

Cabinet

Tuesday 16 July 2024

Minutes

Attendance

Committee Members

Councillor Isobel Seccombe OBE (Chair)
Councillor Margaret Bell
Councillor Peter Butlin
Councillor Andy Crump
Councillor Yousef Dahmash
Councillor Kam Kaur
Councillor Sue Markham
Councillor Jan Matecki
Councillor Heather Timms
Councillor Martin Watson

Officers

Monica Fogarty, Chief Executive
Becky Hale, Executive Director for Social Care and Health
Nigel Minns, Executive Director for Children and Young People
Rob Powell, Executive Director for Resources
Mark Ryder, Executive Director for Communities
Sarah Duxbury, Director of Strategy, Planning and Governance
Benjamin Hill, Manager - Contract & Policy Engineer
Purnima Kandula, Director of Finance
Chris Kaye, Head of Commercial
Jayne Surman, Head of Communications

Others Present

Councillor Sarah Boad
Councillor John Holland
Councillor Marian Humphreys
Councillor Jerry Roodhouse

1. General

The Chair welcomed everyone to the meeting, particularly those members of the public in attendance and watching online.

(1) Apologies

Apologies for absence were received from Councillor Sue Markham.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

There were none.

(3) Minutes of the Previous Meeting

The minutes of the meeting of Cabinet held on 13 June 2024 were agreed as an accurate record.

(4) Public Speaking

Keith Kondakor addressed the meeting in relation to Agenda Item 9 - Warwickshire Fire and Rescue Service Future Operating Model. He raised concerns relating to the number of fire service call outs in Bedworth which he described as one of the busiest areas in Warwickshire. He felt it would be reckless to amend the level of cover in that location because of the 1408 call outs made per year, Bedworth's share totalled 240 of these. Therefore, Bedworth's percentage totalled 4.5% of total with the other eleven areas only covering 12%.

Mr Kondakor was disappointed that his comments appeared to have been ignored as he felt strongly that the daytime cover and jobs should be kept, to maintain the level of resilience. He asked that the changes in Nuneaton not be taken forwards and officers look to reduce other areas of cover instead. He reiterated his disappointment with the consultation and the scrutiny meeting taking place in the election period. He concluded by suggesting that WFRS move forwards with the proposals for non-contentious areas but revisit the figures for Nuneaton to avoid loss of property and life.

Penny Barry, a resident of Bidford, spoke about four of the stations in Model A being located in the south of the County, with a plan to reclassify them as resilience. She raised a concern that for this proposal to work, enough full time staff would have to sign up, on top of their 40 hour shifts. She queried if the resilience model had been used elsewhere and whether Cabinet fully understood what surge was and the time lapse of availability. Ms Barry went on to state that the three resilience stations in the south of the county left the areas dangerously short in an emergency.

She also referred to the reduction in available appliances at night which would increase the risk to residents, employees and people travelling through the area. She stated that Bidford residents welcomed the contracted on-call at night, believing that with proactive recruitment on-call day cover was feasible for Bidford and Polesworth. She referred to the attendance times being a concern in the south and south-east of the county and asked the Leader directly if she thought this was acceptable for the residents.

Dr Manuela Perteghella, MP for Stratford-on Avon thanked Cabinet for allowing her to speak and outlined how the proposal would affect her constituency and surrounding areas. She referred to the fact that the proposal was significantly different from the original and asked that consultation be re-opened. She felt that it was important that residents felt listened to and had their views taken into account before the proposal went ahead.

She referred to the improvements made to the proposal from the previous mode and the percentage of cover in Bidford, Alcester and Stratford. In addition, she spoke about Shipston becoming a resilience hub and the Leader of Stratford District Council outlining concerns at the Scrutiny Committee in June. Dr Perteghella raised the issue of HGV's using the A46 and A45 as a through route to the motorways and how she felt this left the area and surrounding areas vulnerable. Finally, she referred to the finance being proposed for three years only, with no guarantee that funding would continue in future years.

2. A Financial Framework for the 2025/26 Medium Term Financial Strategy Refresh

Councillor Peter Butlin, Deputy Leader, Finance and Property, introduced the report which detailed the emerging financial position of the Council. He highlighted that Warwickshire County Council were one of the few local authorities that produced a five year Medium Term Financial Strategy (MRFS) on a rolling basis. This report took into account the current situation for local government finances.

Councillor Butlin drew Members attention to paragraph 2.1 of the report which outlined the key components to the framework which aimed to ensure that the Council's finances were robust, sustainable and financially resilient. In addition, the key strategic principles on which the 2025/26 MTFS would be developed were highlighted at paragraph 2.4 of the report. These included expectations for inflation and the savings needed to be delivered over future years.

Councillor Holland spoke to the report and queried the different use of references to RPI or CPI inflation. He felt that the best way to fund public services was to encourage economic growth and increase productivity.

Councillor Jerry Roodhouse referred to the continued financial challenges facing SEND and transport services, suggesting that Principle 3 on page 14, could be defined further to reflect this. In relation to Principle 5, Councillor Roodhouse stated that he would like to see how the Council would prioritise those projects that may have to be paused or stopped due to increased cost pressures.

In response to the comments made, Councillor Butlin expanded on Principle 3 and the ambition for a three-year financial settlement. With regards to the prioritisation of projects, he assured that consultation would be extensive. He concluded by reiterating the difficulties that all local authorities were experiencing with finances now and the challenges that lay ahead.

Having proposed the recommendations as laid out, it was

Resolved

That Cabinet

- 1) note the emerging financial position within which the 2025/26 budget and 2025-30 Medium-Term Financial Strategy will be developed;
- 2) agree the strategic principles that will form the basis of the Medium-Term Financial Strategy, as set out in paragraph 2.4;

- 3) subject to the agreement of the principles, approve the proposals for the refresh of the 2025/26 Medium-Term Financial Strategy and Capital Strategy, as set out in Sections 2 and 3;
- 4) note the requirement for the Authority to set a sustainable and balanced budget which shows how income will equal expenditure over the short- and medium-term; and
- 5) approve the timetable for agreeing the 2025/26 budget and Medium-Term Financial Strategy Refresh.

3. Government Productivity Plans

Councillor Peter Butlin, Deputy Leader, Finance and Property, summarised the report which updated Members on the requirements and development of Warwickshire County Council and Warwickshire Pension Fund Productivity Plans, as requested by the Department for Levelling up, Housing and Communities (DLUHC).

Councillor Butlin explained that prior to the last election, local authority financing had been agreed with the condition that all local authorities produced productivity plans. The plans aimed to set out how local authorities would improve service performance and reduce wasteful expenditure.

Having received no questions on the report, Councillor Butlin proposed the recommendations as laid out.

Resolved

That Cabinet

- 1) approves the WCC Productivity Plan attached at **Appendix C**; and
- 2) Approves the Warwickshire Pension Fund Productivity Plan attached at Appendix D.

4. Education Sufficiency Capital Funding Gap

As Portfolio Holder for Education, Councillor Kam Kaur, introduced the report which sought funding from the Capital Investment Fund to meet the shortfall in funding to deliver school place sufficiency requirements over the next five years.

Councillor Kaur reminded Members that additional secondary school places were being provided in Rugby and primary school places in Nuneaton, however, an estimated two thousand additional places were still needed. She also referred to the increased demand for specialist education provision, with a rise in the number of EHCP's, which were estimated to rise by 9% over the next five years. Whilst money had already been invested into resourced provision, the new school places required were estimated to cost £158 million over the next five years.

Councillor Peter Butlin, Deputy Leader, Finance and Property, explained that the allocation of £20.155 million would be come from the Capital Investment Fund. He referred to Warwickshire as

an expanding and prosperous area, resulting in lots of families wanting to come here to live and work. This inevitably resulted in a growth in school places and the finances allocated in the report would help to secure places to the end of the decade.

Councillor Roodhouse welcomed the additional places in Rugby but raised a concern that additional places would still be needed as a result of the expansion of the area and the number of houses being built. He hoped that discussions were already taking place about future numbers.

Councillor John Holland raised the issue of faith schools and the challenge when parents did not want their child to attend that school. He also referred to the Local Transport Plan and the hierarchy of active travel and hoped that joined up plans would enable pupils to walk or cycle to school. He felt that enough primary schools were being provided in Warwick but there was not enough capacity in the secondary schools, resulting in pupils being unable to attend school in the town they lived in.

In response, Councillor Kaur provided assurance about the conversations and feasibility taking place with regard to school places in Rugby. The County was working closely with District and Borough Councils about local plans and where schools were needed in line with housing developments.

In relation to the comment about faith schools, it was recognised that sometimes parents may have to accept a place as it was the only one available. In addition, Councillor Kaur reminded Members that the brand new Oakley School, near Bishop's Tachbrook was due to open in September 2024.

Councillor Seccombe referred to the recent opportunity that Councillors had to visit the Oakley School and the plans to integrate the country park which would facilitate walking to school.

The recommendations on page 49 were outlined.

Resolved

That Cabinet recommends to Council an allocation of £20.155 million from the Capital Investment Fund towards the provision of school places as outlined in this report and their addition to the education capital programme which will be subject to further project specific Cabinet / Council approvals.

5. Approval of updated local code of conduct in relation to school attendance

Councillor Kam Kaur, Portfolio Holder for Education, introduced the report which outlined an updated local Code of Conduct for issuing penalty notices relating to school attendance.

She explained that in May 2022 the Department for Education produced refreshed guidance which, including the National Framework, would become statutory from 19 August 2024. The Code of Conduct had been discussed at the Education Partnership Board and all Headteachers had been written in preparation of the changes.

Councillor Marian Humphreys expressed her desire to see something added to the code for when a child returned to school after an absence. She felt that it was important for relationship building to be welcomed back appropriately. Councillor Kaur clarified the purpose of the code in relation to unauthorised absences and agreed that Councillor Humphreys point could be raised at a future Education Partnership Board meeting.

In response to a question from Councillor Sarah Boad, Councillor Kaur explained how the updated code would be publicised to make parents aware.

Councillor Kaur outlined the recommendations as written.

Resolved

That Cabinet approves the updated local Code of Conduct for issuing penalty notices relating to school attendance, attached at Appendix 2 to the report.

6. Commissioning arrangements for homes for children in care

Members received a report relating to the procurement and provision of foster and residential care services for children.

Councillor Isobel Seccombe introduced the report explaining that currently Warwickshire were a key stakeholder in the West Midlands region across Foster Care Services, Residential Services and Supported Accommodation for children in care. This report proposed three procurement activities to support the delivery of homes for children in care.

Councillor Seccombe referred to the flagship bail and remand service, referred to as BRICS, which had been recognised by the National Youth Justice board as an example of good practice. These proposals would help to maintain the quality of that service. The report also recognised that the Council had invested in the development of its own children's homes with more planned for the future. However, the costs involved remained challenging.

In conclusion, Councillor Seccombe proposed the recommendations that the Council sign up alongside the thirteen other local authorities, with Coventry City Council as the lead authority, as of September 2024.

Resolved

That Cabinet

- 1) Authorises the Executive Director for Children & Young People, in consultation with Executive Director for Social Care and Health to enter into West Midlands regional agreements and subsequent call-off contracts for the procurement and provision of foster care and residential care services for children in care on terms and conditions acceptable to the Executive Director for Resources;

- 2) Authorises the Executive Director for Children and Young People to commence a procurement process for the provision of Short-Term Emergency Placements and Bail and Remand Intensive Care placements in consultation with the Portfolio Holder for Children & Families; and
- 3) Authorises the Executive Director for Children and Young People, in consultation with the Executive Director for Social Care and Health, to enter into relevant contracts for the provision of Short-Term Emergency Placements and Bail and Remand Intensive Care placements for children in care and/or children in criminal court proceedings on terms and conditions acceptable to the Executive Director for Resources.

7. Children's Short Breaks and Respite Approval to Tender

This report advised that under the Breaks for Carers of Disabled Children Regulations 2011, local authorities had a statutory duty to provide access to short breaks and respite to eligible families with children with disabilities and other non-disabled children in need.

The Council currently commissioned these services under three contracts. The report recommended going out to market with the aim of procuring a more robust offer.

Councillor Margaret Bell, Portfolio Holder for Adult Social Care and Health, addressed Members and explained the work that the Council currently commissioned to deliver short break opportunities for children and the carers. These breaks could take place during the day or overnight and gave families support to stay together and reduce the risk of family breakdown. Gaps had been identified in the service where agency and spot purchased packages were relied on and this could affect the quality and regulation of placements.

Councillor Bell hoped that the proposals would enable the Council to expand its scope and procure a more robust commissioned offer. In addition, this would be co-produced with other stakeholders and aligned with the ambitions of the Families First for Children Pathfinder programme.

The aim was to implement Phase 1 in Autumn 2024 with Phase 2 being integrated within the Children's Short Breaks and Family Care Service model from April 2025, adding an urgent outreach service into the current short breaks offer. The recommendations were proposed as laid out.

Resolved

That Cabinet

- 1) Authorises the Executive Director for Children and Young People to finalise and commence a procurement process for the provision of Short Breaks, Respite and Family Care Services for children with disabilities and other children in need, in consultation with the Portfolio Holder for Children & Families; and
- 2) Authorises the Executive Director for Children and Young People, in consultation with the Executive Director for Social Care and Health to enter into relevant contracts for the provision of Short Breaks, Respite and Family Care Services for children with disabilities and other children in need, on terms and conditions acceptable to the Executive Director for Resources.

8. Drug and Alcohol Services - Approval to Tender

Councillor Margaret Bell, Portfolio Holder for Adult Social Care and Health, introduced the report relating to the provision of an Adult Drug and Alcohol Service and Children and Young People's Drug and Alcohol Service. The current contracts began on 1 May 2018 and were due to expire on April 30 2025.

Councillors were signposted to section 1.7 of the report which outlined the overarching principles for the re-commissioning, including ensuring services were accessible geographically and ensuring quality of care. Harm reduction services and impact on families was also a consideration allowing better access to specialist treatment. A market engagement questionnaire had been sent out in April 2024 for interested providers to respond and share their views. The aim was to go live with the tender exercise in September 2024 with a view to new contracts beginning in May 2025.

Councillor Crump addressed the meeting and reminded Members of the importance of accessing specialist treatment in a timely manner. He felt that the opportunity for individuals to access specialist services promptly had the potential to impact on community cohesion and community safety. He fully supported the recommendations and thanked the Portfolio Holder and officers for bringing the report forwards.

Councillor Marian Humphreys added her support, describing her experiences of dealing with individuals needing long term support.

Councillor Bell outlined the recommendations as laid out, reiterating the importance of ongoing recovery and sustained support.

Resolved

That Cabinet

- 1) Approves the commencement of a procurement process for the provision of an Adult Drug and Alcohol Service and Children and Young People's Drug and Alcohol Service; and
- 2) Authorises the Executive Director for Social Care and Health, to enter into all contracts and agreements required to implement this decision on terms and conditions acceptable to the Executive Director for Resources.

9. Warwickshire Fire and Rescue Service Future Operating Model

This item was considered first on the agenda.

Councillor Andy Crump, Portfolio Holder for Fire and Rescue, outlined the report which proposed Warwickshire Fire and Rescue Services future operating model. He reminded Members that the report had been considered at the Resources and Fire and Rescue Overview and Scrutiny Committee in June 2024, where Members had heard from a number of public speakers.

Councillor Crump outlined the lengthy consultation process that had taken place across the County, the interested parties involved and the level of responses received. The feedback from

residents had resulted in the different model being proposed. He advised that should there be any changes to the community risk management plan, these would be submitted to full Council.

Councillor Crump explained the four challenges currently being faced by Warwickshire Fire and Rescue Service (WFRS) and described how the alternative model, 2A, aimed to overcome these challenges. The benefits included a guaranteed fourteen fire appliances in the day and thirteen at night, first engine response times would be improved on average by 58 seconds and an increased capacity to deliver Prevention and Protection activity. In addition, an additional 30 wholetime firefighter positions would be created.

The report detailed the £1.757m funding required to fund Model A, from the Revenue Investment Fund, for the three year resourcing model proposed.

Councillor Seccombe thanked all involved for a very thorough and comprehensive report and consultation process. She referred to the changing demography of the area along with the previous challenges faced in recruiting more on-call firefighters. Councillor Seccombe paid credit to the community of Bidford whose input had helped to shape the model being put forward. In response to Penny Barry's question, she advised that she did feel this was a solution that met the needs of a changing society with less fire incidents and more road traffic incidents being experienced.

The Leader concluded by commending the staff of WFRS, full time and on call, for the work they carried out to help people continue to stay safe in their own homes.

Councillor Sarah Boad also commended the consultation process, which she felt had been carried out well and taken seriously by all participants. She thanked the portfolio holder for the additional information requested at the recent scrutiny meeting but queried some of the detail in the heat maps for the southeast area of Warwickshire. She also referred to the presence of tower blocks in her area, the time it may take a second fire engine to attend and the loss of 24-hour cover in Kenilworth.

Councillor Boad raised a concern about the finances and where this money may be sourced from in future years. She concluded by acknowledging the potential loss of employment for on-call fire fighters and the experience they would take with them. She reiterated her request that the consultation exercise be repeated as she felt this plan was radically different from the initial proposal.

Councillor John Holland was impressed with the quality of the Fire Service and the speed and accuracy of their response. He referred to the annual awards ceremony which recognised the service of staff in dangerous work. He went on to speak about the newly elected representatives in the area, who had heard concerns most recently from residents, which he felt should be reconciled before a final decision was made.

Councillor Crump addressed a number of the comments made and provided clarification on the response times for the south of the county. He reiterated that the Chief Fire Officer, having received expert advice and drawing on his experience, had concluded that this model was the best option to address the resilience levels in Warwickshire. The proposal would be reviewed regularly to monitor operations and improve cover and response times. He felt strongly that repeating the consultation exercise would cause further uncertainty for fire service staff and this was the best

model to move forwards with, having listened to the feedback received. He reiterated the importance of not impinging on the Chief Fire Officer's operational independence.

The Leader added her support, commending the Chief Fire Officer, his team and participants of the consultation. She referred to the requirements from the Inspectorate and reiterated the importance of the service to residents.

In response to a query relating to the Community Risk Management Plan (CRMP), the Chief Executive advised that it was a requirement to produce a CRMP covering at least three years, and the County Council's was a five year plan. Once a decision had been taken, the document would be reviewed and, if changes were required, these would be submitted to Council in due course, although there was no formal requirement to do so.

Councillor Crump added his praise and support to the control room staff and non-operational teams, welcoming the job opportunities being created with this proposal. He therefore, proposed the recommendations as laid out.

The Leader thanked all who had attended the meeting in person and those online who had contributed to the process to date.

Resolved

That Cabinet

- 1) Agrees the adoption of Model A as the Service's operating model for the Warwickshire Fire and Rescue Service (WFRS);
- 2) Recommends to Council any such consequential changes that may be required to the Community Risk Management Plan (CRMP) as a result of adopting Model A;
- 3) Approves the allocation of £1.757m from the Revenue Investment Fund to fund the new WFRS operating Model A;
- 4) Agrees in principle the allocation of £0.460m from the Capital Investment Fund, and its addition to the Capital Programme, for building alterations required as a result of implementing the new operating model, subject to the completion of a full business case considered satisfactory to the Executive Director for Resources; and
- 5) Requests a review of the impact of the model not less than one year after implementation.

10. County Highways Review of licenced activities and charges

Members received a report requesting approval for proposed increases in fees and charges for licenced and permissive highway activities.

Councillor Jan Matecki, Portfolio Holder for Transport and Planning, introduced the report, explaining that the Council as the Local Highway Authority (LHA) licenced various activities specified in the Highways Act 1980 and permitted other activities to take place on the highway

through the submission and approval of licence applications. The Council had the power to charge for carrying out these functions under the Local Authorities (Transport Charges) Regulations 1998.

Councillor Matecki referred to the challenges local authorities faced in balancing budgets and advised that this service had not increased charges for a number of years. The proposed changes had been benchmarked with other council services and neighbouring authorities and whilst this would not bring in revenue, costs would be covered, avoiding the need to subsidise the service.

Having received no questions or queries, Councillor Matecki outlined the recommendations as written.

Resolved

That Cabinet approves the proposed increases in fees and charges for licenced and permissive highway activities at the levels detailed in this report.

11. Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Strategy

Councillor Heather Timms, Portfolio Holder for Environment, Climate and Culture, summarised the report which asked Cabinet to adopt the Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Strategy across the southern region. She reminded Members that the document would align with many other Council strategies including the Sustainable Futures Strategy.

This would help plan how and where to invest, targeting existing and future resources to bring the greatest benefits to biodiversity across the area.

She welcomed the recommendations which, if agreed, would create a framework for investing in the natural environment for the benefit of residents. The Leader added her support to the proposals and congratulated the officers involved in bringing these forwards.

The recommendations were proposed as written in the report.

Resolved

That Cabinet

- 1) Approves the Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Strategy (NCIS) as set out in Appendix 1; and
- 2) Authorises the Executive Director for Communities in consultation with the Portfolio Holder for Environment, Climate & Culture to work with partnering local authorities through the establishment of the officer led NCIS Management Group to develop a Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Implementation Plan (NCIIP) (as set out in 1.4 and Appendix 2) noting that a further report will be brought back to Cabinet for approval of the NCIIP.

12. Procurement of a Dynamic Purchasing System (DPS) for Professional Advice and Project Support Services

Councillor Peter Butlin, Deputy Leader, Finance and Property, summarised the report which sought approval to procure a central system for acquiring consultancy, professional advice and project support when needed.

Councillor Butlin explained that instead of having multiple contracts, the system would enable a more commercial approach with improved contract management. In addition, the system would help to make savings in relation to the procurement of services.

He therefore, outlined the recommendations as detailed on page 449 of the document pack.

Resolved

That Cabinet

- 1) Authorises the Executive Director for Resources in consultation with the Portfolio Holder for Finance and Property to undertake a procurement exercise to set up a Dynamic Purchasing System (DPS) for the provision of professional advice and project support services; and
- 2) Authorises the Executive Director for Resources to enter into all relevant agreements for the provision of such services referred to in Recommendation 1 on terms and conditions acceptable to him.

13. Reports Containing Exempt or Confidential Information

Resolved:

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

14. Transforming Nuneaton - Vicarage Street Development

Councillor Peter Butlin (Deputy Leader of the Council) introduced this item and summarised the exempt report.

Resolved

That the recommendations as set out in the report be approved.

15. Warwickshire Property & Development Group (WPDG) - Site Specific Business Case 8 - Trent Road

Councillor Peter Butlin (Deputy Leader of the Council) introduced this item and summarised the exempt report.

Resolved:

That the recommendations as set out in the report be approved.

The meeting rose at 3.30pm

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Chair