

**Minutes of the Meeting of Warwickshire County Council
held on 22 September 2016**

Present:
Councillor Bob Hicks (Chair)

Councillors: John Appleton, John Beaumont, 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, Mike Gittus, Brian Hawkes, Colin Hayfield, John Holland, John Horner, Julie Jackson, Philip Johnson, Kam Kaur, Danny Kendall, Bernard Kirton, Keith Kondakor, Joan Lea, Jeff Morgan, Phillip Morris-Jones, Brian Moss, Bill Olnor, Dave Parsons, Mike Perry, Wallace Redford, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, 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. General

(1) Apologies for absence

Apologies for absence were submitted on behalf of Councillors Sarah Boad, Bill Gifford, Keith Lloyd, Peter Morson, Maggie O'Rourke, Caroline Phillips and Chris Saint.

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

None.

(3) Minutes

Resolved

That the minutes of the meeting held on 19 July 2016 be approved as a correct record.

(4) Chair's Announcements

Former Councillor Marion Haywood

The Chair paid tribute to former Councillor Marion Haywood who had died peacefully on 7 August and whose funeral he and many others had attended on 30 August. Marion had served on the County Council representing Warwick South from 5 May 1989 until her retirement in 2009 and had also served many years on the Town Council, for whom she had twice been mayor. Marion had served on many committees and had been Chair of Council during her final year of office and had also supported many local causes, including Friends of Myton and the Girl Guides. Members paid tribute to Marion's hard work, particularly in relation to children and social care issues, and her passionate commitment to her community which she was very proud to represent.

The Council stood in silent tribute for Marion.

Former councillor Chris Holman

The Chair paid tribute to former councillor Chris Holman who died on 26 July and who had served on the Council from June 2001 to May 2005 representing Rugby Caldecott Division. Chris had served on three of the Council's overview and scrutiny committees during his term of office and had been a Rugby Borough councillor for over 20 years. Members paid tribute to Chris's considered approach to issues, his ability to analyse detail and for his commitment to his community.

The Council stood in silent tribute for Chris.

Kathleen Adams - George Eliot Fellowship

The Chair announced the death of Kathleen Adams who had served as secretary to the George Eliot Fellowship for many years. Kathleen had been energetic in promoting the legacy of George Eliot in Nuneaton and Bedworth and in Coventry and had developed the Fellowship into an internationally renowned organisation.

The Chair recited the quotation from 'Adam Bede' that had been read at Kathleen's funeral service:

'What greater thing is there for two human souls, than to feel that they are joined for life--to strengthen each other in all labour, to rest on each other in all sorrow, to minister to each other in all pain, to be one with each other in silent unspeakable memories at the moment of the last parting?'

Reablement Service Inspection by Care Quality Commission

Councillor Jose Compton, Cabinet Portfolio Holder for Adult Social Care, congratulated the Council's Reablement Service for having been awarded 'good' in every category of the recent inspection by the Care Quality Commission. This service supports people to maintain or regain their independence after a hospital stay or crisis at home and the award relates to both the North and South Teams, illustrating consistency in all areas.

GCSE Results

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, announced that provisional GCSE results indicates that 68% of pupils entered had achieved A*- C in English and Maths (compared to 63% the previous year).

The provisional A level results also indicated that 95% who entered achieved at least 2 A levels and 54% achieved vocational qualifications with an average grade of 'distinction'. Councillor Hayfield congratulated pupils for their achievements and welcomed the steady improvement in attainment which mirrored the overall improvement in the assessment of Warwickshire schools being good or outstanding.

Anthony Ashley

Councillor John Horner, Cabinet Portfolio Holder for Community Safety, congratulated Anthony Ashley, from the Youth Justice Team, on his award of a bronze medal from the Communicate Project in recognition of his work with young people.

(5) Petition: Proposed Quarry, Salford Priors

Charles Coward presented a petition signed by 1,035 residents opposing the proposal for Site 7 Salford Priors Sand and Gravel extraction and requesting that it be rejected and not included within the preferred sites.

The issues raised by Charles Coward are summarised below:

- Whilst recognising the national need for aggregates, the potential yield from this site is very low compared to other sites under consideration. The modest output of 800,000 tonnes over 8-10 years needs to be considered against the disproportionately high impact on the village for many years.
- Opposition is supported by Salford Priors Parish Council, the local school, district and county councillors and businesses.
- The development will damage prospects of future development in the Neighbourhood Development Plan (NDP) and deter people from seeing the village as a desirable place to live and damage the viability of the local school. The proposal runs counter to the NDP with proposed housing development plans and designated areas of protected open space which will be lost or damaged.
- Operational works will impact on the community with proposed quarry workings encroaching up to the boundary of some properties and in some cases surrounding them.
- The health and safety of the community and commercial viability and robustness of the scheme should be considered.
- The Marsh Farm gravel workings at the edge of the village are close to completion and the village has tolerated this for many years. That processing area is approximately 1050 metres from the village centre, whereas proposed site 7 is less than 600 metres and closer to existing houses on School Road. The impact is greater to deliver this High Risk and Low Return strategy.

Councillor Peter Butlin, Cabinet Portfolio Holder for Transport and Planning, thanked the petitioner for the petition and for gave assurance that the concerns raised would be taken into account in the further consultation.

(6) Public Speaking

None

2. Budget Strategy 2017-2020 Statement from the Leader of the Council

Councillor Izzi Seccombe, Leader of the Council, made the following statement outlining the direction of travel for the Council and its budget process:

‘ This is the start of the process that will conclude with the creation, in February 2017, of a budget for Warwickshire County Council. We now know too, that the Chancellor of the Exchequer will make his autumn statement on November 23rd and that could change the picture again.

We have always been open about the scale of challenges facing the County Council. We have already been through a difficult period and have had to make some tough decisions. We have not shied away from these and I must pay testament to our staff who have stepped up to the plate, found solutions that have worked and delivered good services that we can be proud of, to support the people of Warwickshire. It’s not just me saying that – over the year we have had some great feedback about our services – including today as you heard the recent CQC inspection which rated our Reablement Service as good.

At the heart of our decision making have been the key principles of fairness, equality and providing the best services we can for those who need them most. We have encouraged, supported and enabled business growth which has translated into employment opportunities and to build aspirations for our people.

The Autumn Statement last year delivered a disappointing settlement and following challenging negotiations with DCLG we managed to get a one off settlement of £3 million, and a promise of a further £3 million yet to be confirmed. This however, makes little impact on the settlement which now sees us having to bring forward new proposals which we will do so in February which will take us up to 2020.

We need to identify around a further £67 million worth of savings over the next 3 years. This amount arises from a reduction in Government grant, inflation and additional demographic pressures. This means shaping the future of a very different County Council and different public service provision in Warwickshire by 2020. Everything we do is on behalf of, and impacts on, the people of Warwickshire and we need to have a conversation with people about their priorities, their hopes, their fears, their challenges and their ambitions.

After this council meeting, we will be going out to talk to people around the county through our roadshows; we want to open up a conversation with our communities – to talk about the scale of the issues we face, including opening up an online budget calculator which allows people to have a go at creating the council budget themselves. We will also be talking to our staff and partners about how this might affect them and how we can work together to deliver services differently in the future.

The Council has been very successful at prudently managing its finances and has a strong track record of delivering savings focussed on efficiency, and delivering high quality services. But local government does not have the money that it previously

had. Therefore, we need to focus on the services that we can afford, now and into the future, and on changing the way that the services will be delivered.

To conclude, we will be developing a society in Warwickshire that looks after its most vulnerable members but allows for economic growth as well.

It is dependent on us as councillors to take forward the start of the process. What members have received today are options that our officers have brought forward for us. The process is for members to bring forward proposals for consideration in February. It is dependent on us as Groups to come together and to try to make a settlement that is fair as possible for our council and for our citizens'.

In summing up later in the debate Councillor Izzi Seccombe added:

'We need to set out a new vision and a new purpose. With the scarce resources we want to focus on two things. Firstly we want Warwickshire's communities and individuals to be supported so they are safe, healthy and independent. Secondly to drive the economy to be vibrant (knowing that in the future the direction of travel on business rates return is going to be a critical element for how the council is funded in the future).

The Council will be a smaller organisation by 2020. Job losses will be inevitable as part of the process and we have indications that there are up to 317 posts that will be effected in this period. But this is not just about reducing services. We will seek to build our economy by attracting the investment I have talked about'.

Councillor June Tandy, Leader of the Labour Group, welcomed hearing the views of the public and stated that her Group would be talking to the public themselves and looked forward to further discussions.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, recognised that this is the start of the process with two overlapping one organisational plans but also that local authorities are being put in a difficult position by Government with the uncertainty of the impact of Business Rates Retention and future levels of Rate Support Grant (and whether and when local authorities will be expected to be self-financing in future years). There is also uncertainty in relation to combined authorities; how demographic pressures will be financed (given that the 2% ring fenced for social care is not adequate); what will be the impact of pressures in the NHS and the yet unpublished Sustainable Transformation Plans.

Councillor Roodhouse expressed particular concern that local government spending is not ring fenced and that further cuts may follow from the Government's Autumn Statement. These uncertainties make forward planning difficult.

Councillor Keith Kondakor, Leader of the Green Group, expressed concern that the public will suffer further cuts and lose key services that are due to Government deficit. Warwickshire has done a lot to make efficiencies and provide vital services and that pressure should be put on MPs to oppose the levels of cuts and obtain reasonable funding for local government.

Councillor Seccombe added that this is about starting the process and recognised that it is a painful process and appreciated that members did not wish to again be finding savings and asking staff for more. In addition 2% in adult social care is not

enough to address the problems of the aging population and that she was committed to challenging Government and to argue for more revenue. Councillor Seccombe added her thanks to officers for their work in bringing forward options and appreciated that this was a difficult challenge.

Resolved

That Council receive the Statement from the Leader.

3. Annual Governance Statement 2015-16

Councillor Kam Kaur, Cabinet Portfolio Holder for Customers, proposed that Council approve the Annual Governance Statement for 2015-16 and was seconded by Councillor John Horner who added that the Statement has been confirmed by the external auditors as meeting the points required by CiPFA and that the content represents the organisation as at 2015-16. The Statement had been considered and approved by the Audit and Standards Committee.

The following comments were made during debate:

- Challenges for 2016/17 and beyond (page 19)
It was suggested that more could be done to assist in avoiding business closures (such as relaxation of TUPE rules).
- Performance Monitoring (page 6)
The monitoring of projects has been of interest to members and it was suggested that members be sent a briefing on the new on-line Project Hub and sought assurance that there is integration with other areas such as the Customer and Transformation Board (mentioned on page 7). Councillor Kaur gave her assurance that there is integration and that more information about the Project Hub is made available.

Councillor Kam Kaur responded to a request for greater transparency of the operation of the CWLEP, noting that this is not within the remit of the Council.

The proposal to approve the Statement was put to the vote and agreed.

Resolved

That Council approves the Annual Governance Statement for 2015-16.

4. Warwickshire Pension Fund Statement of Accounts 2015-16

Councillor Alan Cockburn, Cabinet Portfolio Holder for Finance and Property, proposed that Council approve the Pension Fund Statement of Accounts for 2015-16, as recommended by the Audit and Standards Committee, and was seconded by Councillor Bob Stevens. Councillor Stevens advised that the auditors had given an unqualified opinion in respect of the Fund's financial statements and also added that the proposal for pooling through the Borough to Coast Partnership was awaiting Government approval.

The following points were noted during debate:

- There should be more detailed consideration of the value added by investments. Councillor Bob Stevens advised that approximately 7% growth had been achieved in comparison to the target growth of 4.6% set by the auditors.
- More detailed information on investment by sector is available in the Pension Fund reports.

The proposal to approve the Pension Fund accounts was put to the vote and agreed.

Resolved

That Council approves the Warwickshire Pension Fund Annual Accounts for 2015-16.

5. Warwickshire County Council Statement of Accounts 2015-16

Councillor Alan Cockburn, Cabinet Portfolio Holder for Finance and Property, proposed that the Council approve the Council's Statement of Accounts for 2015-16 and was seconded by Councillor Izzi Seccombe.

The proposal to approve the Statement of Accounts was put to the vote and agreed unanimously.

Resolved

That Council approves the Warwickshire County Council Statement of Accounts for 2015-16.

6. Appointment of External Auditors

Councillor Alan Cockburn, Cabinet Portfolio Holder for Finance and Property, presented a report setting out options for the appointment of external auditors and proposed that Council support the opting in to the approved sector –led body (option 3 in the report) as endorsed by the Audit and Standards Committee. The proposal was seconded by Councillor Kam Kaur who pointed out the advantages listed in the report.

Councillor Keith Kondakor, Leader of the Green Group, considered that the Council should make a local appointment (option 1) as he believed they would be more independent, robust and focused on serving the public.

Councillor Alan Cockburn advised that there were clear advantages of option 3, which would setting up costs, attract better rates and lower fees and provide support if there were any conflicts at individual authority level.

The proposal to support option 3 was put to the vote and was agreed. There were two votes against and one abstention.

Resolved

That Council agrees that Warwickshire County Council opt-in to the approved sector-led body for the appointment of the authority's external auditors from April 2018.

7. Disabled Facilities Grant 2016-17 - Addition to the Capital Programme

Councillor Izzi Seccombe, Leader of the Council, presented a report setting out her recommendations regarding the Disabled Facilities Grant which, because of the sum of grant involved, required Council approval to add it to the Capital Programme. It was noted that the Grant would be transferred in full to Warwickshire's district and borough councils as set out in the report. Councillor Jose Compton, Cabinet Portfolio Holder for Adult Social Care, seconded the recommendations.

Councillor Seccombe also gave her assurance that there is flexibility for funding to go to housing associations.

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

Resolved

- (1) That the Department of Health's annually allocated Disabled Facilities Grant of £3.511m, as set out in section 2.1 of the report, is added to the capital programme for 2016-17;
- (2) That any annually allocated Disabled Facilities Grant received by the County Council in future years requiring payments to be made directly to District and Borough Council is automatically added to the capital programme; and
- (3) That the Strategic Director for People be authorised to agree with the districts and boroughs joint strategies as to their use of the Disabled Facilities Grant from time to time in consultation with the Chair of the Health and Wellbeing Board.

8. Overview and Scrutiny Annual Report 2015-16

Councillor June Tandy, Leader of the Labour Group, presented the Annual Report of Overview and Scrutiny Committee activity and was seconded by Councillor Richard Chattaway.

The following issues were raised in the debate:

- The number of public attending Overview and Scrutiny Committees was low (22% of meetings had attracted public attendance) and more proactive approach should be taken to encourage the public and to also invite community experts to take part in critique of areas. It would also be helpful to hold meetings in other parts of the County where there is local public interest in a subject.
- The use of call-in can be helpful in ensuring more detailed consideration of an issue but this is often better achieved by timetabling items to be

considered by overview and scrutiny before they go to Cabinet for decision. This may also help prevent delays to elements of the savings plan.

- Cabinet member attendance at overview and scrutiny committee is important. Councillor Hayfield commented that he is challenged at the Children and Young People OSC and that the committee was adding value. Councillor Dave Parsons, the Chair of the OSC, thanked Councillor Hayfield and Councillor Caborn for their valuable input to the Committee.

Resolved

That Council receives the Overview and Scrutiny Annual Report 2015-16.

9. Motion to Council – Government Proposals for Grammar School Expansion

Councillor Phillip Johnson moved the following motion on behalf of Councillor Matt Western and was seconded by Councillor Dave Parsons:

- A** 'Warwickshire is proud of its existing secondary schools. This Council believes that the Government's intention to introduce more Grammar Schools could undermine the quality of the existing schools network and reduce social mobility and agrees that this concern be relayed to Government.'

Councillor Johnson made the following points in moving the motion:

- Grammar schools are socially exclusive (evidenced by the low percentage of children qualifying for free school meals);
- Selection is currently by house price – with poorer parents unable to move into the grammar school priority areas.
- Parents who can pay for private tuition to pass the selection exams have an advantage.
- Grammar schools give an advantage to a few (but do not necessarily benefit all who attend) and creams off high achieving children and attracts best staff This puts the rest of schools at a disadvantage and attracts teachers away from schools in less advantaged areas.
- Extension of grammar schools is a distraction and will not close the gap, will not close the problem of low aspiration or low achievement (for example in lower class boys) and is not the answer to current issues in schools.
- The ambition for Warwickshire is and should continue to be that all children should attend good schools.

- B** Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, moved the following amendment and was seconded by Councillor Jeff Morgan:

Delete all after..... 'existing secondary schools' and replace, so motion reads:

'Warwickshire is proud of all its existing secondary schools including its five grammar schools. We believe Warwickshire should celebrate the diversity of different types of school within the current Warwickshire Family of Schools. We look forward to learning more about the government's emerging plans for grammar schools and what that might mean for Warwickshire.'

Councillor Hayfield explained that the amendment recognised that Warwickshire already has very successful grammar schools and are part of a range of different type of schools and all should be celebrated and supported. Councillor Hayfield added that this was not a return to the previous system of grammar schools and urged the Council to await the proposals and to respond to these when more information is available.

DEBATE

The following points were made in support of the **motion at A**:

- Experts, including the vice-chancellor of Kings College School in north London, do not agree with the expansion of grammar schools as they consider they lead to social exclusion.
- The argument that grammar schools are successful should be challenged given they have a low level of pupils on free school meals and do not address 'closing the gap' or any of the Council's priorities.
- Introduction of new grammar schools could undermine existing proposals for school expansion.
- It makes a decision about children at 11, with those who pass an exam seen as special whilst the rest can feel they are failures.
- The grammar school expansion does not address the challenges of increased class sizes, mental health services for children, special needs and overall lack of resources.
- There is a view that the prime minister wishes to see a grammar school in every town but selection does not support local communities.
- The policy would undo the improvements that have been made in education to date.
- Grammar schools can lead to divisions in a town and many parents do not want to see children divided at age 11 and the schools do not necessarily serve Warwickshire pupils as many come from out of County.
- To ensure a level playing field there needs to be resources at the early years, pre-natal support and properly funded comprehensive schools.

The following points were made in support of the **amendment at B**:

- The Government's intention is to ensure a successful economy and school system (such as in Germany where the aim is for each child to get an education appropriate to them).
- The proposals may include requirements to take a percentage of children who qualify for free school meals.
- Grammar schools widen choice.
- Grammar schools enable children from poorer backgrounds to reach their potential.
- The examination results for schools in Rugby are as good as the grammar schools demonstrating that children are not 'creamed off'
- There is evidence that they do not reduce social mobility.
- The Council should await information on the grammar school

proposals before taking a view.

- There has not been a detrimental impact on schools in Warwickshire as shown by the increase in performance overall.
- The high performance of grammar schools encourages increase in performance in other schools.

Councillor Jeff Morgan called for a recorded vote and was supported by a number of members. The **amendment at B** was put to the vote and was **LOST**, the vote being as set out below:

For the amendment - 25	Against the amendment 28
<i>Councillors:</i>	<i>Councillors:</i>
John Appleton	John Beaumont
Mike Brain	Richard Chattaway
Peter Butlin	Jonathan Chilvers
Les Caborn	Chris Clark
Jeff Clarke	Corinne Davies
Alan Cockburn	Nicola Davies
Jose Compton	Neil Dirveiks
Yousef Dahmash	Richard Dodd
Peter Fowler	Sara Doughty
Mike Gittus	Jenny Fradgley
Colin Hayfield	Brian Hawkes
John Horner	Bob Hicks
Kam Kaur	John Holland
Danny Kendall	Julie Jackson
Joan Lea	Philip Johnson
Jeff Morgan	Keith Kondakor
Philip Morris- Jones	Brian Moss
Mike Perry	Bill Olnier
Wallace Redford	Dave Parsons
Izzi Seccombe	Clive Rickhards
Dave Shilton	Kate Rolfe
Bob Stevens	Jerry Roodhouse
Heather Timms	Jenny St John
Angela Warner	June Tandy
Chris Williams	Alan Webb
	Mary Webb
	Matt Western
	John Whitehouse

The **motion at A** was put to the vote and was **CARRIED** the vote being:

For the motion - 28	Against the motion 25
<i>Councillors:</i>	<i>Councillors:</i>
John Beaumont	John Appleton
Richard Chattaway	Mike Brain
Jonathan Chilvers	Peter Butlin
Chris Clark	Les Caborn
Corinne Davies	Jeff Clarke
Nicola Davies	Alan Cockburn
Neil Dirveiks	Jose Compton
Richard Dodd	Yousef Dahmash
Sara Doughty	Peter Fowler
Jenny Fradgley	Mike Gittus
Brian Hawkes	Colin Hayfield
Bob Hicks	John Horner
John Holland	Kam Kaur
Julie Jackson	Danny Kendall
Philip Johnson	Joan Lea
Keith Kondakor	Jeff Morgan
Brian Moss	Phillip Morris-Jones
Bill Olnier	Mike Perry
Dave Parsons	Wallace Redford
Clive Rickhards	Izzi Seccombe
Kate Rolfe	Dave Shilton
Jerry Roodhouse	Bob Stevens
Jenny St John	Heather Timms
June Tandy	Angela Warner
Alan Webb	Chris Williams
Mary Webb	
Matt Western	
John Whitehouse	

Resolved

Warwickshire is proud of its existing secondary schools. This Council believes that the Government's intention to introduce more Grammar Schools could undermine the quality of the existing schools network and reduce social mobility and agrees that this concern be relayed to Government.

10. Member Question Time

10.1 Questions on Notice (Standing Order 7.2)

- (1) Importation of inert matter/topsoil to the north of Kingsbury: application NWB/12CM008

Councillor Brian Moss put the following question to Councillor Peter Butlin, Cabinet Portfolio Holder for Transport & Planning:

'What proportion of the permitted 4,000 cubic metres of material has now been imported and how is the volume measured by the Council? What is being done to ensure the site operator sticks to the permitted hours of working? Is the wheel washer required by the Environment Agency installed and used?'

Councillor Peter Butlin replied that estimates from site visits and survey plans indicate that at least 90% of the permitted material has been imported and the volume is measured by survey drawings of levels, void space and number of lorry loads delivered. Councillor Butlin understood that the development is nearing completion and importation should cease shortly. Regular visits take place at least four times a year to monitor compliance with the planning permission and responses are made to any complaints from local residents about hours of operation. The Council has served an enforcement 'breach of condition' notice requiring compliance with the hours of operation conditions and conditions requiring the roads to be kept clean and free of debris. Failure to comply with the notice will lead to prosecution by the Council. The Environment Agency has been contacted to check whether there is a requirement for the wheel washer and if it is the Environment Agency will be asked to enforce it.

Councillor Brian Moss questioned whether it was for the Environment Agency to enforce and Councillor Butlin stated that he would investigate and respond to Councillor Moss.

(2) Kingsbury Water Ski Centre

Councillor Brian Moss put the following question to Councillor Peter Butlin, Cabinet Portfolio Holder for Transport & Planning:

'What action is being taken to remove the illegally dumped pile of material? What action is being taken to re-route the footpaths illegally closed several decades ago by a previous owner who extracted sand and gravel, causing the footpaths to flood?'

Councillor Peter Butlin replied that the Council and the Environment Agency have attempted to use enforcement powers to get the site cleared but have been unsuccessful. The site is owned by a company that has been dissolved and it has not been possible to contact or trace those liable for the planning breaches and clearance of the site. The cost of clearance of the site is likely to be many thousands of pounds with little chance of recouping the costs. The issue is further complicated in that surrounding land would need to be accessed in order to undertake a clear up and re-routing of the footpaths is problematic because of land ownership matters.

Councillor Butlin added that he would ask officers to work with the local member and other agencies in an effort to address the issue.

(3) New Rail Stations

Councillor Philip Johnson put the following question to Councillor Peter Butlin, Cabinet Portfolio Holder for Transport & Planning:

‘Following the announcement of a further £20m in funding from Department for Transport to provide up to 75% of the cost for the construction of new stations or to reopen previously closed stations, will Warwickshire be submitting a bid for this funding to add to the number of new stations opened in Warwickshire?’

Councillor Peter Butlin replied that a bid will be submitted to the New Stations Fund for £6.75m for the Rugby Parkway Rail Station Scheme by the 25th November deadline for submissions. The bid accounts for 45% of the funds needed for the scheme and the remainder will be from CWLEP Growth Deal funding (£6.15m) and Warwickshire’s Capital Growth Fund (£2m) subject to external funding being in place. Other bids have been submitted, one in May (the outcome of which is awaited) and one in June that has been approved.

Councillor Philip Johnson asked when a bid will be drawn up for funding to open a station at Stockingford Galley Common. Councillor Butlin responded that a scheme has been drawn up and further work is being undertaken on the business case. It will be dependent on further investment from Network Rail on the line and hopefully West Midlands Rail will take on freight charges for the future. The aim is to bring a report to Cabinet before the end of the year.

Councillor Keith Kondakor asked whether the business case is positive and realistic? Councillor Butlin replied that it is positive but, to ensure it is successful in attracting funding, the business case needs to be more substantial.

(4) Road Accident Levels

Councillor Philip Johnson put the following question to Councillor John Horner, Cabinet Portfolio Holder for Community Safety:

‘At a time when both the revenue and capital budgets for Transport & Highways are underspent, the RAG rating for the number of people killed or seriously injured on our roads is red and the forecast is to miss the target by over 20%. There are weekly reports in the press of injury accidents across the county. What action is the Portfolio Holder planning to take to address this situation?’

Councillor Horner replied that the forecast underspend for Transport and Economy is less than 2% on an annual turnover of c. £30m. Within the service area much of the perceived ‘underspend’ is mostly due to increased income. In 2015 all road safety education campaigns and activities were delivered as programmed and 94% of the capital engineering programme was delivered.

There is an increase in collisions nationally. It is difficult to identify the causes of the increase but facts such as more traffic (due to the improving economy), growth in cycling and weather conditions could have affected this change.

The Council is working on education and prevention. This includes the Fatal Four campaign which is aimed at 17 to 25 year olds and should be made available to all schools.

Road safety schemes are also part of the preventative approach and there is a programme of works, although to do all 46 of the 3 and above fatal and serious injuries cluster sites would cost around £25m. There are also some that the Council cannot do such as the M6 junction north of Coventry which would cost around £70m and is for Highways England to support.

Councillor Philip Johnson expressed concern at the number of accident black spots and asked whether the Portfolio Holder would be making representations to Government to achieve more funding so that the Council can undertake the projects.

Councillor John Horner said he had made representations the previous year and Councillor Peter Butlin added that he had also been campaigning for funding.

Councillor Mike Perry whether it was possible to reduce speed limits in Warwickshire as had been done in neighbouring authorities and which is often requested by his constituents.

Councillor Horner replied that the limit is to drive appropriately for the conditions and can be stopped by the Police. The Police enforce speed limits but this requires Police resources. There is criteria for determining the speed limit of roads, as illustrated in the safer routes to school programme, but most effective is education because speed limits are only effective where people abide by them and drive appropriately to the conditions of the road.

(5) SATs Tests

Councillor Jonathan Chilvers put the following question to Councillor Colin Hayfield, Portfolio Holder for Transport & Planning:

‘Senior headteachers are warning that they may boycott SATs for 11 year olds next year unless the Government takes steps to avoid the ‘chaos’ of 2016. What support and guidance is the local authority giving to schools on this issue and is the cabinet member concerned about the welfare of Warwickshire’s 11 year olds who last year were tested on a 4-year syllabus that they’d only been informed about 2 years earlier?’

Councillor Colin Hayfield replied that Warwickshire head teachers have expressed their concerns to the local authority very clearly through the School Improvement Board, a representational group for head teachers consisting of head teacher chairs of primary consortia. They have also raised their concerns in writing with the Secretary of State for Education and their local

MPs. Their concerns are for the 11 year olds who took the tests this year who may feel that their hard work and achievements have not been fully recognised and for the very young children who took the key stage 1 tests which were extremely challenging to the point where some children were reported to be crying during the tests.

We share the head teachers' concerns about the well-being of our 11 year olds and are working with schools to ensure that the new curriculum and testing arrangements are embedded as quickly as possible. Unfortunately, with any new testing system, this does take time.

The local authority provides support to schools as part of its statutory responsibilities for assessment, which includes support and training for teachers preparing pupils for tests in Early Years, Key Stage 1, Phonics and Key Stage 2. Much of this training is provided free of charge to LA maintained schools. This support is well-received by schools and is judged to be of a good quality by the Standards Testing Authority.

Hopefully there will be improvement over time but it remains an issue at present.

Councillor Chilvers asked whether, if head teachers do not feel sufficient steps have been taken next year, the Portfolio Holder would publically support head teachers in boycotting the exams.

Councillor Hayfield replied that he could not commit until he knows what the position is. He considered it unfortunate when teachers boycott but appreciates there is genuine concern.

Councillor Dave Parsons asked what was being done to ensure information on the form of tests is sent to schools in time and that the situation that arose last year does not happen again.

Councillor Hayfield agreed that the pupils were unprepared for the level of the tests and that the Council would add its voice to those of the schools.

(6) Local Transport Plan - Provision for Pedestrians in highway projects

Councillor Keith Kondakor put the following question to Councillor Peter Butlin, Portfolio Holder for Transport & Planning:

'Will the portfolio holder take steps to ensure the needs of pedestrians are properly protected when doing highway projects and that steps are taken to improve pedestrian facilities for projects that are in the pipeline?'

Councillor Peter Butlin replied that the authority recognises that the needs of pedestrians must be taken into account when planning highway projects including access arrangements for new developments. The Council actively engages with District and Borough Council colleagues as part of the planning process for new developments in order to secure appropriate pedestrian facilities along with facilities to encourage other non-car travel modes such as cycling and bus travel. Our work in this area is constrained by factors including

planning law, the existing road lay out and the cost of delivering improvements.

In the case of the development at Eastboro Way, Nuneaton, pedestrian crossing facilities are being provided as part of a junction improvement scheme whereby the roundabout with the A47 will be replaced by a signalised junction with pedestrian crossing facilities on all arms of the junction.

Councillor Kondakor asked what was being provided for pedestrians at Eastboro Way before the roundabout is converted to traffic lights?

Councillor Butlin replied that this is part of the planning process and is undertaken in conjunction with the district and boroughs.

Councillor Dave Shilton asked what protection is being given to pedestrians where cyclists are using the footways?

Councillor Butlin replied that work continues on segregating pedestrians and cyclists by putting in dividing lines where this is possible. In some areas there is also work undertaken with the police to ensure footways are safe for pedestrians.

(7) Inward Investment

Councillor Keith Kondakor put the following question to Councillor Izzi Seccombe, Leader of the Council:

'The Coventry and Warwickshire Growth Hub has provided me with a spreadsheet of their outcomes over their first two years for each district in Warwickshire. According to the spreadsheet there has been considerable success in bringing £28.7m inward private sector investment to Stratford on Avon District Council area but only £1.4m inward private sector investment into the Nuneaton and Bedworth Borough Council area. The apparent twenty times difference in inward investment does seem unbelievable. What level of inward investment has the County Council funded growth hub obtained in each district area over its first 2 years of operation?'

Councillor Izzi Seccombe replied that it was not clear on what basis this information was provided and what it included or excluded so she could only answer on the basis of the information she had. Councillor Seccombe outlined the role of the Growth Hub and stressed that it does not provide grant/loan funding but helps businesses identify the best source of investment and put them in contact with the relevant body providing support.

Councillor Seccombe outlined the allocation of grants to businesses from various funding pots that have been made available through, or via, the Coventry & Warwickshire Local Enterprise Partnership. These include business grant funding programmes for Coventry & Warwickshire through the Regional Growth Fund, the Growing Places Fund, European Regional Development Fund, and the Rural Growth Network programme.

295 grants that have been awarded from these programmes between January 2012 and September 2015:

- 63 have gone to businesses in Nuneaton & Bedworth Borough. This is 21% of the all the grants allocated, the highest proportion in Warwickshire and second only to Coventry City (114 grants / 39%).
- Stratford District, in comparison, had 47 businesses receiving grants (a large proportion of which came from the Rural Growth Network Programme, which doesn't cover much of the Nuneaton & Bedworth area).
- In terms of funding awarded, businesses in Nuneaton & Bedworth received a total of £3.2m in grants. This compares with a total grant allocation of £1.6m in Stratford District.
- Private sector match funding for these grants, amounted to a total of £17.9m in Nuneaton & Bedworth and £7.3m in Stratford District.

Warwickshire County Council has worked very hard to support all areas

Councillor Kondakor asked whether the Leader would ask the Growth Hub to provide an annual consistent set of figures.

Councillor Seccombe replied that officers of the County Council were able to provide this information.

Councillor June Tandy asked whether the Leader was aware that the CWLEP has allocated more funding to Nuneaton and Bedworth (£6.694m) than any other district or borough area in Warwickshire despite comments made to the contrary.

Councillor Seccombe replied that she was aware of this and that this is part of increasing the growth of businesses and access to jobs in Nuneaton and Bedworth and has proved successful.

(8) Minimum Wage for Contracted Staff

Councillor John Holland put the following question (on behalf of Councillor Matt Western) to Councillor Jose Compton, Portfolio Holder for Adult Social Care:

'In the light of the case being brought at Industrial Tribunal by workers in Haringey against Sevacare and London Borough of Haringey Council, can the portfolio holder assure us that there are no instances in Warwickshire where contracted staff, providing 24 hour care (or in any other arrangement) are being paid below the Minimum Wage?'

Councillor Jose Compton replied that since April there had been a legal obligation on employers to pay workers aged 25 and over the National Living Wage. Workers who are younger than this continue to be paid in line with the

National Minimum Wage requirements. This legal framework applies to the Council and to contractors delivering services on the Council's behalf. The Employment Tribunal case referred to has been brought by Sevacare staff who claim their pay rates fell below the relevant minimum wage because they were not paid for time spent 'sleeping in', being 'on call' or travelling time. The Employment Tribunal claim has only just been lodged and it will be some time before we know the Tribunal's decision on this particular case which is fact specific.

In Warwickshire, we have recently awarded contracts to a series of providers who will provide a range of different 'care at home' services. Our approach has been to assume that where workers are required to sleep at clients' homes and travel between clients' homes, their averaged pay rate must meet the national wage requirements. Our expectations on this were communicated to bidders during the tender process so that this could be reflected in the tendered rates. The contractual documentation also includes clauses which require providers to pay staff at least the national minimum wage levels:

Placing these contractual requirements on the contractors will help protect against a Sevacare situation arising in Warwickshire. In addition, officers have access to pay data submitted by contractors as part of our contract management arrangements. We will be following the progress of this case and will ensure appropriate communication with our contract providers once we know the outcome of the case.

Councillor Holland asked whether the portfolio holder can guarantee that officers will use the data and will check.

Councillor Compton replied that the data is submitted and there are strict contract management arrangements and she was sure these will be checked thoroughly.

(9) Bermuda Railway Station Car Park

Councillor Keith Kondakor put the following question to Councillor Peter Butlin, Portfolio Holder for Transport and Planning:

'Was the portfolio holder aware that only a maximum of one care is parked at Bermuda Railway Station when the Council put in a planning application for a £3/4million, 80 space car park?

Councillor Peter Butlin replied that he was not aware of this but was aware that the Council has submitted an application for the station car park and that the reasons for the station car park, if Bermuda Connection scheme proceeds, is to enable traffic to flow smoothly and to widen the footpath to create shared use pedestrian and cycle facilities. The County Council's Demand and Car Park Capacity Review Study, in June 2015, indicates a need for 70 - 80 space car park spaces in the future.

The car park will be required when two trains per hour are operating (currently forecast to be late 2018) and when the road is open and demand is increased as a result of easier access.

Councillor Kondakor asked whether the traffic forecast was realistic?

Councillor Butlin replied that car parking is necessary to make the project work and to ensure future proofing the scheme based on projected usage.

(10) Highway Plans for Nuneaton

Councillor Keith Kondakor put the following question to Councillor Peter Butlin, Portfolio Holder for Transport and Planning:

'It is rumoured that plans for a road from Eastboro Way to Golf Drive are to be included in the proposed highway plans for Nuneaton. When will Warwickshire County Council release to the public its full highway plans for Nuneaton?'

Councillor Peter Butlin replied that there are no highway plans for a new link from Eastboro way to Golf Drive. The highways plans linked to the Borough Plan will be released when Nuneaton and Bedworth Borough Council publish the Strategic Transport Assessment along with details of the Borough Plan. The Borough Council will not be releasing details of the proposals until 30 November 2016.

Councillor Kondakor asked whether, if that release date gets delayed, the portfolio holder will release highways plans before the elections in May 2017.

Councillor Butlin replied that he had to await proposals from Nuneaton and Bedworth Borough Council.

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

(1) Home to School Transport Policy

Councillor Dave Parsons asked Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, whether there would be reconsideration of reinstating the Warton to Polesworth route as dangerous and whether there would be notification by May 2017 of all home to school routes that become reclassified as safe under the review.

Councillor Colin Hayfield replied that there would not be reconsideration of the Warton to Polesworth route as he was satisfied that the assessment had been independent and robust assessment.

Councillor Hayfield added that the assessment of the rest of the routes would be completed and announced soon so that parents would have sufficient notice of any changes. He added that parents have a legal responsibility to get their

children to school and that parents were not being treated any differently to the many others across the County who have to pay for school transport. In addition, if it is revisited through the budget process, any reassessment could lead to a knock on effect across the County.

(2) Access to Hawkesbury Village

Councillor Julie Jackson asked Councillor Peter Butlin, Portfolio Holder for Transport and Planning, whether there was yet any information on long term plans to ensure Hawkesbury Village does not become separated from the rest of Warwickshire due to the operation of the level crossing.

Councillor Peter Butlin replied that operational aspects were being looked at such as decreasing the times when the crossing is down and looking at access points further down the line but agreed to get an update on seeking funding for alternative routes.

(4) Health and Wellbeing Board

Councillor Chris Clark asked Councillor Izzi Seccombe, Leader and Chair of the Health and Wellbeing Board, whether she could update members on the review of the democratic make-up of the Health and Wellbeing Board.

Councillor Izzi Seccombe replied that the review undertaken in 2015 was not a democratic review but review of membership and operation. The Board agreed to some changes, including inclusion of representation from each district and borough council. Councillor Seccombe offered to forward further information if required.

(5) Care Quality Commission (CQC) Inspection

Councillor Brian Hawkes asked whether it was true that the inspection of the Reablement Service by the CQC had been unannounced.

Councillor Jose Compton, Cabinet Portfolio Holder for Adult Social Care, replied that it was true that the Head of Service had not received notice of the inspection but that the area teams had received 48 hours' notice.

(6) Home to School Transport Route Review

Councillor Richard Chattaway asked Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, whether he would ensure that information on the Warton to Polesworth route assessment would be emailed to members as requested at the Communities Overview and Scrutiny Committee and also that all other route assessments are emailed to members.

Councillor Colin Hayfield apologised that members had not received the Warton to Polesworth assessment and that the assessments for the other routes would be available in the near future.

11. Any other items of urgent business

None

12. Exclusion of Press and 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.

13. Minutes of the meeting held on 19 July 2016

Resolved

That the exempt minutes of the meeting held on 19 July 2016 be approved as a correct record.

14. Capital Funding Issues for the Relocation of the Highways Depot at Southam Road, Dunchurch (Dunchurch Depot) to Paynes Lane in Rugby.

Councillor Alan Cockburn, Cabinet Portfolio Holder for Finance and Property, moved the recommendations in the report and was seconded by Councillor Peter Butlin. It was noted that Cabinet had approved the proposals for relocation and that the report was before Council for its approval to add funding to the Capital Programme to meet the costs of planning applications and for the earmarking of capital receipts to fund those costs.

The recommendations were put to the vote and were agreed unanimously as set out in full in the exempt minutes of the meeting.

The meeting closed at 3.30 p.m.

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Chair