

Cabinet

Thursday 8 September 2022

Minutes

Attendance

Committee Members

Councillor Isobel Seccombe OBE (Chair)
Councillor Margaret Bell
Councillor Peter Butlin
Councillor Andy Crump
Councillor Andy Jenns
Councillor Wallace Redford
Councillor Heather Timms
Councillor Martin Watson

Others Present

Councillor John Holland
Councillor Jerry Roodhouse
Councillor Tim Sinclair

1. General

(1) Apologies

Councillors Kam Kaur and Jeff Morgan.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

None.

(3) Minutes of the Previous Meeting

The minutes of the meeting of Cabinet held on 14 July 2022 were agreed as an accurate record.

(4) Public Speaking

Councillor Keith Kondakor of Nuneaton and Bedworth Borough Council, attended to speak on item 7 on the agenda: Policy for the Installation and Operation of Vehicle Activated Signs. Councillor Kondakor stated that he wanted to advise Cabinet about the Vehicle Activated

Signs (VAS) in Weddington which was typical of a lot of places. There were three VAS in Weddington, two installed by his predecessor and one which he had funded with his delegated budget during his time as county councillor. The sign which he had arranged to be installed was a site where a school crossing patrol had been removed on the entry to Weddington and vehicles were coming from a rural highway at considerable speed into a 30mph zone around the location where people were crossing to go to school from Church Lane and Bramdene Avenue. The residents had asked for it, it was still working and had had a notable impact on vehicles coming into Weddington. It did not prosecute anyone - it flashed to remind drivers they should be slowing down. VAS were seen as very effective, particularly in the short distance after the sign, so ideally, they were sited just before an area of concern. He expressed his disappointment that a crossing was not installed at that location in Weddington and noted that he had saved sufficient funds in his delegated budget to have a pedestrian crossing at the location but it had been turned down as there was not enough traffic and road safety data was not sufficiently supportive. The VAS was all the residents had to rely on and Councillor Kondakor did not consider that they were high in cost compared to other interventions: £4,000 for 10 to 20 years of use. He considered that it seemed bizarre that the report proposed the removal of safety features that were very effective. He considered that the effectiveness of VAS could be improved by data logging which would provide information about how often they were pinged and what the 85% speed profile was. Data logging provided intelligence and he believed future installations should include data logging so that it was possible to see if signs were in the right place and if they were effective. If information about the location could be captured, it could be used to justify having a crossing and it also provided law enforcement with information on speeding. Councillor Kondakor went on to question the repair costs quoted, from his experience as an electrical engineer, making the assertion that he could repair a VAS for a few hundred pounds, as opposed to the costs he had seen quoted at other local authorities of £500-600 per unit. He expressed the opinion that it was possible to fix VAS and they should be fixed.

2. Council Plan 2022-2027 - Integrated Performance Report Quarter 1 2022/23

Councillor Andy Jenns (Portfolio Holder for Customer and Transformation) introduced the published report which was, for the first time, presenting a combined picture of the Council's delivery against corporate objectives, performance indicators, human resources, and risk. Councillor Jenns noted that the Council's overall performance remained strong with 70% of Key Business Measures on track with performance at an expected level. There were some notable areas of positive performance including the percentage of care leavers not in education, employment and training; the Dedicated Schools Grant High Needs Block overspend which was lower than budgeted; and continuing strong customer satisfaction levels for the Customer Service Centre. There were also some challenging areas which were set out in the report and the detail of all key business measures was also provided.

In response to comments from Councillor Jerry Roodhouse regarding staff turnover and retention challenges, Councillor Jenns noted that this was a nationwide issue across the sector at all levels of Local Government and it was important that the Council was an employer of choice. Councillor Jenns agreed to ascertain further information regarding the timescale for the Long-Term Workforce Strategy to share with Councillor Roodhouse.

Councillor Seccombe stressed the importance of the workforce and working together with neighbouring authorities. She considered providing development and career opportunities were

key factors in retention. Councillor Seccombe stressed the value of the workforce and expressed her thanks to staff for their hard work, as the report reflected good performance.

The Chief Executive, Monica Fogarty, was invited to comment on the People Strategy which was a dynamic strategy directly reviewed twice per year, taking stock of pressures in each service area. She also commented on the need to work regionally to influence the national position and improve terms and conditions with a view to preventing poaching and reliance on agency staff.

In response to comments from Councillor Tim Sinclair, Councillor Seccombe advised that the Council had a good understanding of where its vulnerabilities lay and it was not an outlier in terms of the national picture. The Council continued to seek development for new staff and opportunities for career progression for existing staff. She suggested that if this was an area of concern, it could be raised as a potential item for the work programme of the Resources and Fire & Rescue Overview and Scrutiny Committee.

Resolved:

That Cabinet notes organisational performance and progress against the Integrated Delivery Plan for the period April to June 2022.

3. 2022/23 Financial Monitoring - Forecast position as at Quarter 1

Councillor Peter Butlin (Deputy Leader and Portfolio Holder for Finance and Property) explained to Cabinet that the quarter 1 position was relatively straightforward. He noted the position with regard to revenue and capital as detailed in the report.

Resolved:

That Cabinet:

1. Notes the adjusted forecast overspend of £2.846m that would need to be funded from the Directorate and General Risk Reserves at the end of 2022/23.
2. Notes the forecast delivery of savings for 2022/23 of £9.865m, a shortfall of £0.379m (3.7%) against the target.
3. Notes the forecast capital spend for 2022/23 of £181.241m.
4. Approves the carry forward of the reprofiled spend on the capital programme of £8.412m in 2022/23 into future years and note the carry forward of s278 contributions of £0.749m that is not directly controllable by the Council.

4. The Impact of Inflation on the Capital Programme

Councillor Peter Butlin (Deputy Leader of the Council) introduced this item and summarised the report which presented the emerging inflation picture for the capital programme and recommended an approach to try and make the approvals more efficient to manage for the Council given the volume of projects impacted and the need for pace within some projects that would require inflationary uplifts. He noted that taking all these projects through individual Member approval processes would unnecessarily fill up agendas and cause programme delays. The recommended

approval process would involve the creation of an Inflation Contingency Fund with allocations made by the Section 151 Officer and the Deputy Leader who would undertake due diligence and report quarterly to Overview and Scrutiny.

In response to a query from Councillor Roodhouse, Councillor Butlin accepted that there would be some prioritisation of projects required.

Resolved:

That Cabinet recommends to Council to:

1. Set aside £15m of the Capital Investment Fund to create an Inflation Contingency Fund to manage the impact of inflation on the approved capital programme; and
2. Delegate authority to make allocations from the Fund to the Strategic Director for Resources, in consultation with the Portfolio Holder for Finance and Property in accordance with the proposals in paragraph 2.9. Councillor Peter Butlin (Deputy Leader of the Council) introduced this item and summarised the report.

5. Education Capital Programme 2022/23

Councillor Peter Butlin (Deputy Leader of the Council) opened this item and set out the further additions to the Education Capital Programme as detailed in the report: Myton Gardens (new primary school in Warwick), Long Itchington CofE Primary School (Stratford on Avon District), Aylesford School washroom refurbishment (Warwick District), and Burton Green CofE Primary School (Warwick District).

Councillor John Holland commented on the need to provide infrastructure for new developments and the lack of developer contributions. In response, Councillor Butlin noted the impact of inflation and the need for a pragmatic approach to the shortfall in section 106 agreement funding.

Councillor Holland also raised the siting of Oakley Grove School and Councillor Butlin responded that this had been the subject of debates in the past. Councillor Secombe requested that Councillor Holland be provided with the relevant related Local Plan information.

Resolved:

That Cabinet:

1. Recommends to Council that £13.400 million be added to the capital programme to deliver the scheme at Myton Gardens, to be funded from Department for Education grant.
2. Approves the addition to the capital programme of £0.470m funded from developer contributions, Department for Education grant and academy trust contributions to deliver the remaining schemes in section 3 of the report, provided that the release of funding for the scheme at Long Itchington Primary School is subject to confirmation of the remaining funding by the Diocese of Coventry Multi Academy Trust.
3. Authorises, subject to Council's agreement to the required addition to the Capital Programme and prior agreement from the Strategic Director for Resources as to whether a project will be school led or not, the Strategic Director for People in consultation with the Portfolio Holder for

Finance and Property, to invite tenders and enter into the appropriate contracts or (where the scheme is school led) to make the necessary funding arrangements for these schemes on terms and conditions considered acceptable to the Strategic Director for Resources

6. Better Care Fund (BCF) Plan 2022/23

Councillor Margaret Bell (Portfolio Holder for Adult Social Care and Health) introduced this report which set out the annual process for agreement of the minimum funding that was required to be pooled into the Better Care Fund.

Resolved:

That Cabinet

1. Approves the proposed pooled contribution of £15.133m by the Council to the Better Care Fund Plan (known as the Better Together programme plan) for 2022/23 and the plan for resources as set out in paragraph 2.2 of the report.
2. Delegates authority to the Strategic Director for People to enter into the proposed section 75 NHS Act 2006 agreement, with Coventry and Warwickshire Integrated Care Board (ICB) for delivery of the Better Care Fund Plan for 2022/23, on terms and conditions acceptable to him and the Strategic Director for Resources.
3. Approves the County Council continuing as the pooled budget holder for the fund.

7. Policy for the Installation and Operation of Vehicle Activated Signs

Councillor Wallace Redford (Portfolio Holder for Transport and Planning) informed Cabinet that there were almost 400 Vehicle Activated Signs (VAS) in the county and it was necessary to seek to implement a strategy that would target their deployment at sites where there was a real road safety risk so that the council's resources were focussed on maintaining signs which had an impact on road safety. In cases where local communities were not happy with the removal of or refusal for installations based on the proposed criteria, they would have the ability to pay to fund the signs going forward, which the council would then manage on their behalf.

Councillor Tim Sinclair commented on the cost of repair and replacement which he had had the opportunity to discuss with officers and expressed his view that the costs involved may not be as high as detailed in the paper. He considered that the proposed criteria for the provision of new signs required a common-sense approach and the fears and concerns of residents should be factored into decisions. He noted the perception that VAS created positive road safety results and this was valued by residents. Councillor Sinclair considered that the spirit of discussion at the Communities Overview and Scrutiny Committee meeting had been to repair existing signs and only remove them in extreme circumstances.

Councillor Peter Butlin commented on the proliferation of VAS and the budgetary impact. He considered that the proposals in the report were consistent with the Council Plan and he considered that the proposed criteria was sensible, ensured best value and he welcomed the proposed provisions for local communities to fund VAS themselves. These comments were

echoed by Councillor Andy Crump who thanked Communities Overview and Scrutiny Committee for its input. He welcomed the flexibility in the report for local communities to fund VAS.

Councillor Sinclair requested that, if Cabinet was minded to approve the policy, that an update to Overview and Scrutiny be provided on how many signs had been removed and how many new signs had been installed. He agreed to Councillor Redford's suggestion that this would be best provided after 18 months' to give time for the scheme to establish and data to be collated and provided.

Resolved:

That Cabinet:

1. Notes the comments and resolutions made at Communities Overview and Scrutiny in June 2022 and the policy as proposed in the report;
2. approves the policy for the installation, maintenance and removal of vehicle activated signs (VAS) proposed in Section 2 of and Appendix A to the report;
3. authorises the Strategic Director for Communities to prepare and publish a statement of the approved policy;
4. authorises the Strategic Director for Communities, acting in consultation with the Portfolio Holder for Transport and Planning, to install, maintain or replace a vehicle activated sign which does not meet the requirements of the approved policy where he considers that to be justified by very special circumstances in an individual case.

8. Tree Nursery Business Case

Councillor Heather Timms (Portfolio Holder for Environment, Climate & Culture) reminded Cabinet that as part of the response to Climate Change, the council had made a commitment to plant a tree for every resident by 2030. The most cost-effective way to acquire the trees that were needed to meet this commitment was for the council to start growing its own. Councillor Timms explained that the proposal before Cabinet was to utilise the Forestry Team's well-established skills and experience to develop a tree nursery on one of the council's small holdings. She noted that there were very few tree nurseries in the UK and most trees were currently sourced from Europe, with procurement costs increasing exponentially with demand. The business case made provision for the council to provide trees for its own use and to supply to other local authorities.

In response to comments from Councillor Tim Sinclair, who welcomed the report, Councillor Timms indicated that the Forestry Team had plans to develop apprenticeships in order to supplement the existing skills base.

Resolved:

That Cabinet

1. approves the business case as set out in this report to establish a Council run tree nursery on identified small holding land to produce trees in support of Warwickshire's 2030 Climate Change tree planting pledges

2. approves the use of £140,000 of funding from the Climate Change Action Fund to support the establishment of the tree nursery, and authorises the Strategic Director for Communities to take such other steps as he considers necessary to establish the nursery.

9. Local Government & Social Care Ombudsman – Annual Review and Summary of Upheld Complaints

Councillor Andy Jenns (Portfolio Holder for Customer and Transformation) introduced the annual report observing that upheld complaints in Warwickshire in 2021/22 had increased by 8 over the previous year. Whilst it was not easy to be definitive about the reasons for this increase, the pause on complaint investigations as a result of the Covid-19 pandemic was likely to have had an impact.

Responding to comments from Councillor Roodhouse, Councillor Seccombe noted the importance of responding to lessons learnt and Councillor Jenns agreed that, despite the relatively small number, it was important to reflect and learn from the cases where complaints were upheld.

Resolved:

That Cabinet notes the annual review and summary of upheld complaints issued by the Local Government and Social Care Ombudsman in the financial year 2021/22.

10. Officer Delegations

Councillor Andy Jenns (Portfolio Holder for Customer and Transformation) explained that some changes to the Constitution were required to reflect a change in the law in relation to special severance payments and to ensure that the scheme of delegation to officers was clear and up to date and enabled the Council to undertake its business in the most effective and efficient way.

Councillor Andy Crump noted that the changes were consistent with the government's White Paper to reform fire and rescue services and he was supportive of the changes.

Resolved:

That Cabinet:

1. Endorses the amendments to the Constitution as set out in Appendix 1 to the Report and recommends them to Council for approval.
2. Recommends that Council authorises the Strategic Director for Resources to make any consequential amendments to any Human Resources or other corporate policies required as a result of the statutory guidance on special severance payments and the consequent changes to delegations.

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

12. Exempt Minutes of the 14 July 2022 Meeting of Cabinet

The exempt minutes of the meeting held on 14 July 2022 were agreed as an accurate record and signed by the Chair.

13. Endorsement of Funding and Delivery Strategy for Rugby Parkway Station

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

Resolved:

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

14. Warwickshire Property and Development Group Limited - Procurement of Joint Venture Partner

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

Resolved:

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

The meeting rose at 3.06pm

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Chair