

B Councillor Sarah Boad, Deputy Leader of the Liberal Democrat Group, moved the following amendment and was seconded by Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group:

'This Council believes that the current size of Cabinet should be reduced in line with the savings being made across all council services, and that it being constituted of members from a single political group does not serve the best interests of Warwickshire residents.

The Council calls on the Leader to review whether it is appropriate to establish a Cabinet consisting of seven members which reflects the political make-up of the County Council in accordance with the proportionality rules, and to report back at the next meeting of the County Council.'

Councillor Boad reminded Council that the number of Strategic Directors and Heads of Service had reduced so that Cabinet had fewer officers to contact and observed that, whilst some portfolio holders have a high profile, others did not and were likely to have a smaller workload.

C Councillor Philip Johnson moved the following amendment and was seconded by Councillor Alan Webb:

'That this Council believes that the current size of Cabinet should be reduced in line with the savings being made across all council services. The Council calls on the Leader to review whether it is appropriate to establish a cabinet consisting of seven members and to report back at the next meeting of the County Council.'

## Debate

Councillor Richard Chattaway, Deputy Leader of the Labour Group, observed that the proposal that Cabinet be reduced in number had been put forward by both Labour and Liberal Democrat Groups during the Council's consideration of the budget. He added that budgets are shrinking and this should be reflected in portfolio holder responsibilities, some of whom had smaller workloads.

Councillor Izzi Seccombe, Leader of the Council, advised that given this is the final year in the Council's administration and, in view of the challenges ahead and workloads of Cabinet members, this should be looked at by the new council in 2017.

Councillors Peter Butlin and Colin Hayfield observed that their portfolio holder workloads were heavy and that, although some new legislation may remove some responsibilities, the workload for portfolio holders had increased and it would therefore be prudent to wait until post elections in 2017 to reconsider the structure.

Councillor Izzi Seccombe concluded that she was happy to share how she had arrived at the roles and responsibilities of her Cabinet and to report this to the next Council meeting.

## VOTE

The Council voted on the amendment at B, which was LOST.

The Council voted on the amendment at C which was CARRIED

The Council voted on the recommendations and agreed as set out below.

## Resolved

- (1) That this Council believes that the current size of Cabinet should be reduced in line with the savings being made across all council services. The Council calls on the Leader to review whether it is appropriate to establish a cabinet consisting of seven members and to report back at the next meeting of the County Council.
- (2) That the Council confirms the Committee structure and delegations to member bodies and officers as set out in the Constitution.
- (3) That the number of places on Council Committees be as follows:

Committees	Conservative	Labour	Liberal Democrat	Green	Independent	Total
Audit & Standards Cttee	3	2	1			6
Regulatory Cttee	5	4	2		1	12
Staff & Pensions Cttee	3	2	1			6
Adult SC & Health OSC	4	4	1		1	10
Children & YP OSC	4	4	1	1		10
Communities OSC	4	4	2			10
Resources, Fire & Rescue OSC	4	3	1	1	1	10
Total	27	23	9	2	3	64

(4) That the Council appoints the following in accordance with group nominations:

<b>Committees</b>	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Independent</b>
Audit & Standards Committee	Horner Saint Stevens	Beaumont Tandy	Gifford		
Regulatory Committee	Brain Gittus Shilton Perry Williams	Morson Oler Tandy A Webb	Dodd Rickhards		Lloyd
Staff and Pensions Committee	Stevens Kaur Seccombe	Moss S Doughty	Gifford		
Adult Social Care & Health OSC	Morgan Perry Redford Timms	C Davies J Holland Hicks A Webb	Rolfe		Roberts
Children & Young People OSC	Brain Shilton Warner Williams	Jackson Parsons Phillips M Webb	Rickhards	Chilvers	
Communities OSC	Dahmash Gittus Lea Redford	Chattaway C Clark Johnson St John	Boad Fradgley		
Resources Fire and Rescue OSC	Appleton Fowler MorrisJones Saint	Dirveiks Hawkes Western	N Davies	Kondakor	Kirton

(5) That John Bridgeman be confirmed as the Chair of the Audit and Standards Committee.

(6) That the Council appoints the following to the membership of the Health and Wellbeing Board:

Conservative	Labour
Seccombe	Beaumont
Caborn	
Compton	

(7) That the Leader of the Council be confirmed as the Chair of the Health and Wellbeing Board

(8) That the Council appoints the following:

	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>
Corporate Parenting Panel	Fowler Timms Williams (ch)	Parsons St John	Rickhards
Standing Advisory Council on Religious Education (SACRE)	Kendall	Phillips M Webb	Rickhards

- (9)(a) That the Council appoints the membership of the following external/partnership bodies subject to review of the Police and Crime Panel appointments as at (b) below.

	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>
Police and Crime Panel (5)	Gittus Morris-Jones	Morson Tandy	Davies
LEP	Seccombe	Tandy	
Local Pension Board	Cockburn	Morson	
Waste Partnership	J Clarke Redford	C Clark Johnson	Fradgley
LGA	Seccombe Butlin	Chattaway	Roodhouse
CCN	Seccombe Butlin	Chattaway	Roodhouse
LGA Fire	Horner		

- (b) That the Strategic Director of Resources, in consultation with the Leaders of the political groups, be authorised to change the allocation of seats between the political groups on the Police and Crime Panel following the district/borough elections to ensure the geographical and political balance of the Panel.
- (10) That Council confirms the appointment of Keith Bray as independent Chair of the Local Pension Board and Chair of the Warwickshire Fire and Rescue Local Pension Board and also appoints Robert Moyney, Deputy Chief Fire Officer, to the Warwickshire Fire and Rescue Local Pension Board
- (11) That Council authorises the Strategic Director of Resources to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by Council.

## **5. Call-in: Stratford to Long Marston Greenway: Introduction of Car Parking Charges**

Margaret Draper, resident of Old Town Mews, Stratford addressed the Council. Ms Draper explained that she had been present at the Cabinet meeting on 14 April when the decision was made to introduce parking charges at Stratford Greenway and that, despite the efforts of two non-Cabinet members, she was dismayed by the lack of systematic and reasoned examination of all the detailed information that was before the meeting. Ms Draper added that, regardless of the outcome of the meeting, she was concerned that what was being done on behalf of and in the name of council tax payers was not a thorough, measured and sensitive process. The question of parking charges had been considered in 2007 and again in 2010 and on both occasions had been met with strong and vocal public opposition.

Ms Draper asked that Council carefully considers the detailed list of concerns presented by the group that locks and unlocks the gate at the Seven Meadows end of the Greenway and refer the matter back to Cabinet for further and better consideration. She added that this is a matter of public confidence in its elected members and in the democratic process itself.

The Chair thanked Ms Draper for her contribution.

Councillor Philip Johnson, Chair of the Communities Overview and Scrutiny Committee presented the report of the Committee meeting held on 3 May.

Councillor Johnson reminded members that the issue had been thoroughly discussed at Cabinet in 2015 and again at the Cabinet meeting in April 2016, following which the matter had been called-in by members for review by the Overview and Scrutiny Committee. The Committee held an extraordinary meeting on 3 May to consider the issue and heard public concerns about the way the decision had been made and the potential impact of the introduction of parking charges, in particular the potential displacement of parking into neighbouring streets. Councillor Johnson added that the Committee also heard representations from the Cabinet Portfolio Holder about the need to make savings as part of the Council's One Organisational Plan and the wish to rectify the apparent anomaly that this is the only country park where parking is free. The Committee also accepted that there is an argument that this is a semi urban park more than a country park. Following discussion the Committee voted by a narrow majority to refer the matter to Council for consideration.

- A Councillor Jenny Fradgley moved the following motion and was seconded by Councillor Kate Rolfe:

'That, given the likely low level of income that can be achieved from the introduction of parking charges and the likely detrimental impact on neighbouring streets, Cabinet be asked to not pursue the introduction parking charges at the car parks off Seven Meadow Road island, Stratford upon Avon or the car park at Milcote.'

Councillor Jenny Fradgley stated that she had been made aware several years ago of the problem of anti-social behaviour on the Greenway and of concern about commuter parking in Old Town Mews and surrounding streets. The residents had taken on the responsibility of locking and unlocking of the gate to the parking area and had continued this for 365 days a year over five years on an organised rota and taking account of change in opening hours. This has been free of charge and ensured the area is safe and litter free and allowed controlled parking.

Councillor Fradgley expressed concern that if charges are imposed, the Rota Group will no longer perform this social duty and that the Council will not guarantee opening and shutting of the gate every day, leaving the Greenway vulnerable to misuse. Councillor Fradgley added that the car park is a town car park adjacent to residential areas suffering from pressure from parking and although the police had attended in the past to deal with dangerous parking, but will only respond on a priority basis. In addition the application of double yellow lines would push the problem into other areas.

Councillor Kate Rolfe, in seconding the motion later in the debate, reminded members that the 'residents parking only' sign is not enforceable. She added that charging would be a false economy as it will put increased pressure on the streets and will lead to increased calls to the police and pressure on local councillors to find solutions (such as parking restrictions) which are costly. Councillor Rolfe added that people will not want to pay charges, particularly regular dog walkers who may be using the Greenway twice a day, even at 50p.



Councillor Rolfe also stated that she understood that the land is publically owned land and parking measures must be made under traffic management legislation. Parking management needs to be joined up and the Greenway is within the boundary of Stratford town and parking management needs to be considered in accordance with the primary activity –which is leisure. The proposed permit charge of £36 is not in line with other charges in the town.

## **Debate**

The following points were put in support of the motion:

- (1) This is not a country park but a greenway, which is quite different.
- (2) Parking should be free to encourage use of the Greenway and to avoid displacement parking
- (3) There are examples of free parking where charging would otherwise encourage parking in local streets or (e.g. at Newbold Common in Leamington Spa) or to avoid other parking problems –such as at Burton Green where the proposal for parking at Burton Green in response to HS2 does not include charging.
- (4) It is imperative that there is a gate but there is concern that it will continue to be locked and unlocked. If it is, then the cost to the Council may cancel out the income from parking charges.
- (5) The community partnership will be destroyed for a small amount of money.

The following points were put in opposition to the motion:

- (1) The matter has been considered twice by Cabinet and a robust survey undertaken by the Observatory at the request of Cabinet at its meeting in July 2015. A lot of research has been undertaken.
- (2) The free parking is an anomaly. There are parking charges at all other country parks.
- (3) The Council agreed in its budget to make savings in country parks. This is part of the One Organisational Plan.
- (4) Cabinet has agreed to undertake an evaluation after six months operation to assess the impact.
- (5) The charges will not deter people who wish to use the Greenway and may encourage others who are local to walk instead.
- (6) The estimated net income is £14,000 to £16,000 and this is a conservative estimate.
- (7) Councillor Jeff Clarke, Cabinet Portfolio Holder for Environment, gave an assurance that the gates will be locked and unlocked

## **VOTE**

The motion proposed by Councillor Jenny Fradgley (at A above) and seconded by Councillor Kate Rolfe was put to the vote and was LOST.

## **Resolved**

That no action be taken.

## **6. Annual Monitoring Report of the use of the Urgency and Call-in**

Councillor Izzi Seccombe, Leader of the Council, presented the report to Council for Council to note and was seconded by Councillor Peter Butlin.

### **Resolved**

That Council notes the report.

## **7. Closing the Gap Strategy 2015-2018**

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, presented the Closing the Gap Strategy for 2015-2018 and proposed that it be approved by Council. Councillor Chris Williams seconded the proposal.

Councillor Hayfield advised that, whilst there is a wider use of the term 'closing the gap', this particular strategy is focused on improving educational attainment and performance of disadvantaged pupils. The strategy covers how schools can use the pupil premium to the best advantage of those pupils and how head teachers and schools can collaborate to achieve the best for those pupils.

### **Debate**

The following points were raised in debate:

- (1) Best practice should be shared and there remains concern that the website has not yet been developed and that the IT issues had not yet been resolved which meant that many were not accessing the pupil premium funding.
- (2) The targets have been revised following discussion at previous meetings to a level that is more achievable but still stretching. Some members expressed their concern that the lowering of the targets is a lowering of aspiration and were opposed to this change.
- (3) Aspiration should include support for the whole family, encouraging family aspiration, not just focussing on school attainment.
- (4) Some of the gap is due to increased improvement amongst the 'non-disadvantaged' but there remains a stubborn pattern of under-achievement, that reflects social economic disadvantage.
- (5) Transport is important in ensuring young people can access education and training.
- (6) A holistic approach is needed to tackle underachievement and the Council should ensure its plans and strategies (such as those tackling issues of child poverty and financial inclusion) are linked together and that there is an understanding of how individual decisions impact on the effectiveness of those strategies.
- (7) A focus on early years is important as this is where the gap starts.
- (8) Children should not be labelled 'disadvantaged' as this creates a stigma. Many parents do not appreciate the financial benefits to the school and children of registering for free school meals.
- (9) Information about the targets against each work stream would be helpful.

Councillor Chris Williams, in seconding the recommendations, reminded the Council that this is challenging, but that all councillors are corporate parents and have a commitment to improving the lives of disadvantaged children and to encouraging the

aspirations of all children.

Councillor Colin Hayfield, in responding to the debate, agreed that there is a need to encourage aspiration and to increase the life chances of young people and that the revised targets, although more realistic are still challenging. Councillor Hayfield also assured members that nursery children are included in the strategy and that there are other activities and strategies that will impact on improving the life chances for young people, but this particular strategy is focused on pupil attainment.

Councillor Hayfield also recognised that there is a pressing need to overcome the difficulty of sharing data between local authorities to enable and encourage access to the pupil premium.

The recommendations in the report were put to the vote and agreed as set out below.

### **Resolved**

- (1) That Council approves the Closing the Gap Strategy (as outlined in Appendix A of the report).
- (2) That Council agrees the revised targets for Closing the Gap at key stage two and key stage four (as set out at Table 3 at 8.3 of the report).

## **8. Education and Learning Schools Sufficiency Strategy 2015-2019**

Councillor Chris Saint declared an interest as Governor and Chair of Resources at Shipston High School.

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, presented the Schools Sufficiency Strategy for 2015-2019 and proposed that it be approved by Council. Councillor Chris Williams seconded the proposal.

The following issues were raised during the debate:

- (1) The desirability of keeping schools within local authority control and with councillors involved.
- (2) The benefit there is if all schools (maintained, academies or free schools) work together to meet demands.
- (3) The wish for the target of 'supply exceeds demand by 4%' to be viewed as realistic rather than 'aspirational' as described in the strategy.
- (4) A request was made to look again at the issue of priority areas and allocation of school places.
- (5) The need to use information from the Observatory to ensure the demographic projections are accurate.

Councillor Hayfield, in responding to the debate, assured the Council that the Observatory has been involved in preparing the strategy and that he does wish to see 4% over supply but it is hard to achieve given there is great pressure in particular areas. Councillor Hayfield added that the Council does seek to work with academies on this issue but it is recognised that academies are in competition with each other. He added that, with respect to 'bulge classes', these are most viable when of a size that can attract funding and there is a need to persuade schools in the Schools Forum to give their support on this issue.

Councillor Hayfield undertook to respond in writing to Councillor Maggie O'Rourke regarding the issue she had raised regarding additional pupils being allocated to Northlands Primary School.

The proposal to approve the Strategy was put to the vote and was carried as set out below.

**Resolved**

That Council approves the Schools Sufficiency Strategy as set out at Appendix A of the report.

**9. Education and Learning (Schools) Capital Programme 2016-17**

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, presented the Schools Capital Programme for 2016-17 and proposed that the recommendations be approved by Council. Councillor Alan Cockburn seconded the proposal.

The following issues were raised in the debate:

- (1) The need to plan the building of new schools rather than expansions, where appropriate and to meet needs of new housing areas.
- (2) Concern that the 1FE school proposed in Shottery will not be large enough and that there is not enough land to enlarge on that proposal which may cause difficulty in the future.
- (3) Concern that more school provision will be needed in Southam than estimated due to house building in that area.
- (4) The desirability of funding the gap that can exist prior to the completion of a new school, on the basis that the money will come forward in accordance with the contracts agreed with developers.
- (5) The welcome investment in 19-25 learners with SEND.
- (6) There is a need to ensure the planning process starts earlier than at present.

Councillor Colin Hayfield, in responding to the debate, agreed that when any new school build or extension is being considered then it should include the implications of the build for such matters as parking etc. These need to be considered before going into the planning process.

Councillor Hayfield hoped members were being advised of any proposals for new build or expansion within their divisions but encouraged members to contact officers if they required briefing.

The recommendations were put to the vote and were agreed unanimously.

**Resolved**

- (1) That Council approves the addition of £8,275,000 to the Capital Programme to deliver the schemes outlined in Section 3 of the report.
- (2) That Council approves the addition of £5,950,000 to the Capital Programme for the schemes set out in Section 4 of the report, subject to the Strategic Director for Communities being satisfied that the required levels of external funding have been received on terms and conditions acceptable to the Strategic Director for Resources.

## **10. Warwickshire Pension Fund – Pooling of Assets**

Councillor Alan Cockburn presented a report setting out a proposal to join the 'Border to Coast' investment pool. Councillor Cockburn reminded members that the Government required local authorities to pool their pension fund investments and this particular pool was recommended by the Staff and Pensions Committee on the basis that it has a similar ethos to that in Warwickshire with a good track record, similar investment strategy and low risk. Councillor John Appleton seconded the proposal.

Councillor Bill Gifford, expressed his support for Border to Coast, having met with representatives of the pool and was confident that they were moving in the same direction, had funds of similar sizes, with a mixture of internal and external investments, and had common approach.

Councillor John Appleton, Chair of the Pension Fund Investment Sub Committee, thanked the Sub-Committee for their work on this, in particular Councillor Gifford's meeting with the Border to Coast group. Councillor Alan Cockburn, in response to concern with regard to the investment being used for infrastructure schemes, gave assurance that there was nothing in the current guidance that forces administering authorities to put funding into infrastructure schemes.

The proposal was put to the vote and carried (with one abstention).

### **Resolved**

That Council agrees to join the Border to Coast investment pool and authorises the Strategic Director for Resources to take all steps which he considers necessary to implement the arrangement.

## **11. West Midlands Combined Authority**

Councillor Izzi Seccombe, Leader of the Council, introduced a report that responded to the Council's resolution in February that the Council explores fully the option of joining the WMCA as a constituent member and considers a business case within six months.

Councillor Izzi Seccombe moved the recommendations set out in the report, indicating her support for the Council becoming a non-constituent member of the West Midlands Combined Authority with a view to negotiating the basis of an acceptable deal on which Warwickshire could become a constituent member.

Councillor Seccombe explained that she recognised that there is a direction of travel and that the best deal for Warwickshire must be struck now. Warwickshire is in a strong position given its population (it would be the second largest in the WMCA) and its economic strength and partners in the WMCA recognise the value of Warwickshire being in membership. Councillor Seccombe added that there were a number of 'asks' that Warwickshire would need to negotiate.

- A Councillor Izzi Seccombe formally moved the recommendations in the report (option 3) and was seconded by Councillor Peter Butlin. Councillor Peter Butlin, in seconding the proposal later in the debate, stated that he supported this option as there is now more information on which to take a view and that, although the detail

is still to be developed, this can only become clear by becoming a non-constituent member. Councillor Butlin added that he wished to see Warwickshire benefit from accessing funding for large schemes, such as transport funding, and that Warwickshire should use its maximum bargaining position to ensure a good deal.

- B Councillor Keith Kondakor, Leader of the Green Group, moved the following amendment, and was seconded by Councillor Jonathan Chilvers:

Add additional recommendation after recommendation (1):

‘(2) That the Authority holds a referendum of its residents before joining the WMCA as a constituent member’

Councillor Keith Kondakor explained that this would enable the public to decide and would be a minimal cost compared to the WMCA spend and would be most effective if undertaken at the same time as the local elections. Councillor Jonathan Chilvers added that a referendum would set a standard of democracy that should be expected from the WMCA and would be a check on the momentum to become a constituent member.

Councillor June Tandy, Leader of the Labour Group, welcomed the proposal, highlighting the benefits of becoming a member of WMCA, including access to funding (including additional funding for highways maintenance and a further amount to the WMCA for Warwickshire’s addition as a member) and being in a position to influence the development of the WMCA. Councillor Tandy reiterated her wish that the Council was making a stronger commitment but welcomed the option of being a non-constituent member as a positive step forward.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, welcomed the report and proposals, recognising that there still needs to be clarity with regard to Warwickshire’s ‘asks’ and that ideally this should be taken forward in partnership with the district and borough councils.

## **Debate**

The following points were made in support of the recommendations set out in the report (option 3) and proposed by Councillor Seccombe:

- (1) Although not the whole picture, there is a much clearer picture of the potential direction for Warwickshire.
- (2) The Council has committed to a wide consultation which is preferable to a referendum.
- (3) Authorities within the WMCA will retain their sovereignty.
- (4) The economy is global and it is not possible to put a wall around Warwickshire and being part of the WMCA will enhance economic benefits.
- (5) This proposal provides an opportunity to influence the WMCA and secure the best deal for Warwickshire.
- (6) Warwickshire has strong industrial links with Birmingham and others in the region.
- (7) Warwickshire joining the WMCA will afford economies of scale as indications are that Warwickshire is too small to meet the Government’s requirements on its own.
- (8) This could be a step towards more local decision making rather than central government.

The following points were made against the recommendations:

- (1) Public consultation on this decision would be preferable.
- (2) There is concern that Warwickshire's largely rural, well administered area with high employment, relatively high per capita wealth and valuable development land will join a largely urban area.
- (3) There is still uncertainty as to the benefits for Warwickshire, including what extra funding there will be and a concern that the figures quoted for growth and jobs are unsubstantiated.
- (4) The introduction of a mayor (if Warwickshire became a constituent member) will be a fourth tier of local government, and may result in a loss of some powers.
- (5) There is concern that Warwickshire will be overshadowed by other authorities, as happened in the RDA.
- (6) There is a question regarding the future oversight of the Police and the Fire Service.

The amendment at B was put to the vote and was LOST.

Councillor June Tandy and three other members requested a recorded vote on the recommendations proposed in the report and moved by Councillor Izzi Seccombe.

A vote was taken on the recommendations and was CARRIED, the voting being 39 for and 16 against being as set out below:

<b>FOR</b>	<b>FOR</b>	<b>AGAINST</b>
Appleton	Kendall	Chilvers
Beaumont	Lea	Cockburn
Boad	Morson	Dahmash
Brain	Moss	Gittus
Butlin	Olnor	Kaur
Chattaway	O'Rourke	Kondakor
Clark, C	Parsons	Lloyd
Clarke, J	Phillips	Morgan
Davies, C	Rickhards	Morris-Jones
Dirveiks	Rolfe	Perry
Dodd	Roodhouse	Redford
Doughty	Saint	Roberts
Fowler	Seccombe	Shilton
Fradgley	St John	Stevens
Gifford	Tandy	Timms
Hayfield	Webb, A	Warner
Hicks	Webb, M	
Holland	Whitehouse	
Jackson	Williams	
Johnson		
<b>Total</b>	<b>39</b>	<b>16</b>

### **Resolved**

- (1) That Warwickshire County Council becomes a non-constituent member of the West Midlands Combined Authority with a view to negotiating the basis of an acceptable deal on which Warwickshire could become a constituent member;
- (2) That the Leader of the Council be nominated as the County Council's

representative on the West Midlands Combined Authority;

- (3) That the Strategic Director for Communities and the Strategic Director for Resources are authorised to take any action that they consider necessary to implement the Council's decision;
- (4) That the budgetary provision for non-constituent membership of £25,000 be met for 2016-17 from the Capacity Building Reserve and that for subsequent year be included as part of the budget making proposals for 2017-18 onwards; and
- (5) That a further report is brought to a future Council meeting clarifying the position reached and the planned next steps.

## **12. Motion to Council**

### **Home to School Transport**

Councillor Peter Morson proposed the following motion and was seconded by Councillor June Tandy:

'That this Council reconsiders its policy on home to school transport bearing in mind that there are several routes, including the one from Warton to Polesworth High School, where parents are being asked to pay excessive amounts to ensure their children reach school safely'

Councillor Morson, in moving the motion, referred to letters from children who expressed a range of concerns including that their parents would not be able to afford the transport charges and that the children would have to walk along a route that could take over an hour each way (and could mean walking 5 miles a day). The route was also subject to flooding, unlit in places and required crossing three crossroads. Councillor Morson added that there could be another 166 schools impacted by the policy.

Councillor June Tandy, in seconding the motion, advised that she had raised the issue with the Cabinet Portfolio Holder and officers but had not received a satisfactory resolution and therefore supported this motion to Council. Councillor Tandy expressed concern at the cost to parents and in particular that the reduced rate of £170 for a child who qualified for free school meals would be too much for these parents to pay. Councillor Tandy requested that the policy be reviewed, in particular the issue of the 3 mile criteria and the nature of routes.

### **Debate**

Councillor John Whitehouse questioned whether the motion sought to review the home to school transport policy and charging policy (which could undermine the agreed Home to School Transport savings) or whether the focus should be on the re-classification of routes that were once classified as dangerous. Councillor Whitehouse suggested that it would be more appropriate for Overview and Scrutiny to look at the impact of the implementation of the policy.

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, reminded members that the budget savings were clear in the budget, that the list of fees had been in the Cabinet report and considered by the Children and Young People Overview and Scrutiny Committee. Councillor Hayfield added that the



3 mile criteria has been applied to the whole of Warwickshire for some time and he did not see it viable to make exceptions except where a route has been assessed as a dangerous route through the independent assessment process.

Councillor Dave Parsons, Chair of the Children and Young People Overview and Scrutiny Committee, supported the motion, commenting that the Committee had looked at the policy but had not seen the list of routes that would be impacted by the proposals.

Councillor Parsons expressed concern that the criteria for assessment of routes was not appropriate and did not differentiate between urban and rural routes or recognise that some rural routes were unlit, with little or no housing and were often on narrow footpaths, all of which presented a risk to children. Councillor Parsons added that there were also families with considerable hardship who would not be able to afford the bus and that some will group together and use cars which will add to the problems of congestion.

### Vote

Councillor Peter Morson and three other members requested a recorded vote.

A vote was taken and the motion was LOST the voting being 23 for and 29 against as set out below:

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
Beaumont	Appleton	Lea
Chattaway	Boad	
Clark, C	Brain	
Davies, C	Butlin	
Dirveiks	Clarke, J	
Doughty	Cockburn	
Hicks	Dahmash	
Holland	Fowler	
Jackson	Fradgley	
Johnson	Gifford	
Kondakor	Gittus	
Lloyd	Hayfield	
Morson	Kaur	
Moss	Kendall	
Olnor	Morgan	
O'Rourke	Morris-Jones	
Parsons	Perry	
Phillips	Redford	
Roberts	Rickhards	
St John	Rolfe	
Tandy	Roodhouse	
Webb, A	Saint	
Webb, M	Seccombe	
	Shilton	
	Stevens	
	Timms	
	Warner	
	Whitehouse	
	Williams	
<b>Total 23</b>	<b>Total 29</b>	<b>Total 1</b>

## 13. Member Question Time

### 13.1 Questions on Notice (Standing Order 7.2)

#### (1) South Warwickshire Clinical Commissioning Group (SWCCG)

Councillor June Tandy asked the following question on behalf of Councillor Matt Western regarding the South Warwickshire CCG reversal of its approach to tendering of Out of Hospital services:

‘Following the South Warwickshire CCG’s recent decision to abandon its approach, does the Cabinet Portfolio Holder for Health agree that the waste of almost £400,000 of public money is sufficient to, at the very least, demand an enquiry of some form and would he support demands that those SWCCG Board members who led the tendering out decision – the Chair, Chief Officer and Director of Strategy and Engagement – step forward, take full responsibility and offer their resignation?’

Councillor Bob Stevens read a response on behalf of Councillor Les Caborn, Portfolio Holder for Health:

‘The tendering of the Out of Hospital Services is a matter for the South Warwickshire CCG, an accountable body in its own right. Councillor Western has raised his concern with the Health and Wellbeing Board which the Board noted. It is not for this Council to comment on the management decisions of a public partner and of course this Council is always keen to see the best use of public money and the best quality of services.’

Councillor June Tandy asked, on behalf of Councillor Matt Western, at what level the Cabinet Portfolio Holder would consider it appropriate to call for resignations.

Councillor Izzi Seccombe responded that the decision taken by the South Warwickshire CCG had been in response to NHS England rule changes and that it was not for the Council as a partner body to intervene.

#### (2) Future provision in Lighthorne Heath

Councillor June Tandy asked the following question on behalf of Councillor Matt Western:

‘The continued uncertainty over Gaydon/Lighthorne Heath affects two primary schools (Sydenham Primary School and Lighthorne Heath Primary School) and their stakeholders. The current Lighthorne Heath Primary School is too small for the expansion and the site not large enough. Can the Cabinet Portfolio Holder for Education and Learning say what is planned in terms of school size, site and maintaining its existing federation?’

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, replied that the planning application was for a 3 FE primary school. The plan is to relocate Lighthorne Heath Primary School to the site. This will be a relocation of an existing school rather than a new school and therefore there is no need for the school to change its status. The school governing bodies are both aware and supportive of these plans and have been informed that the outcome of the

application is awaited before it goes to Cabinet for approval. Any such changes will be bound by the usual planning and consultation exercises.

Councillor June Tandy asked whether this establishes a clear Council policy with regard all such moves and whether he could ensure future clarity for stakeholders given the current uncertainty in terms of government policy.

Councillor Hayfield replied that he would get a written response but in general he expected there were guiding principles for all such applications but that they would vary case by case according to the circumstances.

### (3) Studley – Impact of Redditch Eastern Gateway

Councillor Clive Rickhards put the following question to Councillor Peter Butlin, Cabinet Portfolio Holder for Transport and Planning:

‘Would the Cabinet Portfolio Holder please let me know what the traffic impact on Studley from the Eastern Gateway is expected to be and what solutions are available to reduce the impact of any increase in vehicle movements on the A435?’

Councillor Peter Butlin replied that the applicant is in pre-application discussions with the Highway authorities of Warwickshire, Worcestershire and Highways England. There are outstanding issues with the traffic modelling which have to be resolved and at present none of the Highways Authorities are able to provide clarity on the potential impact that the Eastern Gateway site will have on the operation of the A435 and what mitigation measures may be required. This information can only be provided once the modelling matters have been agreed and it is envisaged this will be within the next three months.

### (4) Stagecoach Ticketing Changes

Councillor Keith Kondakor asked put the following question to Councillor Philip Johnson, Chair of the Communities Overview and Scrutiny Committee:

‘Stagecoach have just withdrawn their special £2 for under 19s ticket and are now refusing to provide any travel cards for children and young people. The Chair of the Communities Overview and Scrutiny Committee shares some of my concerns about Stagecoach ticketing in Warwickshire. Will the Committee be able to look at this matter urgently?’

Councillor Philip Johnson replied that the Managing Director of Midlands Stagecoach had given a presentation to the Committee in March and at that it had been made clear that the day rider ticket for under19s was an experiment that would run for about four months. The Managing Director has since confirmed that the initiative did not reach break- even point and had been withdrawn. Councillor Johnson reminded members that the decision by Stagecoach is a commercial one, over which the Council has little influence, but added that Stagecoach are going to repeat the offer over the summer and will review the results before determining a post August strategy.

Councillor Johnson added that the current Skills for Employment Programme is looking at access to work and challenges presented to apprentices and what the transport providers, local authority and businesses can do to improve access.

Councillor Johnson advised that he did not consider it appropriate for the Communities Overview and Scrutiny to look at this at present but a dialogue would be kept open with Stagecoach.

Councillor Keith Kondakor asked whether the County Council could be proactive in helping to publicise the summer scheme with a view to it being maintained.

Councillor Johnson undertook to discuss this with Councillor Peter Butlin, Cabinet Portfolio Holder for Transport and Planning.

### **13.2 Questions without Notice to Leader of the Council and Cabinet Portfolio Holders (Standing Orders 7.7 and 7.8)**

#### **(1) School Nurses Service**

Councillor Jenny St John asked the following question on behalf of Councillor Matt Western:

'The SWCCG agreed to move the school nurses service to a private company, Compass, and health visitors have reported that Compass refuse to provide health records of children, including within child protection processes on the basis that this would breach confidentiality. Will the Portfolio Holder confirm in what confidentiality is breached in the sharing of child health records for the purposes of child protection and whether legal advice has been given in relation to issues of confidentiality between firms providing statutory services and is it lawful for companies to withhold information pertinent to child protection.

Councillor Izzi Seccombe requested a written copy of this detailed question and undertook to ensure a written response was provided.

#### **(2) Legal Services**

Councillor Keith Kondakor asked Councillor Izzi Seccombe whether she would stop Nuneaton and Bedworth Borough Council from their intention to use Warwickshire County Council legal services to assist with disciplinary actions of the Borough Council.

Councillor Izzi Seccombe replied that the County Council offers a number of services to other local authorities and would continue to do so.

#### **(3) Home schooling**

Councillor Maggie O'Rourke asked Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning how many children in Rugby were being schooled at home and of those how many had received an assessment, how many free schools were operating in Warwickshire and whether they are in the right place.

Councillor Colin Hayfield requested a written copy of the question and undertook to provide a written reply. He added that it is not for the authority to determine the number and position of Free Schools.

(4) The response from MPs to the issue of Council funding

Councillor Dave Parsons asked whether the Leader would ask the Warwickshire MPs what they intend to do with regard the financial cuts that would be coming in future.

Councillor Izzi Seccombe replied that she would continue to work with MPs as she has always done.

(5) Forestry Team

Councillor Dave Shilton asked whether the Cabinet Portfolio Holder for Environment was aware of the excellent service provided by the forestry service and would he thank them on behalf of the Council.

Councillor Jeff Clarke replied that he would pass on the comments.

(6) Infrastructure Plan

Councillor Chris Clark asked the Leader of the Council whether there was an update on the infrastructure plan that Council in 2014 agreed should be developed.

Councillor Izzi Seccombe replied that this has been developed as the Strategic Economic Plan delivered through the Coventry and Warwickshire Local Enterprise Partnership.

**14. Any other items of urgent business**

None

**15. Reports Containing Confidential or Exempt Information**

**Resolved**

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972.

**16. Exempt Minutes of the meeting held on 22 March 2016**

**Resolved**

That the exempt minutes of the meeting held on 22 March 2016 be approved as a correct record.

The meeting rose at 4.40 p.m.

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Chair