

## Minutes of the Annual Meeting of Warwickshire County Council held on 21 May 2019

Present:  
Councillor Nicola Davies (Chair)

Councillors Helen Adkins, Jo Barker, Margaret Bell, Parminder Singh Birdi, Sarah Boad, Mike Brain, Peter Butlin, Les Caborn, Mark Cargill, Richard Chattaway, Jonathan Chilvers, Jeff Clarke, Alan Cockburn, John Cooke, Andy Crump, Yousef Dahmash, Corinne Davies, Neil Dirveiks, Judith Falp, Jenny Fradgley, Bill Gifford, Pete Gilbert, Daniel Gissane, Clare Golby, Seb Gran, Colin Hayfield, John Holland, John Horner, Andy Jenns, Kam Kaur, Keith Kondakor, Jeff Morgan, Bill Olnor, Maggie O'Rourke, Bhagwant Singh Pandher, Anne Parry, Caroline Phillips, Wallace Redford, David Reilly, Clive Rickhards, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Andy Sargeant, Izzi Seccombe OBE, Dave Shilton, Jill Simpson-Vince, Bob Stevens, Heather Timms, Adrian Warwick, Alan Webb, Chris Williams, Pam Williams and Andy Wright.

Councillor John Cooke, retiring Chair, opened the meeting and welcomed members and visitors.

### 1. Election of Chair

Councillor Sarah Boad, seconded by Councillor Clive Rickhards, proposed that Councillor Nicola Davies be elected Chair of Council for the ensuing year.

There were no other nominations.

#### **Resolved**

That Councillor Nicola Davies be elected Chair of Council until the annual meeting of the Council in 2020.

Councillor Nicola Davies expressed her pleasure at the warm welcome from those she had met across the County and thanked the Council for the opportunity to represent such a varied County with so many positive attributes, including being the geographic and innovative heart of England. The Chair signed her declaration of office and thanked the Council for its support.

#### Vote of thanks to retiring chair

The Chair proposed a vote of thanks for the outgoing chair, Councillor John Cooke, and expressed her personal appreciation for the support the Chair had given her in her role as Vice Chair; for the clear and genial manner in which he had conducted the meetings and for being a positive ambassador for Warwickshire.

Councillor Izzi Seccombe seconded the vote of thanks and she and other members expressed their appreciation to Councillor Cooke for his firm but affable conduct of the council meetings and for the excellent manner in which he had represented the County over the last year.

Councillor John Cooke thanked the Council for having allowed him the honour of the role which was held in high regard across the County. Councillor Cooke referred to the many events he had enjoyed across Warwickshire, including accompanying Lord Lieutenant Tim Cox to five Queen's Awards for Business ceremonies, and paid tribute to all he had met within the community and in particular referred to the privilege of having attended six citizenship ceremonies. Councillor Cooke paid tribute to the many individuals and organisations (including district, borough and town council chairs) for their warm welcome and support and for the work they undertook in their communities.

Councillor Cooke also thanked the County Council officers who had supported him, in particular Dawn Mardle for her excellent organisation and patience, and to Stuart and Roger who had provided chauffeuring services.

### **Resolved**

That the Council records its appreciation for Councillor John Cooke's excellent service as Chair of the Council for 2018/19.

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

Councillor Izzi Seccombe proposed that Councillor Alan Cockburn be elected Vice-Chair of Council for the ensuing year and was seconded by Councillor Peter Butlin.

There were no other nominations.

### **Resolved**

That Councillor Alan Cockburn be elected Vice-Chair of Council until the annual meeting of the Council in 2020.

Councillor Alan Cockburn signed his declaration of office and thanked the Council for their support.

## **3. General**

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

Apologies for absence were submitted on behalf of Councillors Dave Parsons and Dominic Skinner.

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

None.

### **(3) Minutes**

(i) Meeting held on 19 February 2019.

#### **Resolved**

That, subject to the correction of 'Maryann Evans' on page 7 to read 'Mary Ann Evans', the minutes of the meeting held on 19 February 2019 be approved as a correct record.

(ii) Meeting held on 19 March 2019

#### **Resolved**

That the minutes of the meeting held on 19 March 2019 be approved as a correct record.

### **(4) Announcements**

There were no announcements.

### **(5) Petitions**

#### Home to School Transport – Baginton

Lisa Conway presented a petition of over 1,400 residents, on behalf of 4 year old children in Baginton, regarding the Council's change in Home to School Transport policy which had resulted in the withdrawal of the free bus to Priors Field Primary School for children from Baginton, from September 2019.

Lisa made a number of points in her presentation which are summarised below:

- In 1976 Lucy Price School in Baginton was closed and it was agreed that the new Priors Field School in Kenilworth be within the catchment area for Baginton children. The village provided money towards the building of the school and in return an agreement was made that children from Baginton would have the school as their catchment school along with free transport.
- Due to the new transport policy and the geographic area of the village, there are 11 closer primary schools spread across three areas. Parents have to wait to see which school is available due to Baginton being at the bottom of every admission list. The only alternative is for parents to pay £795 a year for a seat on the bus that goes to the catchment school.
- Taxis are now being introduced whilst the school bus is running with empty seats. Using the bus is the best choice. The daily running of the

bus divided by just the children entitled to free transport is approximately £2.46 per journey. (This does not take into consideration the children who already pay). The bus has empty seats so these should be used rather than the cost of taxis.

- Although there are benefits in the policy in relation to saving money, it is a contradiction for Baginton. No other areas have this problem, especially with young children. Other areas may have an issue with one or two possibilities of secondary schools whilst Baginton faces the problem of 11 schools over 3 different areas. The problem is unique to this village as recognised by the residents who signed the petition.
- Baginton Village will have an increase in cars on the road due to the change in policy increasing both congestion and air pollution.
- The policy is not fair. It disadvantages the children in Baginton and other areas financially. Money will be spent on taxis when parents just want the spare seats on the bus.
- There is a duty of care under the Early Years Framework to ensure children are prepared and that transition to a new school runs smoothly. Some of the children will not understand why they are not allowed on the bus with friends or siblings. This puts obstacles in the way.
- The problem will continue for the children when they go to secondary school. It is likely that these children will not be offered the feeder schools for secondary but will only be offered transport for Kenilworth secondary.

Lisa concluded by urging the Council to look into this matter and to use its discretion, in view of the age of the children and the unique situation, to allow children to continue to use the spare seats.

Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, thanked Lisa Conway for her petition.

## **(6) Public Speaking**

There were no requests for public speaking.

#### 4. Appointments to Committees and Other Bodies

Councillor Izzi Seccombe, Leader of the Council, moved that Council agree proposals tabled at the meeting. Councillor Richard Chattaway, Leader of the Labour Group, seconded the proposals, which were put to the vote and agreed as set out below.

##### **Resolved**

- (1) That the Council confirms the Committee structure and delegations to member bodies as set out in the Constitution
- (2) That the number of places on Council Committees be as follows

<b>Committees</b>	<b>Con</b>	<b>Lab</b>	<b>LD</b>	<b>Green</b>	<b>WRA</b>	<b>Total</b>
Audit & Standards Committee	4	1	1			<b>6</b>
Regulatory Committee	7	2	3			<b>12</b>
Staff & Pensions	4	1	1			<b>6</b>
Adult Social Care & Health OSC	7	2	1			<b>10</b>
Children & Young People OSC	7	1	1	1		<b>10</b>
Communities OSC	6	2	1	1		<b>10</b>
Resources & Fire and Rescue OSC	6	2	1		1	<b>10</b>
<b>Total</b>	<b>41</b>	<b>11</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>64</b>

- (3) That the following form a pool of substitutes for the Regulatory Committee:

Conservative: Cllrs Bell, Brain, Gilbert, Horner, Shilton and Singh Birdi.  
Labour: Cllrs Chattaway, Holland and O'Rourke  
Liberal Democrat: Cllr Skinner

- (4) That the Council appoints the committees, including the Chair and Vice Chairs as set out below:

<b>Committee</b>	<b>Conservative</b>	<b>Labour</b>	<b>Lib Dem</b>	<b>Green</b>	<b>Ind</b>
Audit & Standards Committee (cooptees:J Bridgeman, Meacham)	Singh Birdi Cargill Horner Reilly	Dirveiks	Gifford		
Regulatory Committee	Cargill (VC) Cooke Parry Reilly Simpson-Vince Warwick C Williams	Olnier (Ch) Webb	Gifford Rickhards Rolfe		
Staff & Pensions Committee	Horner Kaur (Ch) Singh Pandher Stevens	Webb (VC)	Gifford		
Adult Social Care & Health OSC	Barker Brain Cooke Golby (VC) Jenns Redford (Ch) Sargeant	Adkins (Sp) Holland	Roodhouse (Sp)		
Children & Young People OSC	Bell Dahmash (Ch) Gilbert Gissane Roberts C Williams P Williams (VC)	C Davies (Sp)	Skinner (Sp)	Chilvers (Sp)	
Communities OSC	Cockburn (Ch) Gran Jenns Singh Pandher Shilton (VC) Andy Wright	Chattaway (Sp) Phillips	Fradgley (Sp)	Kondakor (Sp)	
Resources & Fire and Rescue OSC	Singh Birdi (VC) Cooke Gilbert Jenns Reilly Warwick (Ch)	Olnier O'Rourke (Sp)	Boad (Sp)		Falp
Joint Staff Negotiating Body (*Leader appt)	Kaur* Hayfield*	O'Rourke	Gifford		
Joint Teachers Neg. Body (*Leader apt)	Kaur* Hayfield*	Dirveiks	Gifford		
Pension Fund Sub Committee	Horner Stevens (Ch) Redford	Webb	Gifford (VC)		

<b>Committee</b>	<b>Conservative</b>	<b>Labour</b>	<b>Lib Dem</b>	<b>Green</b>	
Pool of Members to sit on Appointments Sub-Committees and Staff Appeals Sub-Committees.	Butlin Caborn Cargill Clarke Cockburn Dahmash Hayfield Horner Kaur Morgan Redford Roberts Simpson-Vince Seccombe Singh Birdi Singh Pandher Stevens Timms Warwick P Williams	Adkins Chattaway O'Rourke Parsons	Boad Davies Rickhards Roodhouse	Kondakor	

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

(6) That the Council confirms the membership of the following bodies:

	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>
Health and Wellbeing Board (4)	Caborn Morgan Seccombe	Parsons	
Joint Coventry & Warwickshire Health OSC (5)	Bell Golby Redford	Holland	Roodhouse
Corporate Parenting Panel (6)	Gilbert Morgan C Williams P Williams	Phillips	Rickhards
Standing Advisory Council on Religious Education (SACRE) (5)	Golby P Williams Singh Birdi	Phillips	Boad
Warwickshire Waste Partnership (5)	Horner Timms Wright	Dirveiks	Fradgley

(7) That Councillor Les Caborn be appointed Chair of the Health and Wellbeing Board.

(8)(a) That the following be confirmed/appointed to the Local Pension Board and Local Fire & Rescue Pensions Board:

<i>Local Pension Board</i>	<i>End of term of office</i>
Cllr Singh Birdi	May 2021
Cllr Dave Parsons	May 2020
David Buckland (new)	March 2022

<i>Local Fire &amp; Rescue Pension Board</i>	<i>End of term of office</i>
Vacancy Deputy CFO	May 2022

- (8) (b) That the Council confirms the re-appointment of Keith Bray as independent Chair of the Local Pension Board and of the Warwickshire Fire and Rescue Local Pension Board
- (9) 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 the Council confirms/appoints to the following external bodies

	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>
LEP	Butlin		
LGA	Butlin Seccombe	Chattaway	Roodhouse
CCN	Butlin Seccombe	Chattaway	Roodhouse
LGA Fire Commission	Crump		

- (11) That the Council confirms the delegations to officers as set out in the Constitution, including the appointment of a Director of Public Health.
- (12) That the 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 the Council.

## **5. Overview and Scrutiny Annual Report 2018-19**

Councillor Alan Cockburn, Chair of the Communities Overview and Scrutiny Committee, proposed that the annual report be received by Council and was seconded by Councillor Heather Timms, Chair of the Resources & Fire and Rescue Overview and Scrutiny Committee.



The Chairs of the Committees each highlighted the work of their Committee and paid tribute to the invaluable support provided by the Democratic Services Team, particularly over the last year when the Team has been particularly stretched due to long standing staff vacancies.

The following points were raised during the debate:

- It is important that the committees hear directly from community organisations, residents and service users. More opportunities should be taken to involve them in scrutiny reviews so that their input is the norm rather than the exception.
- The 'co-production' with service users, undertaken in developing the Education Strategy, should also be an approach used in the review of outcomes of the Strategy.
- Task and finish groups are an effective way of undertaking in depth scrutiny and of involving external partners and service users. There is, however, a concern regarding the lack of officer capacity to support these.
- Members have a range of knowledge and experience that should be harnessed through overview and scrutiny to assist in ensuring the council is providing good services and driving improvements.
- The Council should look at how the Government's new guidance for Overview and Scrutiny may help to improve overview and scrutiny.
- Committee meetings should focus on one or two issues in depth and produce constructive recommendations for improvements, rather than just noting reports.
- Committees should monitor progress made on recommendations made and accepted by Cabinet. (For example progress on the Cycling Task and finish Group recommendations accepted by Cabinet in 2018).

## **Resolved**

That Council notes the Overview and Scrutiny Annual Report 2018-19.

## **6. Warwickshire Health and Wellbeing Board Annual Review 2018-19 and Delivery and Development Plan 2019-20**

Councillor Les Caborn, Chair of the Health and Wellbeing Board, presented the Board's Annual Review of 2018/19 and Delivery and Development Plan for 2019/20 and thanked Paul Spencer, Senior Democratic Services Officer and Rachel Barnes, Health and Wellbeing Delivery Manager, for their support of the Board.

Councillor Caborn referred to the achievements made by the Board and reminded members that the Board had been recognised nationally as having made faster progress than many other boards across the country. Councillor Caborn added that the focus for 2019/20 will be on prevention; strengthening communities; coordinating services and sharing responsibilities, with the Board working alongside the Council's Adult Social Care and Health Overview and Scrutiny Committee, in 'holding the ring' during this period of rapid change in the NHS. Councillor Caborn added that he was working with Sir Chris Ham, the Chair of the NHS Coventry and Warwickshire Sustainability and Transformation Partnership (STP) to improve the transparency of

the work of the STP and would also be improving access to the Health and Wellbeing Board by introducing webcasting of future meetings.

Councillor Izzi Seccombe, in seconding the proposed endorsement of the Review and Plan, advised that every partner is vital in achieving outcomes but that the challenge is that some parts of a partnership may work at a different pace than others and will have a range of priorities, but emphasised that all are signed up to the priorities of the Board. This is a particular challenge for the NHS which is a national organisation rather than a local government body and is driven by the national inspection regime. Councillor Seccombe added that it was important for partners to understand the value that each brings, and in particular to recognise the role and responsibilities of democratically elected councils (through housing, planning etc) in improving the health and wellbeing of their communities. Councillor Seccombe thanked all of those involved in the Board for their work and achievements.

### **Resolved**

That Council endorses the Health and Wellbeing Board Annual Review 2018-19 and Delivery and Development Plan for 2019-20.

## **7. Monitoring Report of Decisions under the Urgency and Call-in Procedures**

Councillor Izzi Seccombe presented the annual report on the use of the Council's urgency and call-in procedures and noted that the use of urgency had stayed low and that there had been no use of call-in over the last year. Councillor Peter Butlin seconded the proposal to note the report.

### **Resolved**

That Council note the report.

## **8. Notices of Motion (Standing Order 5)**

### **(1) Children with Special Educational Needs**

Councillor Richard Chattaway, Leader of the Labour Group, advised the Council that this motion was withdrawn.

### **(2) School Budget Deficits**

A Councillor Helen Adkins moved the following motion and was seconded by Councillor Richard Chattaway:

'That, the County Council recognises that schools face more financial pressures than ever before (including increases in contributions to national insurance, teachers' pensions, the apprenticeship levy and cuts incurred due to the Government's National Funding Formula). In view of this Council requests that the Cabinet Portfolio Holder for Education and Learning produces a report showing how the Council will support the County maintained schools currently in budget deficit, or potentially in budget deficit in the near

future and including in the report consideration of how financial support might be offered to such schools.'

Councillor Helen Adkins stated that there is a crisis in schools across the country with the National Audit Office estimating that schools are facing a real term cuts of around 8% and that in Warwickshire schools were facing cuts of around £244 per pupil with many schools in deficit or close to being in deficit having made use of their reserves. Councillor Adkins referred to the concern expressed across the country with some schools cutting supplies and staff hours and added that the budget of one primary school in her area had been reduced by £376,000 over the period 2015-19, whilst a secondary had reduced by £2.4m in that period. Councillor Adkins appreciated that the Council does provide some support to schools but urged that this be looked at to see if there is any further action that can be taken and also to use the evidence gathered to lobby Government.

Councillor Richard Chattaway, in seconding the motion, welcomed the proposed amendment and to finding a solution to the deficit problem.

- B Councillor Yousef Dahmash moved the following amendment and was seconded by Councillor Colin Hayfield:

Add the following after the word 'report' in the second sentence:

'to the Children and Young People Overview and Scrutiny Committee.'

Councillor Colin Hayfield, in seconding the amendment, advised that 19% of the County's maintained schools were currently in deficit. He added that there had always been some schools with budget deficits but appreciated that the problem is growing and that it would be helpful to understand the reasons for this, which may include the increasing challenge of meeting the costs of those with special educational needs. Councillor Hayfield advised that the Council does not have power to write off deficits but does provide support in other ways. Councillor Hayfield recognised the problem and welcomed the Overview and Scrutiny Committee looking at this in depth.

During the debate it was suggested that the review include the position with academies as well as maintained schools and that the review should also identify how schools have avoided deficits or improved their deficit position.

## VOTE

A vote was taken on the motion at 'A' above, as amended by the addition at 'B', and was agreed as set out below.

## Resolved

That, the County Council recognises that schools face more financial pressures than ever before (including increases in contributions to national insurance, teachers' pensions, the apprenticeship levy and cuts incurred due to the Government's National Funding Formula). In view of this Council requests that the Cabinet Portfolio Holder for Education and Learning

produces a report to the Children and Young People Overview and Scrutiny Committee showing how the Council will support the County maintained schools currently in budget deficit, or potentially in budget deficit in the near future and including in the report consideration of how financial support might be offered to such schools.

## **9. Member Question Time**

### **(1) New Homes – Fire Barriers**

Councillor Keith Kondakor referred to a recent report that developers were failing to install appropriate fire barriers in new dwellings and asked Councillor Andy Crump, Cabinet Portfolio Holder for Community Safety, whether he could reassure residents that new build properties in Warwickshire have the relevant fire barriers installed.

Councillor Andy Crump replied that the particular report was regarding fire barriers in timber-built dwellings, mainly in Scotland, and that the builders were likely to be building brick or stone buildings in this area. Councillor Crump added that the National Fire Chiefs are aware of this issue and are expected to issue a statement which he will forward to councillors.

Councillor Crump explained that the Fire and Rescue Service and County Council have limited powers in this but are committed to public protection and review its Protection Services against national guidelines to ensure those at highest risk are protected. Councillor Crump added that officers and himself were happy to discuss this in more detail with Councillor Kondakor if necessary.

### **(2) Supervision of Offenders**

Councillor Richard Chattaway referred to the recent Government announcement that the supervision of offenders on probation is to be returned to the public sector and asked whether members could be provided with a briefing on the changes.

Councillor Jeff Morgan, Cabinet Portfolio Holder for Children's Services, responded that he understood that the change related to adult offenders but that he would ensure a briefing is provided.

### **(3) LGA Publication- Developing and sustaining an effective local SEND system**

Councillor Clive Rickhards asked Councillor Colin Hayfield whether he supported the findings of the recent LGA report on Special Educational Needs and Disabilities.

Councillor Colin Hayfield replied that he would commit to examine the report.

### **(4) Climate Change Protest**

Councillor Jonathan Chilvers, Leader of the Green Group, asked whether the Leader of the Council agreed with the Deputy Leader's view of those who had attended the protest in London on the impact of climate change.

Councillor Izzi Seccombe responded that she was concerned for future generations and that, whilst respecting other people have different views, her personal view was that every person should be considering how they can contribute to reducing the impact of climate change.

Councillor Chilvers asked whether the Leader would support the young people across Warwickshire who were taking part in strike action on Friday (24 May) on this issue.

Councillor Izzi Seccombe responded that she would not because she considered young people should be gaining the best education they can and should work during the week and campaign on a Saturday.

(5) Children and Adults Mental Health Services – referral times

Councillor Daniel Gissane referred to his concern that there were professionals who were available to help those with mental health problems but that referrals were taking too long (6-8 weeks) and that some first time appointments were a year after referral. Councillor Gissane asked Councillor Les Caborn, Cabinet Portfolio Holder for Adult Social Care and Health, whether he would look into this.

Councillor Les Caborn undertook to look at both the individual case referred to and the general position on referral times.

(6) Corporate Games 2019

Councillor Daniel Gissane asked the Leader of the Council whether she would be supporting the Corporate Games and encourage the establishment of a cross-party team.

Councillor Izzi Seccombe responded that she had emailed all members inviting them to take part in the games and encouraged as many as possible to take part.

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

None

**11. Exclusion of Public and Press**

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

**12. Exempt Minutes of the Meeting held on 19 March 2019**

**Resolved**

That the exempt minutes of the meeting held on 19 March 2019 be approved as a correct record.

The meeting closed at 12.15 p.m.

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Chair