

# Portfolio Holder Decisions/Leader Decisions

Friday 14 January 2022

## Minutes

### Attendance

#### Committee Members

Councillor Isobel Seccombe OBE

Councillor Peter Butlin

Councillor Jeff Morgan

#### 1. School Term Dates 2023/24

##### Resolved

That the Portfolio Holder for Children, Families & Education approves the school term and holiday dates for the 2022/23 academic year as set out in the published report.

#### 2. s106 for replacement of building at Bunting Preschool (part of the Polkadot Nursery Chain), located on the site of Bishopton Primary School

##### Resolved

The Portfolio Holder for Finance and Property approve the addition of the scheme for improvements at Bunting Preschool to the Capital Programme at an estimated cost of £250,000 to be funded from section 106 receipts (£228,000) and a contribution by the School (£22,000).


#### 3. CPE North Warwickshire Contravention Banding

##### Resolved

The Leader is recommended, in exercise of her duty under paragraph 7 of Schedule 9 to the Traffic Management Act 2004, to set penalty charges payable in the area of North Warwickshire Borough Council pursuant to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 at the higher level specified in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.

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## Portfolio Holder Decision School Term Dates 2023/24

<b>Portfolio Holder</b>	<b>Portfolio Holder for Children, Families &amp; Education</b>
<b>Date of decision</b>	<b>14 January 2022</b>
	<b>Signed</b> 

### 1. Decision taken

That the Portfolio Holder for Children, Families & Education approves the school term and holiday dates for the 2022/23 academic year as set out in the published report.

### 2. Reasons for decisions

The Local Authority (LA) is currently responsible for setting school term and holiday dates for all Community and Voluntary Controlled Schools. Academies, Foundation and Aided Schools are responsible for setting their own term dates. There is collaboration between the LA and Academies, Foundation and Aided schools which have been invited to comment on the proposed term dates and have generally followed the Local Authority's pattern of terms and holiday dates.

The approval of school term and holiday dates is delegated to the Portfolio Holder for Children, Families and Education under the WCC Constitution.

### 3. Background information

A number of guiding principles have traditionally been used to set the pattern of terms and holidays and effort is made to adhere to as many of the following as possible:

1. 195 days from which five teacher training days are taken
2. Two of the five teacher training days are defined by the local authority, one of these days is at the start of the autumn and spring terms, the other three to be set by schools
3. Complete weeks when setting holiday dates wherever possible
4. A three-weekend break at Christmas and Easter
5. A summer break as close to six weeks as possible
6. A pattern which is as consistent as possible with neighbouring authorities.

A non-statutory consultation exercise ran between the 15th November and 10th December 2021; this consultation was carried out with all state-funded schools and academies and governing bodies.

The term dates of neighbouring authorities affect the preferences of some schools, mainly those close to authority borders. Where neighbouring authorities had published their term dates for 2023/24, these were included in the consultation information.

The proposed dates for the 2023/24 academic year comprised the calendar as proposed by the West Midlands Regional School Term Date Group as an option for all regional local authorities:

Term 1 (Autumn)	Half term 1	04/09/23 – 27/10/23
	Holiday	30/10/23 – 03/11/23
	Half term 2	06/11/23 – 22/12/23
	Christmas Holiday	25/12/23 – 05/01/24
Term 2 (Spring)	Half term 1	08/01/24 – 09/02/24
	Holiday	12/02/24 – 16/02/24
	Half term 2	19/02/24 – 22/03/24
	Easter Holiday	25/03/24 – 05/04/24
Term 3 (Summer)	Half term 1	08/04/24 – 24/05/24
	Holiday	27/05/24 – 31/05/24
	Half term 2	03/06/24 – 22/07/24
	Summer Holiday	23/07/24 – tbd (early Sept 2024)

Consultees were made aware that these dates have already been adopted by Solihull, Staffordshire, Worcestershire and Birmingham authorities.

The two Teacher Training days set by the LA were proposed as the first days of each of the first two terms, 4th September 2023 and 8th January 2024. A universal Secondary School Induction Day was also proposed for 10th July 2024. A calendar of these dates is provided in the Background papers.

In total, 31 responses were received to this consultation. **21 (68%) agreed and 10 (32%) did not agree** with the proposed term dates.

All respondents who expressed a preference, except one, agreed with the proposed Secondary School Induction Day Date.

Specific comments received from respondents who did not agree with the proposed dates can be summarised as:

<i>Theme of comment</i>	<i>No. of comments</i>
The spring term is notably short, due to the early date of Easter.	5
Autumn term is very long, can Christmas holiday be earlier?	5
Breaking up for the summer holiday on a Monday almost forces schools to make this a training day, at an inappropriate time	7*

\* An additional 3 respondents who agreed with the proposed dates also commented that the Monday last day was inconvenient.

All feedback has been carefully considered.

The length of the Autumn and Spring terms is largely dictated by when the Christmas and Easter school holidays are set, which is defined by when the bank holidays fall each year. To meet guiding principle 4, of a three-weekend break at Christmas and Easter, as well as providing no fewer than 195 school days in a year, these holidays have to include the

bank holidays. Therefore in certain years, terms of unequal lengths will be, unfortunately, unavoidable.

In response to feedback regarding the last day of the year being a Monday, the proposed 2023/24 school term dates have been changed to start one school day earlier and end one school day earlier as shown below:

Term 1 (Autumn)	Half term 1	01/09/23 – 27/10/23
	Holiday	30/10/23 – 03/11/23
	Half term 2	06/11/23 – 22/12/23
	Christmas Holiday	25/12/23 – 05/01/24
Term 2 (Spring)	Half term 1	08/01/24 – 09/02/24
	Holiday	12/02/24 – 16/02/24
	Half term 2	19/02/24 – 22/03/24
	Easter Holiday	25/03/24 – 05/04/24
Term 3 (Summer)	Half term 1	08/04/24 – 24/05/24
	Holiday	27/05/24 – 31/05/24
	Half term 2	03/06/24 – 19/07/24
	Summer Holiday	22/07/24 – tbd (early Sept 2024)

**It is recommended to adopt the school term dates as shown above and in the calendar provided as Background Paper 2.**

**The Secondary Induction Day will be set as Wednesday 10th July 2024.**

#### 4. Financial implications

None

#### 5. Environmental implications

None

<b>Report Author</b>	Rosalind Currie rosalindcurrie@warwickshire.gov.uk,
<b>Assistant Director</b>	Chris Baird
<b>Strategic Director</b>	Strategic Director for Communities
<b>Portfolio Holder</b>	Portfolio Holder for Children, Families & Education

<b>Urgent matter?</b>	No
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

#### List of background papers

1. 2023/24 term dates – as consultation
2. Final Calendar recommended for approval.

**Members and officers consulted and informed**

Portfolio Holder – Jeff Morgan

Corporate Board – Mark Ryder

Legal – Nichola Vine

Finance – Andrew Felton

Equality – n/a


Democratic Services – Isabelle Moorhouse

Councillors – CYP OSC Chair and Spokes

Local Member(s): n/a

## Portfolio Holder Decision

### s106 for replacement of building at Bunting Preschool (part of the Polkadot Nursery Chain), located on the site of Bishopton Primary School

<b>Portfolio Holder</b>	<b>Portfolio Holder for Finance and Property</b>
<b>Date of decision</b>	<b>14 January 2022</b>
	Signed 

#### 1. Decision taken

1.1 The Portfolio holder for Finance and Property approve the addition of the scheme for improvements at Bunting Preschool to the Capital Programme at an estimated cost of £250,000 to be funded from section 106 receipts (£228,000) and a contribution by the School (£22,000).

#### 2. Reasons for decisions

2.1 £228,000 from Section 106 funds is allocated with a specific Early Years requirement for this area / school site. We have already collected £61,408 as an advance for the remainder which is due at the trigger point of occupation of 150 dwellings. The full obligation is circa £235,000 with the actual amount collected subject to indexation.

2.2 An additional £22,000 contribution will come from the private Early Years provider to cover planning, ancillary costs, and returning the site to a good standard following the works. The business will also fully resource new revenue provision to deliver place expansion, undertake planning applications and project manage the whole scheme.

2.3 The work will increase the number and the duration of Early Years places. It will also enable existing places to be retained in a better environment.

2.4 The project is in line with agreed priorities currently identified.

#### 3. Background information

3.1 The Portfolio holder has delegated authority to add schemes to the Capital Programme where the value is less than £2,000,000 and the scheme is fully funded from external grants, developer contributions or revenue. Funding from developer contributions can only be used for a limited

range of purposes specified in the relevant agreement. The Infrastructure Planning Lead has confirmed that the use of the funding for these purposes is in accordance with the terms of the relevant section 106 obligations.

3.2 The current premises are rented to the private provider to meet a statutory duty to provide sufficient early years and childcare places. The landlord of building is the County Council. The modular building is circa 1970s and due to age is no longer fit for use or repair and presents a risk to both the County Council and the service user due to decline.

3.3 The building is currently failing in the following respects:

- Roof deterioration
- Windows no longer open (increased significant risk linked to the need for high levels of ventilation to reduce Covid risks)
- Failing access ramps
- Inadequate heating
- Insufficient / inadequate toilet facilities – child and disabled
- Adult toilet is by way of saniflow not mains
- Potential asbestos
- Poor EPC rating expected.

3.4 The project will demolish and remove the current building and replace it with a new modular building to be located within the current footprint and make good the outdoor areas.

3.5 Funds are to be allocated by way of clawback secured grant to the current occupying private nursery provider who will manage the replacement project providing a cost and time efficient project delivery while ensuring long term provision of sufficient early years places for this area in line with statutory duties.

#### 4. Financial implications

4.1 £228,000 from section 106 funds: **£61,408** of this already has been collected (planning reference 11/01490/OUT), leaving a remainder of **£166,592** which would require forward funding from Basic Need (planning reference 15/04499/OUT). The total agreement contribution for early years for planning reference 15/04499/OUT is £233,740, therefore the remainder will be covered with c£67k to spare. Due to the s106 agreement wording being based on number of occupations at the development, the £233,740 is likely to be paid in 2023/4.

4.2 There will be an additional £22,000 contribution from the private provider.

#### 5. Environmental implications

5.1 The improvements will improve the energy efficiency of the setting and improve the sanitation of children's and disabled toilets.

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<b>Assistant Director</b>	Chris Baird
<b>Lead Director</b>	Strategic Director for Communities
<b>Lead Member</b>	Portfolio Holder for Finance and Property

<b>Urgent matter?</b>	No
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the</b>	No



<b>budget and policy framework?</b>	
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<b>List of background papers</b>
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This needs to be completed.

<b>Members and officers consulted and informed</b>
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Portfolio Holder – Councillor

Corporate Board –

Legal – Ian Marriott

Finance –

Equality –

Democratic Services –

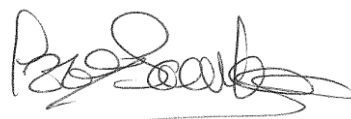
Councillors –

Local Member(s):

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## Leader Decision

### Civil Parking Enforcement Implementation of higher band rate Penalty Charges within North Warwickshire

<b>Portfolio Holder</b>	<b>Leader of the Council</b>
<b>Date of decision</b>	<b>14<sup>th</sup> January 2022</b>
	<b>Signed</b> 

#### 1. Decision taken

- 1.1 The Leader is recommended, in exercise of her duty under paragraph 7 of Schedule 9 to the Traffic Management Act 2004, to set penalty charges payable in the area of North Warwickshire Borough Council pursuant to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 at the higher level specified in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.

#### 2. Reasons for decisions

- 2.1 The banding for contraventions throughout the areas of Warwickshire where Civil Parking Enforcement is already in effect and all neighbouring Local Authorities including Coventry, Worcestershire and Solihull is currently set at the higher of the two levels of charging permitted by legislation. This higher banding consists of £50 for low contraventions such as an overstay in a paid parking bay and £70 for higher level contraventions such as parking in a Blue Badge space without displaying a valid blue badge.
- 2.2 The setting of the higher-level charges will encourage a high level of compliance alongside public acceptance.

#### 3. Background information

- 3.1 The County Council will be extending its existing service by undertaking on street enforcement under the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (England) Order 2007 in North Warwickshire Council from the 1<sup>st</sup> February 2022. This is further to a successful application to the Department for

Transport (DfT) to extend the Civil Parking Enforcement powers currently in force throughout the rest of the county. The 2004 Act requires that the County Council set penalty charges for contraventions in accordance with the guidelines in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007, which gives a choice between a higher and a lower penalty band.

3.2 The DfT has advised that banding for contraventions is to encourage compliance from drivers. It must also be consistent with that set in the local area.

The two banding levels are:

Band 1 £30 - £50 Penalty Charge Scale

Band 2 £50 - £70 Penalty Charge Scale

3.3 The primary purpose of penalty charges is to encourage compliance with parking restrictions. Data undertaken across the county confirm that since the introduction CPE utilising the higher-level banding, amongst other measures have increased compliance levels in the north of the county, compliance levels in the south continue to be mixed suggesting the level is less of a deterrent.

3.4 The enforcement authority must ensure that the public knows what charge levels have been set by publishing them in advance of their introduction. They must also publish any subsequent change to the charge levels. Penalty Charge Notices (PCNs) should carry enough of a financial deterrent to encourage compliance with the Traffic Regulation Orders in place.

3.5 There is a perceived unfairness of receiving the same penalty regardless of the seriousness of the contravention. For this reason, the Guidelines Order lists types of contraventions which attract the £70 penalty and other types of contravention which attract the £50 penalty.

3.6 Penalty charges are reduced by a fixed proportion where payment is made within 14 days (or, in cases where the PCN is sent by post, 21 days). This is currently set at 50%. The 14 or 21 day period begins with the day on which the notice is served.

#### **4. Financial implications**

4.1 The extension of CPE to North Warwickshire will result in additional costs to the County Council to fund the extension of street enforcement. These are estimated to be £218,000 in additional deployed hours.

4.2 The funding of these additional costs will be met from the income generated from the Penalty Charge Notices.

4.3 Based on the level of Penalty Notices issued across the other Districts/Boroughs in Warwickshire it is expected that sufficient income to at least cover the additional costs of extending CPE to North Warwickshire will be generated.

4.4 The risk of any shortfall will be managed by the Service in 2022/23 and any longer-term financial impacts will be reviewed as part of the 2023/24 refresh of the Medium Term Financial Strategy.

## 5. Environmental implications

5.1 None

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<b>Strategic Director</b>	Mark Ryder
<b>Portfolio Holder</b>	Councillor Isobel Seccombe

<b>Urgent matter?</b>	<i>No</i>
<b>Confidential or exempt?</b>	<i>No</i>
<b>Is the decision contrary to the budget and policy framework?</b>	<i>No</i>

### List of background papers

None

### Members and officers consulted and informed

Portfolio Holder – Councillor Izzi Seccombe

Corporate Board – Mark Ryder

Legal – Serena Cammish, Caroline Gutteridge and Ian Marriott

Finance – Andrew Felton

Equality – N/A

Democratic Services – - Isabelle Moorhouse

Councillors – n/a

Local Member(s): NWBC members

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