

# Portfolio Holder & Leader Decisions

Friday 8 September 2023

## Minutes

### Attendance

#### Committee Members

Councillor Isobel Seccombe OBE

Councillor Kam Kaur

Councillor Jan Matecki

Councillor Peter Butlin

### 1. In Year Appointment to ESPO

#### Resolved

That the Leader appoints Councillor Richard Baxter-Payne to the Eastern Shires Purchasing Organisation (ESPO) Management Committee in place of Councillor Martin Watson.

### 2. Consultation to increase capacity and the establishment of specialist resourced provision at St John's Primary School

#### Resolved

That the Portfolio Holder for Education agrees to the commencement of a consultation in line with the statutory process required for an expansion by 210 places and the establishment of a specialist resourced provision (SRP) to cater for pupils with special educational needs and disabilities (SEND) at St John's Primary School.

### 3. Request to Consult - Fair Access Protocol

#### Resolved

That the Portfolio Holder for Education agrees to the commencement of a consultation to review the Fair Access Protocol (FAP) for Warwickshire Schools.

#### **4. A439 DFT Bid Stratford Upon Avon**

##### **Resolved**

That the Portfolio Holder for Finance and Property approves the addition to the capital programme of a scheme at A439 in Stratford upon Avon to introduce measures aimed at reducing the number of personal injury collisions and accidents along the route (“the Scheme”), following a successful bid for £1.32m from the Department for Transport’s Safer Roads Fund, and authorises the Executive Director for Communities to procure the delivery of the Scheme and enter into any agreements necessary to enable delivery on terms and conditions acceptable to the Executive Director for Resources.

#### **5. Stratford Civil Parking Enforcement Variation 7 - Proposed Waiting Restrictions**

**Resolved** that the Portfolio Holder for Transport and Planning approves:

- 1) The Warwickshire County Council (District Of Stratford On Avon) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places And Residents’ Parking) (Consolidation) (Variation No. 7) Order 2023 be made as advertised;
- 2) The following proposals received no objections and should be implemented as advertised:
  - King Johns Road, Kineton – No Waiting at any Time
  - Bridge Street, Kineton – No Waiting at any Time
  - Albany Road, Stratford – Limited Waiting 1 Hour No Return 2 Hours 8am-Midnight Except Permit Holders (S1)
  - Willows Drive North, Stratford – No Waiting at any Time
  - Union Street, Stratford – Disabled Badge Holders Only at all Times, 3 Hours No Return 4 Hours 8am-6pm
  - High Street, Studley – No Waiting at any Time
  - Knights Lane, Tiddington – Revocation of No Waiting at any Time

#### **6. The Warwickshire County Council (Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa) (20mph Speed Limit) Order 2023**

##### **Resolved**

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Order be made as advertised:

- The Warwickshire County Council (Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa) (20mph Speed Limit) Order 2023.

## Leader Decision In Year Appointment to ESPO

<b>Portfolio Holder</b>	<b>Leader of the Council</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b> 

### 1. Decision taken

- 1.1 That the Leader appoints Councillor Richard Baxter-Payne to the Eastern Shires Purchasing Organisation (ESPO) Management Committee in place of Councillor Martin Watson.

### 2. Reasons for decisions

- 2.1 At the Leader Decision Making meeting on 16 May 2023, Councillor Peter Butlin and Councillor Martin Watson were appointed to the ESPO Management Committee. Since that meeting, there have been further discussions on the membership of the ESPO Management Committee and Councillor Watson has proposed that he steps down from this role and is replaced by Councillor Richard Baxter-Payne.

### 3. Background information

- 3.1 ESPO is a joint committee between consortium authorities whose purpose is to improve and maintain effective and efficient and economical arrangements for the supply of goods and services to its constituent authorities.
- 3.2 Each member authority has 2 places on the Management Committee (one to be a Cabinet member).
- 3.3 On 16 May 2023, the Leader confirmed the two appointments to the ESPO Management Committee as Councillor Peter Butlin (Deputy Leader and Portfolio Holder for Finance and Property) and Councillor Martin Watson (Portfolio Holder for Economy).
- 3.4 Subsequent to further discussions on the membership of the ESPO Management

Committee, it is proposed that Councillor Richard Baxter-Payne replaces Councillor Martin Watson on the ESPO Management Committee. No change is proposed to the appointment of Councillor Peter Butlin, which ensures that the requirement for one of the Council's appointments to be a Cabinet Member continues to be met.

- 3.5 The Leader is invited to confirm the appointment of Councillor Peter Butlin and Councillor Richard Baxter-Payne to the ESPO Management Committee.

#### 4. Financial implications

- 4.1 The proposal set out in the report can be accommodated within the 2023/24 approved budget.

#### 5. Environmental implications

- 5.1 None

<b>Report Author</b>	Deborah Moseley Democratic Services Team Leader deborahmoseley@warwickshire.gov.uk Tel: 01926 418136
<b>Director</b>	Sarah Duxbury Director – Governance and Policy sarahduxbury@warwickshire.gov.uk Tel 01926 412090
<b>Executive Director</b>	Rob Powell Executive Director for Resources robpowell@warwickshire.gov.uk Tel 01926 412564
<b>Portfolio Holder</b>	Councillor Izzi Seccombe Leader of the Council cllrseccombe@warwickshire.gov.uk

<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

None

#### Members and officers consulted and informed

Portfolio Holder – Councillor Izzi Seccombe, Leader

Corporate Board – Rob Powell

Legal – Jan Cumming

Finance – Virginia Rennie

Equality – Delroy Madden

Democratic Services – Deb Moseley

Councillors – Warwick, Birdi, Boad, Philips and W. Roberts

Local Member(s): N/A – This is a countywide matter.

This page is intentionally left blank

## Portfolio Holder Decision

### Consultation to increase capacity and the establishment of specialist resourced provision at St John's Primary School

<b>Portfolio Holder</b>	<b>Portfolio Holder for Education</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b> 

#### 1. Decision taken

- 1.1 That the Portfolio Holder for Education agrees to the commencement of a consultation in line with the statutory process required for an expansion by 210 places and the establishment of a specialist resourced provision (SRP) to cater for pupils with special educational needs and disabilities (SEND) at St John's Primary School.

#### 2. Reasons for decisions

- 2.1 Current pupil number forecasts show that the Kenilworth area is facing significant pressure over the coming years due to housing development.
- 2.2 To address this shortfall, the Local Authority are looking to expand St John's Primary School by one form of entry (1FE). This will permanently increase capacity by an additional 210 places across the school over the next 7 years.
- 2.3 The Local Authority are also proposing to establish specialist resourced provision for up to 14 primary aged pupils with an Education, Health and Care plan (EHCP) whose primary needs are social, emotional & mental health (SEMH). The introduction of this specialist resourced provision aims to increase the offer of local specialist provision in the area to reduce travel times and out of area placements.
- 2.4 In line with the statutory guidance issued by the Department for Education, 'Making Prescribed Alterations to Maintained Schools', any proposals to establish, remove or alter SEN provision (including specialist resourced provision) and any proposed enlargement of the capacity of the school premises requires the local authority to undertake a statutory process including a consultation period of at least 4 weeks. In order to commence a consultation the approval of the Portfolio Holder is required in line with the Council's constitution.

### 3. Background information

- 3.1 Current and proposed housing development in Kenilworth Town is forecast to increase reception cohorts and applications to other year groups over the next five years. It is proposed to increase the number of primary places in Kenilworth by expanding St John's Primary School from one form entry (210 places) to 2 form entry (420 places).
- 3.2 In order to meet forecast demand and build on the local offer of specialist provision the local authority is continuing the development of specialist resourced provision across the county whereby pupils, who are cognitively able to access the curriculum, can have their needs met and benefit from being located on site alongside a mainstream school environment.
- 3.3 There are currently 16 SRPs attached to mainstream primary provision in Warwickshire – 2 in North Warwickshire, 5 in Nuneaton & Bedworth, 5 in Rugby, 1 in Warwick and 3 in the Stratford on Avon area.
- 3.4 Admissions to the specialist resourced provision would follow a different process from that operating for the rest of the school. Admissions into the specialist resourced provision will be through the WCC process for specialist admissions.
- 3.5 If the proposal is agreed, capital works would be initiated to ensure additional accommodation is in place to allow the school to operate with increased numbers and for the specialist resourced provision to open in September 2024.
- 3.6 In line with the timing of provision it is anticipated that the consultation would need to take place between September and November 2023. Parents at the schools will be consulted using the school's established form of communication, other schools and stakeholders will be notified of the proposal and further information will be placed on WCC consultation platform 'Ask Warwickshire'.
- 3.7 An Equality Impact Assessment will be undertaken in respect of final proposals following the consultation. The final recommendations will be taken through the appropriate Council governance and approval processes.

### 4. Financial implications

- 4.1 There are no financial implications arising directly from a decision to undertake this consultation.
- 4.2 However, if after the consultation there is a decision to go ahead with the expansion and specialist resourced provision there will be capital costs to the Local Authority in order for additional teaching and ancillary space to be provided.
- 4.3 Initial feasibility assessments have indicated that the works associated with the proposed development would include several new extensions of the existing school along with internal remodelling works to the existing building.



- 4.4 The capital project would be funded via relevant developer contributions received and Education Capital Funding as required.
- 4.5 Feasibility work will continue with final costings and identified funding presented to Cabinet for approval at a later date.
- 4.6 Pupil places in the specialist resourced provisions are funded at a higher rate so that pupils additional learning needs can be met. The level of funding will be broadly in line with how pupils are funded in the County's special schools. A service level agreement between WCC and the school will confirm the exact arrangements and expectations

## 5. Environmental implications

- 5.1 In terms of any proposed capital works, wherever possible the existing structure should be left intact and utilized to minimise the use of new structural materials and therefore the environmental impact. Consideration will be given to limiting the embodied carbon generated by the structural works by efficient use of materials. Sustainable materials and recycled components will be considered where relevant and appropriate. Consideration will be given to utilising thermal mass to reduce operational carbon emissions subject to suitability and co-ordination with building services engineers.
- 5.2 There is also the positive impact of the expansion of mainstream places and the increasing development of specialist resourced provision aiming to provide more 'local' education provision, reduce journey times for the learner, and limit the need to access places in neighbouring areas which increases the requirement for transport.

<b>Report Author</b>	Emma Basden-Smith, Claire Thornicroft emmabasdensmith@warwickshire.gov.uk, clairethornicroft@warwickshire.gov.uk,
<b>Director</b>	Johnny Kyriacou, Director of Education
<b>Executive Director</b>	Nigel Minns, Executive Director for People
<b>Portfolio Holder</b>	Cllr Kam Kaur, Portfolio Holder for 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

None

### Members and officers consulted and informed

Portfolio Holder – Councillor Kaur

Corporate Board – Nigel Minns

Legal – Guy Darvill

Finance – Brian Smith

Equality – Delroy Madden

Democratic Services – Isabelle Moorhouse

Councillors – M. Humphreys, Roodhouse, Brown

Local Member(s) – Cllr Richard Spencer

## Portfolio Holder Decision Request to Consult – Fair Access Protocol

<b>Portfolio Holder</b>	<b>Portfolio Holder for Education</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b> 

### 1. Decision taken

That the Portfolio Holder for Education agrees to the commencement of a consultation to review the Fair Access Protocol (FAP) for Warwickshire Schools.

### 2. Reasons for decisions

- 2.1 In Spring 2022, the Local Authority consulted on introducing a broader set of criteria within Warwickshire's FAP. Less than 50% of schools responded to the consultation and therefore a FAP was authorised at cabinet that reverted to statutory guidelines.
- 2.2 The LA in conjunction with schools have identified areas where the current protocol could work more effectively and efficiently and consultation is necessary to introduce changes.
- 2.3 Pre-engagement with schools has taken place via workshops and a development group to identify areas which need to be addressed. A working draft of proposed changes has also been shared with all schools in July 2023.
- 2.4 There is a need to ensure a revised protocol is more robust and explicit in terms of decision making, parameters and supporting processes. The core changes we are proposing are summarised as:
- Operating bi-weekly virtual panels for Primary and Secondary.
  - Representation from a pool of schools to represent 'all schools' as opposed to their own individual school.
  - Removal of a points system for Secondary that currently informs the placement process. The new model will look purely at needs, circumstances and supporting data/information in terms of placements.
  - Removal of the schools in scope approach for Primary. The new model will look purely at needs, circumstances and supporting data/information in terms of placements.
  - Strengthening the FAP Appeals process for school by setting out clearly a defined process.
- 2.5 The consultation would run from Monday 11 September until Friday 29 September (3 weeks) with results informing revision to a new protocol.

### 3. Background information

- 3.1 FAP is a requirement of the Admissions Code 2021 which is, of itself, a statutory document issued under Section 84(1) of the School Standards and Framework Act 1998 and which, under Section 84(2), has the power to impose mandatory requirements on local authorities and admission authorities. Fair Access Protocols are a mandatory requirement under the Code,
- 3.2 The purpose of a FAP is to ensure that vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible, minimising the time the child is out of school.
- 3.3 Every LA is required to have a FAP in place that is agreed by the majority of schools in its local area.
- 3.4 Further approval will be required via cabinet on a revised protocol in autumn term of the academic year 2023-24 with the intention to introduce the new protocol by January 2024 at the latest.

### 4. Financial implications

- 4.1 There are no additional costs to the LA to undertake this consultation.
- 4.2 However, FAP is a mechanism that can be used to secure places in local provision where year groups are full. FAP is an essential approach to ensure children can be placed in local, suitable provision and the financial burden on transport may be reduced in the longer term.

### 5. Environmental implications

- 5.1 There are no specific environmental implications related to this consultation.
- 5.2 However, FAP is a mechanism which can be used by LAs to ensure children can be placed in local provision where year groups are full. Placing children in local provision may reduce the need to transport.

<b>Report Author</b>	Matt Biggs <a href="mailto:matthewbiggs@warwickshire.gov.uk">matthewbiggs@warwickshire.gov.uk</a>
<b>Assistant Director</b>	Johnny Kyriacou <a href="mailto:johnnykyriacou@warwickshire.gov.uk">johnnykyriacou@warwickshire.gov.uk</a>
<b>Strategic Director</b>	Strategic Director for People <a href="mailto:nigelminns@warwickshire.gov.uk">nigelminns@warwickshire.gov.uk</a>
<b>Portfolio Holder</b>	Cllr Kam Kaur <a href="mailto:kamkaur@warwickshire.gov.uk">kamkaur@warwickshire.gov.uk</a>

<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**

None

**Members and officers consulted and informed**

Portfolio Holder – Councillor Kam Kaur

Corporate Board – Nigel Minns

Legal – Nichola Vine

Finance – Andrew Felton

Equality – Delroy Madden


Democratic Services – Amy Bridgewater-Carnall

Councillors – Barbara Brown, Jerry Roodhouse, Marian Humphreys

Local Member(s): N/A

This page is intentionally left blank

## Portfolio Holder Decision A439 DFT Bid Stratford Upon Avon

<b>Portfolio Holder</b>	<b>Portfolio Holder for Finance and Property</b>
<b>Date of decision</b>	<b>08/09/2023</b>
	<b>Signed</b> 

### 1. Decision taken

That the Portfolio Holder for Finance and Property approves the addition to the capital programme of a scheme at A439 in Stratford upon Avon to introduce measures aimed at reducing the number of personal injury collisions and accidents along the route ("the Scheme"), following a successful bid for £1.32m from the Department for Transport's Safer Roads Fund, and authorises the Executive Director for Communities to procure the delivery of the Scheme and enter into any agreements necessary to enable delivery on terms and conditions acceptable to the Executive Director for Resources.

### 2. Reasons for decisions

2.1 The Scheme aims to reduce the number of Personal Injury Collisions (PICs) along the identified route (the A439 Stratford upon Avon from Ingon Lane towards town centre) as well as identifying engineering measures needed to improve the route to prevent future collisions.

### 3. Background information

Warwickshire County Council bid for a share of a £47.5m national investment set aside by the Department for Transport (the Safer Roads Fund) to prevent more than 750 fatal and serious injuries over the next 20 years.

The A439 in Stratford upon Avon was selected as a suitable route for funding alongside 27 other locations across the country.

The bid to the Safer Roads Fund included several proposed measures including improvements to junctions along the route, pedestrian crossing facilities, speed limit reduction coming into the town centre, signing and road marking renewal. A provisional cycle lane was also included to support and encourage active travel. The bid was successful and funding has now been received.

In order to undertake the works, the Scheme needs to be added to the Capital Programme. Given the value of the Scheme and the fact that it is fully funded from

external grant, the Portfolio Holder is asked to approve the addition to the Capital Programme and the commencement of steps to deliver the Scheme.

The Council will submit quarterly monitoring reports to the DfT to cover costs and implementation/delivery.

The Council's engineering and highways teams have worked closely on costing and programming the works and are confident that the Scheme can be delivered within the budgetary envelope of £1.32m received from the Safer Roads Fund.

The Local Member for the area of the Scheme was supportive of the bid and the proposals made.

A compliant procurement exercise will be undertaken to enable the Scheme to be delivered.

#### 4. Financial implications

4.1 The Scheme will be fully funded from the £1.32m received from the Safer Roads Fund and which has already been received.

#### 5. Environmental implications

5.1 Environmental implications were assessed as part of the bid and details are provided within the report at Appendix 1.

6.1 Equalities implications were assessed as part of the bid and details are provided within the report in Appendix 1. A copy of the Equality Impact Assessment for the Scheme is also appended at Appendix 3.

<b>Report Author</b>	Jagpreet Liddar jagpreetliddar@warwickshire.gov.uk,
<b>Assistant Director</b>	David Ayton-Hill David Ayton-Hill@warwickshire.gov.uk
<b>Strategic Director</b>	Mark Ryder markryder@warwickshire.gov.uk
<b>Portfolio Holder</b>	Councillor Peter Butlin Peterbutlin@warwickshire.gov.uk

<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



Appendix 1 – DFT Bid

Appendix 2– Confirmation of award letter

Appendix 3- Equality Impact Assessment

### **Members and officers consulted and informed**

Portfolio Holder – Councillor Peter Butlin

Strategic Director – Mark Ryder

Assistant Director – David Ayton-Hill

Legal – Nic Vine

Finance –

Equality – Joanna Kemp

Democratic Services – Amy Bridgewater-Carnall

Councillors – Tim Sinclair (Local Member)

This page is intentionally left blank

**Portfolio Holder Decision**  
**Stratford Civil Parking Enforcement Variation 7 - Proposed Waiting Restrictions**

<b>Portfolio Holder</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b> 

### 1. Decision taken

That the Portfolio Holder for Transport and Planning approves:

- 1.1 The Warwickshire County Council (District Of Stratford On Avon) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation No. 7) Order 2023 be made as advertised;
- 1.2 The following proposals received no objections and should be implemented as advertised:

King Johns Road, Kineton – No Waiting at any Time  
 Bridge Street, Kineton – No Waiting at any Time  
 Albany Road, Stratford – Limited Waiting 1 Hour No Return 2 Hours 8am-Midnight Except Permit Holders (S1)  
 Willows Drive North, Stratford – No Waiting at any Time  
 Union Street, Stratford – Disabled Badge Holders Only at all Times, 3 Hours No Return 4 Hours 8am-6pm  
 High Street, Studley – No Waiting at any Time  
 Knights Lane, Tiddington – Revocation of No Waiting at any Time

### 2. Reasons for decisions

#### **2. Welsh Road West, Southam – No Waiting at any Time**

- 2.1. Following on from complaints of vehicles parking in an obstructive manner and near junctions along Welsh Road West, Southam, Warwickshire County Council have proposed to introduce double yellow lines at the junctions of Coventry Street, Francis Crescent, Grange Close, Mill Road and Hillyard Road.
- 2.2. The following tables detail the objections and/or comments received along with the officer recommendations.

**Emails/letters**

Total objections	0
Total comments	2

Ref	Objections and comments received	Total number of responses containing the comment
A	The main issue is that they do not cover a wide enough area	1
B	The existing lines are not enforced	1

Ref	Officer Comments
A	The proposals were to prevent vehicles from parking in the areas where they would be the greatest danger to traffic. If vehicles were to be prevented from parking along the full length of the road, then this would increase the number of vehicles parking in the more residential streets, creating additional issues with obstructive vehicles.
B	All parking restrictions within Warwickshire are enforced to level that is proportionate to the observed and reported compliance of the restrictions.

#### Recommendations

It is recommended to implement these proposals as advertised.

### 3. Old Road, Shipston on Stour – No Waiting at any Time

- 3.1. Following on from complaints of vehicles parking in an obstructive manner Old Road, Shipston on Stour, Warwickshire County Council have proposed to extend the existing double yellow lines along a short section of the west side of Old Road.
- 3.2. The following tables detail the objections and/or comments received along with the officer recommendations.

Emails/letters	
Total objections	0
Total comments	1

Ref	Objections and comments received	Total number of responses containing the comment
A	The yellow lines need to be extended on both sides of the road	1

Ref	Officer Comments
A	The original request was for double yellow lines on both sides of the road and during an informal consultation we received a number of comments stating that the lines on the east side of the road were unnecessary and were subsequently removed for the statutory consultation.

### Recommendations

It is recommended to implement these proposals as advertised.

#### 4. Kendall Avenue, Stratford upon Avon– No Waiting at any Time

- 4.1. Following on from complaints of vehicles parking in an obstructive manner along Kendall Avenue, Stratford, Warwickshire County Council have proposed to introduce double yellow lines from Clopton Road further into Kendall Avenue.
- 4.2. The following tables detail the objections and/or comments received along with the officer recommendations.

Emails/letters	
Total objections	0
Total comments	1

Ref	Objections and comments received	Total number of responses containing the comment
A	It is requested to extend the double yellow lines from outside the property known as No.1 Kendall Avenue to the junction of Clopton Road	1

Ref	Officer Comments
A	The proposal is to extend the existing lines that start at No.1 Kendall Avenue to join up to the double yellow lines that currently commence at at the junction of Kendall Avenue and Clopton Road. As part of the work to install these lines, any extraneous lines will be removed to make sure that there is no confusion as to what is being installed on the carriageway.

### Recommendations

It is recommended to implement these proposals as advertised.

#### 5. Brook End Drive, Henley-in-Arden – No Waiting at any Time

- 5.1. Following on from complaints of vehicles parking in an obstructive manner along the length of Brook End Drive, Henley in Arden, Warwickshire County Council have proposed the introduction of double yellow lines at strategic points along the length of the road to prevent vehicles from parking in locations that would be considered more dangerous.
- 5.2. The following tables detail the objections and/or comments received along with the officer recommendations.

Emails/letters	
Total objections	0
Total comments	1

<b>Ref</b>	<b>Objections and comments received</b>	<b>Total number of responses containing the comment</b>
<b>A</b>	Will simply push the problem further down the road	1
<b>B</b>	Would it be possible to extend the double yellow lines to join up with the existing lines at the junction of Bear Lane and Station Road	1

<b>Ref</b>	<b>Officer Comments</b>
<b>A</b>	It is accepted that displacement of parking is a consequence of waiting restrictions along a length of road. However, these restrictions would be preventing vehicles from parking in places with the potential to cause a hazard, with parking moved to less obstructive areas where risks are lower and are thus considered appropriate.
<b>B</b>	Additions to advertised restrictions are beyond the scope of this report but can be considered as a separate request for amendments at a later date.

<b>Recommendations</b>
It is recommended to implement these proposals as advertised.

## 6. Background information

- 6.1 Proposals for waiting restrictions at various locations were advertised and consulted upon in accordance with statutory procedure on the 28 July 2022.
- 6.2 The statutory criteria for decisions on making Traffic Regulation Orders are included as Appendix A.
- 6.3 Drawings showing published proposals for waiting restrictions are found in Appendix B.
- 6.4 A copy of the published Statement of Reasons for each scheme are found in Appendix C.
- 6.5 Copies of objections and comments received are available as background information in Appendix D.
- 6.6 An equality impact assessment has not been commissioned for this scheme as the implementation of these parking restrictions is not expected to have a detrimental impact to any particular demographic of the population that will be using the road.

## 7. Financial implications

All work is to be completed from the existing 2023/24 Civil Parking Enforcement budget.

## 8. Environmental implications

It is anticipated that the presence of waiting restrictions would not have a significant adverse effect on air quality, with no predicted increase in traffic volumes or noise levels as a result of the schemes.

<b>Report Author</b>	Ben Davenport, bendavenport@warwickshire.gov.uk, philmitton@warwickshire.gov.uk, Phil Mitton <a href="mailto:philmitton@warwickshire.gov.uk">philmitton@warwickshire.gov.uk</a>
<b>Director</b>	Scott Tompkins
<b>Executive Director</b>	Mark Ryder Executive Director for Communities
<b>Portfolio Holder</b>	Councillor Jan Matecki Portfolio Holder for Transport and Planning

<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

## Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Caroline Gutteridge

Finance – Virginia Rennie

Equality –

Democratic Services – Amy Bridgewater-Carnall


Councillors – Councillors Gifford, Chilvers, Holland

Local Member(s): Councillors Mills, Rolfe, Fradgley, Sinclair & Kerridge



## Portfolio Holder Decision

The Warwickshire County Council  
(Gainsborough Drive, Calder Walk and Marlborough Drive,  
Leamington Spa) (20mph Speed Limit) Order 2023

<b>Portfolio Holder</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b> 

### 1. Decision taken

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Order be made as advertised:

- The Warwickshire County Council (Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa) (20mph Speed Limit) Order 2023.

### 2. Reasons for decisions

- 2.1 Pursuant to Part 2(4) of the Warwickshire County Council Constitution, the Portfolio Holder for Transport and Planning in consultation with the Local Member(s) has delegated authority to determine road traffic management and accident prevention schemes and road traffic regulations in cases where objections have been received (and not withdrawn).
- 2.2 The statutory public consultation for Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa for a 20mph speed limit, was advertised on 15 June 2023 for 3 weeks. It was also advertised on street in the form of public notices, in the Leamington Courier and on the Council's website. Statutory consultees have also been consulted. The closing date was extended by an extra week to 14 July 2023, so that residents in the area had sufficient time to consider the proposal.
- 2.3 A copy of plans PTRO22-031 & PTRO22-031-01 detailing proposals to introduce a 20mph Speed Limit in Gainsborough Drive, Calder Walk and Marlborough Drive can be found as Appendix A. Three objections to the proposals were received during the consultation; the following table details the objection received, and the Council's response.

Emails/letters	
Objections received	3

### **Objection 1 – Resident of Gainsborough Drive**

I am writing to express my deep concerns regarding the implementation of the 20mph zone in our area. While I understand the importance of road safety measures, I believe the current speed limit imposition is impractical and has had several negative consequences. Signs have been put up in Gainsborough drive without consulting the community.

First and foremost, the reduction of the speed limit to 20mph has significantly increased travel time for residents in our community. The previous speed limit of 30mph was appropriate for our neighbourhood, allowing for smooth traffic flow without compromising safety. However, with the introduction of the 20mph zone, unnecessary delays and congestion have become the norm, affecting the daily routines and productivity of the residents.

Furthermore, the enforcement of the 20mph zone seems excessive and disproportionate to the actual risks present in our area. Our neighbourhood consists of wide, well-maintained roads with excellent visibility and minimal pedestrian activity. It is essential to consider the unique characteristics of our community when implementing speed limit regulations rather than applying a blanket approach.

Additionally, the sudden change in the speed limit has resulted in confusion and frustration among drivers. Many individuals, including long-term residents, have inadvertently violated the new speed restrictions due to the lack of proper signage and adequate notification.

Moreover, I encourage the council to engage in an open dialogue with the community, seeking their input and opinions on this matter. A collaborative approach that incorporates the concerns and suggestions of the local residents will result in a more balanced and effective solution.

In conclusion, I urge you to reconsider the 20mph zone implementation in our area, taking into account the adverse effects it has had on travel time, community satisfaction, and the overall practicality of the speed limit. I believe that a fair and well-considered resolution can be achieved through a thorough reassessment of the current situation.

Thank you for your attention to this matter. I trust that you will carefully consider the points I have raised and take appropriate action to address our community's concerns. I look forward to a favourable response.

### **Engineers response**

Regrettably, a communication misunderstanding led to our Contractor installing the proposed signing and lining three days before the scheduled Statutory Consultation with

residents. Upon discovering this error, we promptly contacted our Delivery Team to coordinate with the Contractors for bagging over of signage and the blacking out of carriageway markings.

Following the premature installation, the consultation commenced on June 15th, 2023, and ran for a period of 21 days. The objector submitted their objection on the 20<sup>th</sup> June. The resident expressed concerns about various negative consequences, including unnecessary delays and congestion. However, from an engineering perspective, it is considered unlikely that the short period of exposure to the lining and signing would have caused such issues. Nonetheless, it is accepted that the early installation may have caused confusion among motorists and residents in the area.

As part of our standard procedure for speed limit changes, we conduct background checks and speed surveys to ensure that any proposed speed limit adjustments align with Government Guidance and criteria. Our assessment criteria include site visits and measurements of existing carriageway widths. Based on current speed surveys and motorist behaviours, a 20mph speed limit was deemed the most appropriate measure in this area.

Prior to the formal consultation, Councillor Will Roberts (the local member for the area) conducted an informal consultation with residents to gather opinions. The results indicated that the majority of residents favoured the introduction of a 20 mph Speed limit and this was supported by the small number of objections received during the formal statutory consultation.

The objector has raised a concern regarding the need for open dialogue with the community to gather opinions on this matter. There was a full public consultation that took place from June 20 2023, to July 7 2023, as described at paragraph [ ] above. Following a request from Councillor Roberts the closing date was extended to provide residents with additional time to express their views. We consider the consultation to have been compliant and the community has been consulted.

### **Objection 2 – Resident of Gainsborough Drive**

I hope this letter reaches you despite the frustration and disappointment that has consumed our community due to the implementation of the 20mph zone. I write to express my profound dissatisfaction with this ill-conceived decision, which has proven to be a source of inconvenience, unnecessary restrictions, and widespread discontent.

The introduction of the 20mph zone in our area has inflicted a severe blow to our daily lives. The previously reasonable and efficient speed limit of 30mph allowed for smooth traffic flow and a sense of freedom on our roads. However, the abrupt imposition of the 20mph restriction has needlessly disrupted our routines and added significant travel time to our already busy schedules. We find ourselves trapped in endless queues of frustrated drivers, enduring unnecessary delays and stagnation.

This absurd reduction in speed appears to be a grossly disproportionate response to the actual risks and safety concerns present in our community. Our neighbourhood boasts

well-maintained roads with excellent visibility and a dearth of pedestrian activity. It is evident that the decision-makers failed to consider the unique characteristics of our area, opting instead for a one-size-fits-all approach that defies logic and common sense.

What is more infuriating is the lack of effective enforcement and communication regarding this new speed limit. Inadequate signage and insufficient notification have resulted in countless unsuspecting individuals falling victim to unjust fines and penalties. It is both outrageous and unfair that law-abiding citizens are punished for unknowingly violating an arbitrary regulation.

I demand immediate action from the council to reassess and rectify this grievous error. The 20mph zone must be abolished, and a fair and reasonable speed limit reinstated in our area. It is imperative that the council engages in transparent and meaningful dialogue with the affected residents, genuinely taking their concerns and suggestions into account. Our voices deserve to be heard, and our dissatisfaction demands redress.

Furthermore, I insist on a thorough investigation into the decision-making process that led to this unacceptable situation. The lack of consideration for the impact on our community, the absence of proper consultation, and the failure to provide a solid justification for the 20mph zone implementation must be addressed. The council must be held accountable for this misguided and disruptive action.

I implore you to act swiftly and decisively to rectify this untenable situation. The residents of our area deserve better than this arbitrary and oppressive imposition. Restore our faith in the council's ability to make sensible and well-informed decisions that truly serve the best interests of the community.

I eagerly await your prompt response, along with concrete plans to address our grievances and initiate the necessary steps to undo the damage caused by the ill-conceived 20mph zone.

### **Engineers response**

Due to a communication misunderstanding that resulted in the premature installation of the proposed signing and lining before the scheduled Statutory Consultation with residents. As soon as we were made aware of this mistake, we took immediate action and coordinated with our Contractors to rectify the situation by bagging over the signage and blacking out the carriageway markings.

The formal consultation began three days later on 15 June 2023, and we duly noted the objection raised on 20 June 2023. While we understand the concerns about potential negative consequences, such as delays and congestion, we can assure you that, from an engineering perspective, the short exposure to the lining and signing is unlikely to have caused these issues. Nevertheless, we acknowledge that confusion among motorists and residents may have arisen due to the early installation.

The introduction of the 20mph signs did not alter the existing speed limit order, as it remained unchanged. The consultation, if approved, would allow us to implement the 20mph speed limit and enforce it if necessary.

To ensure transparency, we conducted an informal consultation with residents months prior to the formal process. This step was taken to gather residents' views and provide ample opportunity for their opinions and comments. Our decision to introduce a lower speed limit was not arbitrary or oppressive, but rather based on the majority of residents who expressed support for the 20 mph Speed limit during the formal consultation.

### **Objection 3 – Resident of Gainsborough Drive**

I would like to register my formal objection to the 20mph speed limit on Gainsborough Drive.

I'll start by saying that I know that I'm not the only resident who objects to this unwarranted scheme – or to the fact that the consultation for it seems to have been carried out seemingly without anything to highlight to residents that it was even happening.

As a resident of Lynwood Walk who has been using Gainsborough Drive as both driver and pedestrian for around 25 years it is my opinion that a 20mph limit on this road is both unnecessary and unsuitable.

But my objection is not based purely on personal opinion. Department for Transport guidelines call for 'evidence-based speed limits that reflect the needs of all road users'. Hard evidence in the form of actual measured traffic speeds (supplied by Councillor Will Roberts) show that the majority of traffic on Gainsborough Drive adheres to the speed limit. So contrary to what many people claim, there is no speeding problem.

Now let's look at safety record. As I'm unable to get official figures I've had to go on what's available from [crashmap.co.uk](http://crashmap.co.uk) which shows a grand total of just two accidents resulting in slight injuries in 23 years.

So as there's no speeding problem and no safety problem I can see no justification in imposing a speed limit that is artificially low for a road of this width and type. Such a speed limit would certainly not reflect the needs of drivers.

20mph on the narrow roads off Gainsborough Drive makes sense, but not on Gainsborough Drive itself.

I also think that a permanent 20mph is unnecessary on Calder Walk. Unfortunately I did not get provided with monitored speed information for this road, but I suspect the same applies as with Gainsborough Drive. And [crashmap.co.uk](http://crashmap.co.uk) shows no accidents at all in 23 years.

Admittedly the situation in Calder Walk is somewhat different due to the school, but that only has an effect at certain times of the day and even then not every day. A more sensible solution therefore would be a temporary 20mph speed limit around the school at starting and finishing times, with this signified by electronic signs. Such schemes have been in existence for years now, including one in Balsall Common.

So, you now have my objection – an objection based on sense and hard evidence rather than the misperceptions and unfounded fears of the 'they use this road like a racetrack' brigade.

### **Engineers response**

Thank you for registering your formal objection to the 20mph speed limit on Gainsborough Drive and sharing your concerns regarding the consultation process. We acknowledge the importance of transparent communication with residents and regret any confusion that may have arisen due to the communication misunderstanding.

As part of our standard procedure for speed limit changes, we conduct background checks and speed surveys to ensure that any proposed speed limit adjustments align with Government Guidance and criteria. Our assessment criteria include site visits and measurements of existing carriageway widths. Results of the recent speed surveys indicate that speeds were around 24mph, which under the DFT (Department for Transport) guidelines, allows us to consider a 20mph Speed Limit. Within our investigations of the local area, we have also looked at the data provided by Warwickshire Police for the number of reported injury accidents, in the last 3 years there has been 3 reported injury accidents in Gainsborough Drive and adjoining roads. See Appendix C

We are aware of the school on Calder Walk, which is attended predominantly by the surrounding children that live in Gainsborough Drive and surrounding areas. Furthermore, we have also received correspondence from the school who have given us their full support in our proposals both for themselves and for the children and parents who attend. Our own site observations reveal that a large majority of those children and parents commute on foot, drastically increasing the number of pedestrians within the area during school hours.

We will thoroughly review all the provided information, including your concerns about the proposed speed limits, to ensure that our final decision reflects the needs and safety of all road users.

We extend our gratitude for your participation in the meeting held on the 17th July 2023, where we had the opportunity to discuss your objection with engineers and the local county councillor. The meeting proved to be a fruitful exchange of information, and we value your engagement in this matter. Please rest assured that our commitment remains steadfast in making well-informed decisions that prioritise the welfare and interests of the community.

- 2.4 The published reasons for the introduction of a 20mph Speed Limit in Gainsborough drive, Calder Walk and Marlborough Drive remain valid. It is therefore recommended that the proposals in their current form be implemented as advertised.

### 3. Background information

- 3.1. Warwickshire County Council operates a delegated budget to enable minor highway works and safety improvements to be carried out in local areas in consultation with County Councillors for those areas. Requests for these works are generally highlighted by local communities to their local Councillor. In this particular case, Gainsborough Drive, Calder Walk and Marlborough Drive, were brought to the attention of Councillor Will Roberts. After an informal consultation with residents it was considered that there was enough support for the Minor Works team to put forward a proposal for a 20mph speed limit. **See Appendix D - Letter from Cllr Will Roberts.**
- 3.2. There is strong support from the Community, Head Teacher of Sydenham Primary School and The SYNDI Centre (the local community centre for this area) – **See Appendix E - Emails of support.**
- 3.3. The proposed measures include the introduction of a 20mph Speed Limit on Gainsborough Drive, Calder Walk and Marlborough Drive, with 20mph signing and roundels installed.
- 3.4. A copy of the three objections received can be found as **Appendix F** and above at Section 2 of this report.
- 3.5. A copy of the published notice can be found as **Appendix G and G(a).**
- 3.6. As it has not been possible to resolve these objections and they are not withdrawn, a decision is required of the Portfolio Holder to proceed with the scheme. The published reasons for the introduction of a 20mph Speed Limit in Gainsborough drive, Calder Walk and Marlborough Drive remain valid. See Appendix H – Statement of Reasons. It is therefore recommended that the proposals in their current form be implemented as advertised.

### 4. Financial implications

- 4.1 Funding for the 20mph Speed Limit for Gainsborough Drive, Calder Walk and Marlborough Drive will be met from the Delegated Budget 2023/2024 allocation for Councillor Will Roberts.

### 5. Environmental implications

- 5.1 The 20 mph speed limit is introduced as a safety measure. It is not anticipated that the change will result in an adverse effect on air quality or noise levels and the works are minor having little environmental impact during delivery.

5.2 It is hoped that this new speed limit will enhance the quality of life for residents and visitors in the area and improve safety for all road users and residents, especially the elderly and young child pedestrians.

<b>Report Author</b>	Graham Stanley/George Westbury <a href="mailto:grahamstanley@warwickshire.gov.uk">grahamstanley@warwickshire.gov.uk</a> <a href="mailto:georgewestbury@warwickshire.gov.uk">georgewestbury@warwickshire.gov.uk</a>
<b>Assistant Director</b>	Scott Tomkins. Director for Communities
<b>Strategic Director</b>	Mark Ryder, Executive Director for Communities
<b>Portfolio Holder</b>	Councillor Jan Matecki, Portfolio Holder for Transport and Planning

<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

Email objections along with plans that can be produced if required.

Appendix A & A(a) – Speed Limit Plans

Appendix B – Statutory Criteria for Decision Making on Speed Limit Orders

Appendix C – Road Traffic Accidents Summary 01/05/20-17/5/2023

Appendix D – Letter from Cllr Will Roberts

Appendix – E – Emails of Support

Appendix – F – Three objector emails

Appendix – G & G (a) – Speed Limit Notice

Appendix H – Statement of Reasons

### Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Nic Vine Head of Legal and Governance

Finance – Virginia Rennie

Equality – Delroy Madden

Procurement – John Hopper



Democratic Services – Amy Bridgewater-Carnall

Councillors – Leaders of the Party Groups, Communities OSC Chair & Spokespersons

Local Member(s): Councillor Will Roberts

This page is intentionally left blank