

Cabinet

Thursday 12 November 2020

Minutes

Attendance

Committee Members

Councillor Izzi Seccombe (Chair)
Councillor Peter Butlin
Councillor Les Caborn
Councillor Colin Hayfield
Councillor Kam Kaur
Councillor Jeff Morgan
Councillor Jeff Clarke
Councillor Andy Crump
Councillor Heather Timms

Other Members Present

Councillors Adkins, Bell, Singh Birdi, Boad, Falp, Gifford, Kondakor, Parsons, Roodhouse and Simpson-Vince

1. General

(1) Apologies

There were no apologies given.

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

With reference to agenda item 13, Councillor Keith Kondakor expressed a non-pecuniary interest as a member of the charity, 100% Renewable Energy.

(3) Minutes of the Previous Meeting

The minutes of the meeting of Cabinet held on 8 October were agreed as a true record.

(4) Public Speaking

Councillor Izzi Seccombe (Leader of the Council and Chair of Cabinet) welcomed two members of the public to speak.

1) Zoe Holynska (speaking regarding agenda item 8) stated, "I am a full-time mother at

the moment but am a secondary and A level teacher by profession. Today I want to bring to your attention the gap in adequate primary school provision for children currently aged 6 to 11 within Nuneaton North and East. I just want to start by outlining my family's situation. We moved to Weddington from Worcestershire just before Christmas and our youngest daughter, now in year one, got a place at Weddington Primary.

Unfortunately, there are no places locally for our older son, now in year 2. Lower Farm Academy, the school being built for the purpose of dealing with the increased demand for school places in the area, currently only caters for year one and reception pupils. After a failed appeal to get him into Weddington Primary, we accepted a place at Whitestone Infant School, on the other side of Nuneaton. It has placed a great deal of strain on our family having two drop-offs and pick-ups on different sides of town with frequent traffic congestion to exacerbate the situation. We cannot afford wrap around care and, as a result, often have no other option but to drop one child off late and collect the other early, meaning valuable school time is being missed by both children. As I am sure you will agree, this is not fair on any child as it is likely to have a long-term, detrimental impact on their learning and cause unnecessary disruption to lessons. I am fully aware that for families without a car, the situation must be even worse. Furthermore, our son's time at Whitestone will be coming to an end at the end of this academic year, as it is an infant school. Being out of catchment of any junior school, this puts our son and family in a very unpleasant situation.

Figures that we have obtained through the Freedom of Information Act show that there is a significant current shortfall of places for older year groups in this area. As an example, for year two, the waiting list for Weddington Primary has eight pupils, Milby Primary, five and St Nicholas C of E Academy, seven. To add to this, there are over 100 children in the CV10 and CV11 area being home-schooled, some of whom it is likely a consequence of inadequate local schooling options. From the data that we obtained, we can see that already many existing local schools have had to increase class sizes above 30 to cater for demand. In year four at Weddington, they have already taken on 6 extra pupils, meaning class sizes of 33. This situation will only worsen as further planned housing is built, which will in turn affect more families and put pressure on established local primary schools. Added to the still growing development in Weddington, another is due to start shortly in Whitestone, where the schools are currently absorbing the overflow from Weddington and other new-build areas.

As I am sure you are aware, the construction of Lower Farm Academy is now underway and set for completion on the 27th August next year. Once built, the school has the space to open classes to cater for the children and families that are currently being left without adequate schooling options. Classrooms will be standing unused, which is appalling when you consider the demand and the impact that it is having on so many families and children within the area. We would like to back Cllr Keith Kondakor in his efforts to open-up further year groups within the school. This would put an end to the difficult and unfair situation that many local families and young children have been placed in. If class sizes are initially too small to make this option attractive, the possibility of combining year groups, as they do in many small rural primary schools, could be an alternative.

2) Susan Rasmussen (speaking regarding agenda item 6 addressed the meeting partly as Mayor of Leamington. She stated that one of the outcomes of the public consultation exercise on the Leamington Local Plan had been strong evidence that people want more cycleways to be created. A cycleway along the Emscote Road would be very popular. Speaking in her role as Chair of Clean Air for Leamington, she informed the meeting that she and that organisation endorses the government's stated aim of increasing cycling. Cabinet was thanked for considering the proposed improvements along the Emscote Road and it was noted that it can be quicker to cycle between Warwick and Leamington (or vice versa) than to drive and have to find somewhere to park.

Councillor Seccombe thanked the speakers for their contributions and invited them to remain in the meeting to hear the debate on the areas in which they were interested.

2. Council Plan 2020-2025, Quarter 2 Performance Progress Report, Period under review: April 2020 to September 2020

Councillor Kam Kaur (Portfolio Holder for Customer and Transformation) introduced the published report. Cabinet's attention was drawn to paragraph 2.1 (page 21) and a list of eight performance measures that have been paused during the current Pandemic. Paragraph 2.3 highlighted five measures where performance was not on target.

A significant improvement in performance in two areas was noted. These were,

- 1) % of Children in Care (CIC) aged under 16 who have been looked after continuously for at least 2.5 years, who were living in the same placement for at least 2 years, or are placed for adoption; and,
- 2) the Number of days sick leave per FTE (rolling 12 months).

Councillor Kaur thanked all staff for their hard work during the Pandemic. She added that the County Council must continue to be mindful that stress, mental health and general wellbeing are an issue for staff.

Five measures of particular concern were highlighted. (Pages 22 to 26). These are

- No. of Children in Care (CiC) excluding unaccompanied asylum-seeking children.
- % times a fire appliance arrives at life risk or property incidents within agreed response standards
- Cost (£) of SEND Home to School transport provision
- % of residents in Warwickshire aged 16 - 64 who are in employment, compared to the England average
- Value of Revenue Savings Achieved Against Agreed MTFs (Whole Council)

Councillor Helen Adkins (Leader of the Labour Group) expressed her concern over budget performance with the SEND home to school transport service. Councillor Adkins observed that cost savings should not be a prime consideration when determining where a child is schooled. Mainstream school inclusion is not appropriate for many children. Parents should be given more of a say in the matter as should the child's school. Changes, she suggested, are being introduced too quickly. A task and finish group has been established and its outcome should be awaited.

In response, Cabinet was informed,

- that the objective of current work on SEND is not solely to save money,
- the SEND Strategy had been co-produced with parents,
- the task and finish review will address the roll out of the strategy and will focus on the needs of the child.
- The report set out performance to September.

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) recognised the eight measures that had been paused. He understood why Ofsted and CQC inspections had halted but requested that a message go to them, possibly via the Local Government Association, that they need to resume some form of inspection regime to begin to understand the current position. That proxy school attainment measures are to be introduced was welcomed. It was hoped that these would be included in the next report to Cabinet. In addition, it was considered that it would be useful to see trend data included as well as forecasts for future performance. Regarding employment data (page 24) Councillor Roodhouse suggested that the information provided should be broken down by age. This would help to highlight the challenges to be faced around skills and training.

In response to Councillor Jerry Roodhouse's comments regarding inspections, Councillor Les Caborn (Portfolio Holder for Adult Social Care and Health) assured the meeting that although some inspection regimes had been paused the County Council continues to undertake its own inspections.

In response to Councillor Jerry Roodhouse, Councillor Kam Kaur informed Cabinet that a briefing is to be provided to the Adult Social Care and Health Overview and Scrutiny Committee on care and quality.

Councillor Kaur offered to explore opportunities to provide forecast information. Regarding employment it was noted that it will be important to work with businesses over the forthcoming months to keep skills current.

Councillor Keith Kondakor stated that flooding in Weddington continues to be a problem that needs to be monitored closely. Regarding the economic downturn, Nuneaton and Bedworth Borough Council has been unable to appoint an Economic Development Officer. Cabinet was asked to consider whether the County Council could offer assistance to the Borough Council on this matter.

Concerning the flooding issue in Weddington Councillor Andy Crump (Portfolio Holder for Fire & Rescue and Community Safety) stated that after a very wet October the Fire and

Rescue Service is reviewing its winter plans. Councillor Andy Crump offered to discuss the particular issues in Weddington with Councillor Keith Kondakor.

Resolved

That Cabinet notes the progress of the delivery of the Council Plan 2020 - 2025 for the period as contained in the report.

3. 2020/21 Quarter 2 Budget Monitoring Report

Councillor Peter Butlin (Deputy Leader – Finance and Property) introduced the published report. An underspend of £4.784m for the year was highlighted. Cabinet was informed that this is largely money that had been provided by government in the form of Covid-19 emergency funds. This, it was suggested, will be significantly reduced during the second lockdown. Four further aspects of the report were highlighted. These were,

- The overspend in SEND
- An underspend in adult social care due in part to excess deaths caused by Covid-19
- The impact on business failures and unemployment on the tax base.
- An increase in the cost of capital projects brought about in part by the need for social distancing.

Councillor Keith Kondakor expressed his concern that the A47 Hinckley cycle scheme was to be slipped back to 2021/22. He asked Cabinet why it appears possible to afford road schemes but not cycle schemes. Cabinet was reminded of the need for a new access point to Nuneaton station from the Weddington side. In addition, Councillor Keith Kondakor reminded members that Warwickshire County Council had provided £1m to Coventry City Council for the provision of a bay platform at Coventry station. This platform had yet to be delivered. Councillor Kondakor asked whether the money would be returned to the County Council.

In response to Councillor Keith Kondakor, Councillor Jeff Clarke (Portfolio Holder for Transport and Planning) stated that the Weddington access to Nuneaton station continues to be planned. The A47 cycle scheme is scheduled for 2021/22. This will be ahead of the junction improvements that are planned for that location. Regarding the bay platform at Coventry station. This is still planned to be delivered.

Councillor Jerry Roodhouse requested more information on disability care placements with particular reference to current market activity.

The general pattern of underspends and overspends was noted by Councillor Jerry Roodhouse but in he asked for an update on the position regarding business support. In reply, Councillor peter Butlin stated that target savings for business support are being reviewed as part of the work around the Covid-19 Recovery Strategy.

Regarding the reference on page 82 to an overspend in mental health, Councillor Jerry Roodhouse suggested that this could increase during the pandemic with an increase in domestic abuse and alcohol and drug abuse. Councillor Peter Butlin agreed with Councillor

Jerry Roodhouse adding that many people are isolated in small properties often with no garden. Business failures and unemployment will also add to the pressures on people.

Concerning the reported overspend on SEND, Councillor Colin Hayfield (Portfolio Holder for Education and Learning) suggested there is no one single answer to the challenges faced by the service. Government has been asked for more resources, but the service must work with what it has at its disposal. Councillor Hayfield stated that a seminar on SEND had been arranged.

Councillor Dave Parsons (Deputy Leader of the Labour Group) observed that the underlying trend for Adult Social Care is an overspend. The Pandemic will result in more pressures and it will be necessary to look at the long-term picture both nationally and locally. Councillor Les Caborn responded that the County Council has been supporting the private care market throughout the Pandemic. The market has changed in recent months with many families reluctant to see their relatives living in care homes. However, in Warwickshire there is no evidence that any care providers are struggling to continue operating. Councillor Peter Butlin emphasised that private care homes receive a significant amount of support from the County Council.

Councillor Helen Adkins requested a comparison of the underspends in Adult Social Care between 2019/20 and 2020/21. She welcomed the member seminar on SEND adding that since September 2020 she had received around 10 inquiries regarding educational inclusion. In response to a request from the Chair that such information should be shared, Councillor Adkins stated that in many instances parents and carers are unwilling to have their experiences shared.

Resolved

That Cabinet:

- a) Notes the forecast underspend of £4.784m for the 2020/21 financial year on the Council's revenue budget.
- b) Notes there is a forecast under-delivery of the 2020/21 savings requirement to the value of £2.694m.
- c) Notes the increases to the approved 2020/21 capital programme of £0.363m since the programme was last reported in Quarter 1.
- d) Approves the carry forward of the reprofiled spend on the capital programme of £7.847m in 2020/21 into future years.
- e) Acknowledges that at the date of writing this report, the National Lockdown commencing on 5 November had not been announced. As such, it is important to note that the inevitability of potentially significant changes to the forecast position. This will be driven by changes to Covid related income and expenditure pressures and also Covid funding changes.

4. Treasury Management Monitoring Report

Councillor Peter Butlin introduced this item by explaining that as a result of the Pandemic it has been necessary to create liquidity by moving from long term to short term investment. In addition, interest rates have decreased. The Council is now moving back to long term investments.

Councillor Keith Kondakor expressed concern over lending to other local authorities. He noted that some of the local authorities that the Council has lent to are some distance from Warwickshire and asked whether it would be better support more local councils. In response, Councillor Peter Butlin stated that it has long been the practice to lend to other councils. Councils are a good, safe investment. Councillor Peter Butlin agreed to brief Councillor Keith Kondakor on loans to other local authorities.

Resolved

That the Cabinet notes the Treasury Management activity and performance in respect of the first six months of 2020/21.

5. Capital Investment Fund 2020/21 Quarter 3

Councillor Peter Butlin explained the schemes set out in the published report. These are;

1. Purchase of Waste Containers at Household Waste Recycling Centres
2. Partial Replacement of Bus Fleet (Transport Delivery – Home to School Transport)
3. Redevelopment of Gypsy and Traveller Estates (Griff Hollows, Pathlow and Alvecote)
4. Digital Creative Office Space, Holly Walk, Leamington Spa

Concerning project 3 Councillor Keith Kondakor expressed his concern over the number of fires at Traveller sites. He suggested that contracts concerning residents' behaviour should be used. Councillor Dave Parsons agreed that behaviour on some sites was unacceptable.

In response, Councillor Heather Timms (Portfolio Holder for Environment and Heritage & Culture) informed the meeting that strict measures concerning behaviour are in place at maintained sites. However, there are occasions when there are unauthorised encampments on these sites.

Resolved

That Cabinet:

- 1) Approves £0.238 million from the Capital Investment Fund for the purchase of Waste Containers at the Household Waste Recycling Centres and add to the Capital Programme;
- 2) Approves £0.810 million from the Capital Investment Fund for the replacement of 15 Bus Fleet vehicles (Home to School Transport) and add to the Capital Programme at a cost of

£0.885 million, with the remainder funded from capital receipts generated from the disposal of existing vehicles;

3) Approves £0.660 million from the Capital Investment Fund to redevelop and upgrade three WCC owned Gypsy and Traveller sites at Griff Hollows, Pathlow and Alvecote, and add to the Capital Programme;

4) Approves £0.512 million from the Capital Investment Fund to create office space at Holly Walk, Leamington at a cost of £1.012 million, with £0.500 million funded from CWLEP grant and add to the Capital Programme; and

5) Authorises the Strategic Director for Communities to procure and enter into any agreements to give effect to the proposals on terms and conditions acceptable to the Strategic Director for Resources.

6. Emscote Road Corridor Improvements

Councillor Jeff Clarke explained the background to the report. Additional housing development in the area would lead to more traffic along the Emscote Road; a highway that already experienced severe congestion at peak hours. Of particular concern is the Portobello Bridge which requires widening and maintenance.

Councillor Bill Gifford welcomed the scheme adding that he was pleased that Sustrans had been involved in its development. He suggested that another highway improvement required is the junction with Warwick New Road and Princes Drive in Leamington.

Councillor Les Caborn commended the Portfolio Holder and staff for the quality of the scheme.

Councillor John Holland commended the scheme. He recognised that cycleway connectivity is good in Leamington Spa and in Warwick the Emscote Road scheme will need to link to other schemes that are in development. He suggested that the junction of the Emscote Road with Greville Road will require traffic lights. This view was echoed by Councillor Helen Adkins.

Councillor Parminder Singh Birdi commended the scheme and asked that schemes proposed for Warwick town centre be progressed.

Councillor Sarah Boad (Deputy Leader of the Liberal Democrat Group) agreed with the scheme adding that it should enable more children to cycle in safety to school. She requested an indication of the completion date and was informed that this would be 2023.

Councillor Pam Williams agreed that the Greville Road junction requires improvement adding that there is land either side of the carriageway that could be used.

Councillor Jeff Clarke suggested that the proposed enhancements ease the issues at Greville Road. He added that the scheme before Cabinet is intended to link with the Warwick town centre schemes. Cycle groups will be consulted as part of further design work

and it is expected that the placing of a new deck on Portobello Bridge will allow for a cycleway that is segregated from motor vehicles.

Resolved

That Cabinet:

1) Recommends that Council:

- Approves the allocation of £6.645m from the Capital Investment Fund to the Emscote Road Corridor Improvements Scheme;
- Adds the scheme to the capital programme at a total cost of £10.239m; and
- Agrees that the allocation from the Capital Investment Fund is reduced by the amount of any alternative external funding secured in the future.

2) Subject to Council approving recommendation 1), authorises the Strategic Director for Communities to invite tenders and award all necessary contracts, on terms acceptable to the Strategic Director for Resources, and secure all necessary consents and take all such other steps as the Strategic Director for Communities considers necessary to deliver the scheme.

7. Warwickshire Safeguarding Annual Report 2019-2020

Councillor Les Caborn opened this item by congratulating the Chair of the Safeguarding Board, Elaine Coleridge Smith and staff and thanking them for their hard work. He then proceeded to provide a summary of the key elements of the report. It was explained that 2019/20 had seen a focus on four areas, namely,

1. New ways of working – Implementing new governance structures
2. Quality Assurance – Developing a robust assurance framework
3. Learning & Improvement – Developing a learning culture to support improvement in practice
4. Safeguarding Reviews – Streamlining reviews processes to comply with the requirements of Working Together 2018 and the introduction of 15 Rapid Reviews

Councillor Jeff Morgan (Portfolio Holder for Children's Services) echoed comments regarding the Safeguarding Board's Chair and staff. He observed that there has recently been a slight reduction in contacts and referrals but attributed this to the Pandemic. He counselled that the full effects of lockdown had yet to be seen. 0-5 years is the largest cohort of plans and domestic violence is a prevalent factor in safeguarding.

Councillor Jerry Roodhouse noted the reference on page 190 to self-harm adding that the Pandemic had made the relationship between schools and self-harm less clear. He stated that whilst annual reports are of interest it is also important to be able to review the current position. Up to date information is necessary if actions occur in a timely fashion. Councillor Jeff Morgan offered to speak with Councillor Jerry Roodhouse regarding this.

Councillor Les Caborn offered to provide a briefing with up to date information on the incidence of domestic and adult abuse.

Resolved

That Cabinet:

1. Welcomes the Warwickshire Safeguarding Annual Report for 2019-2020 (Appendix) and notes the progress that Warwickshire Safeguarding has made in its transition to its new partnership arrangements and the progress that has been made to strengthen assurance activities and learning and development opportunities,
2. Notes the progress made against the strategic priorities and how partner agencies have collaborated to support vulnerable members of our communities to be supported to be independent and safe,
3. Asks the Strategic Director for People to implement arrangements for continuing to raise awareness, understanding and ownership of the safeguarding agenda across the Council.

8. Education Sufficiency Annual Update 2020

In introducing this report Councillor Colin Hayfield explained that the picture regarding primary school places is mixed across the County but most secondary schools are under pressure for places. A seminar had been provided for members and it was expected that further, more local seminars will be arranged.

Councillor Keith Kondakor thanked Zoe Holynska for her earlier contribution. He noted that pressures for school places come at the beginning of the school years and in-year. Cabinet was informed that of the 14 classes being constructed as part of the new Lower Farm Academy only 4 will be opened in September 2021. The rest of the classes will be complete, but the school has a choice as to when it will open these. Council was requested to fund the places in the new classrooms to ease the pressure for local children. Councillor Kondakor observed that it had been known that the housing would be built and asked why school places had not been planned accordingly.

Councillor Dave Parsons observed that Local Plans operate on a 15 year cycle but primary schools plan on a five year cycle and secondary schools on a seven year cycle. Developers can operate outside of the Local Plan but all plans (education and development) need to be aligned.

Councillor Jerry Roodhouse regretted that the County Council was no longer the Local Education Authority. He questioned the formula used to establish demand for school places and suggested that it should be reviewed.

Councillor Izzi Seccombe agreed that parental choice has complicated the issue of school place provision. She suggested that if the new classrooms at Lower Farm Academy were made available, they could be taken by children from across the town. She suggested that

the Overview and Scrutiny Committee may wish to consider ways in which school place planning could be improved.

Councillor Jeff Clarke observed that by transporting children across towns to schools adds to congestion.

Resolved

That Cabinet endorses the Annual Education sufficiency Update 2020 and the proposed schemes to ensure sufficiency of school places in Warwickshire.

9. Warwickshire Youth Justice Service Report 2020/21

Councillor Jeff Morgan opened this item by thanking the Youth Justice Team for its hard work. He was particularly impressed by its strength and commitment.

The report before Cabinet was different to previous years as there had been a need to reflect on Covid-19 recovery. It was not possible to benchmark performance in Warwickshire as data was not being collected and processed. However, it was known that throughout the Pandemic the service had been able to maintain contact with all of the young people on its books. Budget pressures continue with the cost of secure placements having increased.

Resolved

That Cabinet approves the the Warwickshire COVID 19 Recovery Plan, which for this year only replaces the more regular Youth Justice Plan.

10. 5G and Digital Connectivity

Councillor Kam Kaur thanked officers for their continuing hard work. She added that the need to develop digital provision and 5G is essential. Funding for the project will be required and this was set out in paragraph 6.2 of the report.

Councillor Jerry Roodhouse observed that Warwickshire has long fought hard to secure good connectivity. However, this will only be as good as the supplier. He observed that in many instances customer care is found to be inadequate and added that pressure should be applied to government to agree customer care standards.

Councillor Keith Kondakor suggested that broadband provision should be spread equitably. At present providers tend to focus on more affluent areas. People are also concerned over health risks associated with 5G. It will be important to ensure that radio signals are safe.

Councillor Jeff Clarke considered that there are many opportunities in Nuneaton and Bedworth to exploit digital and 5G developments. He was satisfied that the County Council will do what it can to ensure equitable provision across Warwickshire.

Councillor Kam Kaur thanked members for their contributions. She drew Cabinet's attention to the partnership work now being developed with BT and Warwick University and the work being undertaken with the Transforming Nuneaton Board to maximise the benefits of 5G.

Resolved

That Cabinet:

1) Agrees that there is a need to extend and improve gigabit digital connectivity across Warwickshire and approves and adopts the Digital Infrastructure Strategy (at Appendix C) to support the Council Plan 2020 – 2025, the Council's Covid-19 Recovery Plan and the Warwickshire Place Shaping Programme.

2) Agrees to establish a Digital Connectivity Board supported by a Digital Infrastructure Team (as set out at paragraph 5.2 and subject to funding being available) to develop and promote a Digital Infrastructure Programme for and to coordinate and manage the deployment of full fibre connectivity and 5G mobile networks across Warwickshire.

3) Authorises the Strategic Director for Resources to develop the governance and project management arrangements for the Digital Infrastructure Programme in line with the objectives of the Digital Infrastructure Strategy and the Council Plan 2020 – 2025 and the requirements of the constitution.

11. Exclusion of the Press and Members of the Public

Agreed

12. Exempt Minutes of the Meeting of Cabinet held on 8 October 2020

The exempt minutes of the meeting of Cabinet held on 8 October were agreed.

13. (Exempt) Update on Commercial Renewable Energy Initiatives

The recommendations as set out in the exempt report were agreed.

14. (Exempt) Property Sales - Warwickshire

The recommendations as set out in the exempt report were agreed.

15. (Exempt) Property Service Review

With one additional element the recommendations as set out in the exempt report were agreed.

The meeting rose at 16:15

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Chair