

# County Council

Tuesday 25 July 2023

## Minutes

### Attendance

#### Committee Members

Councillor Christopher Kettle (Chair), Councillor Jeff Morgan (Vice-Chair), Councillor Richard Baxter-Payne, Councillor Brett Beetham, Councillor Parminder Singh Birdi, Councillor Sarah Boad, Councillor Barbara Brown, Councillor Peter Butlin, Councillor Jonathan Chilvers, Councillor Jeff Clarke, Councillor John Cooke, Councillor Andy Crump, Councillor Yousef Dahmash, Councillor Piers Daniell, Councillor Jackie D'Arcy, Councillor Tracey Drew, Councillor Judy Falp, Councillor Jenny Fradgley, Councillor Sarah Feeney, Councillor Peter Gilbert, Councillor Clare Golby, Councillor Brian Hammersley, Councillor John Holland, Councillor Dave Humphreys, Councillor Andy Jenns, Councillor Kam Kaur, Councillor Jack Kennaugh, Councillor Justin Kerridge, Councillor Sue Markham, Councillor Jan Matecki, Councillor Sarah Millar, Councillor Chris Mills, Councillor Bhagwant Singh Pandher, Councillor Daren Pemberton, Councillor Caroline Phillips, Councillor Will Roberts, Councillor Kate Rolfe, Councillor Jerry Roodhouse, Councillor Ian Shenton, Councillor Jill Simpson-Vince, Councillor Tim Sinclair, Councillor Mejar Singh, Councillor Richard Spencer, Councillor Heather Timms, Councillor Mandy Tromans, Councillor Robert Tromans, Councillor Adrian Warwick, Councillor Martin Watson and Councillor Andrew Wright

### 1. General

#### (1) Apologies for Absence

Councillors Jo Barker, Margaret Bell, Bill Gifford, Marian Humphreys, Penny-Anne O'Donnell, Wallace Redford, Howard Roberts and Isobel Seccombe

#### (2) Members' Disclosures of Pecuniary and Non-pecuniary Interests

None.

#### (3) Minutes of the previous meeting held on 16 May 2023

The minutes of the meeting of Council held on 16 May 2023 were agreed as a true record.

#### (4) Chair's announcements

The Chair expressed his pleasure at the privileged position he was in which enabled him to meet groups who were doing fantastic work in their community. He thanked those people in the community who were voluntarily giving their time to make the community a better place.

He also explained that the vehicles used for civic engagements were now equipped with magnetic pennants bearing the Council's emblem in order to support a demonstration of civic pride in Warwickshire.

### **(5) Public Speaking**

None.

## **2. Addition to the Education Capital Programme 2023-24**

Councillor Kam Kaur (Portfolio Holder for Education) introduced this comprehensive report relating to a project at Kingsway Community Primary School in Leamington Spa, which was being funded from a combination of DfE grant, Capital Investment Fund and Capital Inflation Contingency Fund, and moved the recommendations as set out in the report.

Councillor Peter Butlin (Portfolio Holder for Finance and Property) seconded the recommendation and reserved the right to speak.

### **Debate**

Councillor Jonathan Chilvers lamented that the DfE had declined to contribute additional funds to the project after costs had increased and considered that in the circumstances it was appropriate for the Council to allocate the funding for the scheme to continue.

Councillor Judy Falp supported the Council's allocation of funding to the project and welcomed the improvements at the school.

Councillor Butlin noted that the DfE had failed to recognise the impact of inflation and other pressures on the project costs but that the Council recognised the need to support improvement at the school and were therefore proposing to support the additional expenditure.

### **Vote**

A vote on the motion took place which was carried unanimously.

### **Resolved**

That Council agrees £2.633 million be added to the capital programme to deliver the scheme at Kingsway Community Primary School.

## **3. Addition of Lias Line Improvement Scheme to Capital Programme**

Councillor Jan Matecki (Portfolio Holder for Transport and Planning) introduced this report and summarised its key elements explaining that the Lias Line was a disused railway line extending between Fosse Way and Rugby. It was a permissive route that was owned, managed and maintained by Sustrans. The paper recommended the release of capital funding, secured from the Active Travel Fund, to enable Sustrans to upgrade 3.5km of the Lias Line to multi-user greenway. Councillor Tim Sinclair seconded the recommendation and reserved the right to speak.

## **Debate**

Councillor Sarah Boad welcomed the proposals which, unlike the ravages of construction for HS2 would provide a safe space for families.

Councillor Sarah Feeney also welcomed the development and suggested that more communications were required to ensure that residents were aware of the location of cycleways.

Councillor Heather Timms welcomed the proposed investment in Warwickshire which she considered would drive the rural economy through greater use of cafes and businesses and provide access for young people to commute to work.

Councillor Tracey Drew also welcomed this scheme and noted that when public transport routes and greenways were joined up active travel would increase and so the smaller connections associated with the scheme were eagerly anticipated.

The report was also welcomed by Councillor Sarah Millar who thanked the team for their work on the scheme and expressed hope that local families would take advantage of the provision.

Councillor Rob Tromans was supportive of the scheme which he considered would add another dimension and reduce emissions.

Councillor Christopher Kettle spoke as the local division member to ask officers to ensure the track used by the equestrian community as an offroad facility was enabled to be continued. He noted that whilst Sustrans stated they designed paths to be multiuser friendly, the first section of improvement to the line was unusable by the equestrian community. Since there were 1600 horses registered with Defra in the immediate area, he expressed hope that Sustrans would liaise with the British Horse Society. Councillor Kettle went on to note an increase in reported road accidents and that it would be important that the design did not therefore inadvertently exclude equestrians and hoped that the Portfolio Holder would push Sustrans to ensure that concerns raised in the Chamber were addressed.

Councillor Tim Sinclair echoed the view that this was a welcome provision for families, cyclists and walkers which represented a valuable community asset for generations to come.

Councillor Jan Matecki thanked the Chamber for its support and noted that Sustrans would be able to draw on its experience to include equestrian use of the line but that the Council did not have significant influence in this regard.

## **Vote**

A vote on the motion took place which was carried unanimously.

## **Resolved**

That Council approves the addition to the Capital Programme of £2,434,735 secured from the Government's Active Travel Fund for the purpose of improving the eastern section of the Lias Line

traffic free greenway as part of the creation of a walking, cycling and wheeling route which connects Rugby, Long Itchington, Leamington Spa and other rural communities.

#### **4. Audit & Standards Committee Annual Report**

Councillor Yousef Dahmash (Portfolio Holder for Customer and Transformation) introduced the published report and moved the motion stating the Audit and Standards Committee had undertaken some very valuable work over the last 12 months, the highlights of which were set out in the report.

Councillor John Cooke seconded the motion, commending the Chairmanship of Mr John Bridgeman.

#### **Debate**

Councillor John Holland expressed thanks to the members of the Committee and the officers who provided support together with the external auditors. He noted that some service areas in the Council were not subject to external inspection procedures and queried if it was within the Committee's remit to provide such assurances.

The Chair noted that it had been an unusual year with many challenges and thanked the officers who had supported the Committee and worked with the external auditors.

Councillor Dahmash invited Councillor Holland to share his concerns via email.

#### **Vote**

A vote on the motion took place which was carried unanimously.

#### **Resolved**

That Council endorses the annual report of the Audit and Standards Committee.

#### **5. A New Local Transport Plan for Warwickshire (LTP4)**

Councillor Jan Matecki (Portfolio Holder for Transport and Planning) explained that the report followed consideration by Overview and Scrutiny and the Cabinet. During the consultation process for the Plan, key themes had emerged which were set out at paragraph 1.10 of the report. More detail on individual transport interventions in the form of annual action plans and monitoring plans would flow from LTP4 and provide the link from strategy and policy into action on the ground. Councillor Richard Baxter-Payne seconded the proposals and reserved his right to speak.

#### **Amendment – Green Group**

Councillor Jonathan Chilvers proposed an amendment to the motion, with the addition of the words in bold and underlined below which it was intended would provide a greater steer on the travel hierarchy:

That Council adopts the Local Transport Plan for Warwickshire (LTP4) at Appendix A which supersedes and replaces the existing Plan (LTP3), **and will adopt the guiding principles of the Transport Hierarchy set out in LTP4 within the Council's Design Guide and project lifecycle documents to embed and demonstrate the application of those principles across our transport infrastructure projects.**

Councillor Drew seconded the amendment and reserved her right to speak.

Councillor Matecki accepted the amendment as friendly.

## **Debate**

Councillor John Holland welcomed the amendment and, reflecting on the process of creating a Local Transport Plan, he considered that the content had to be translated into action. To illustrate this point, he shared his experience of introducing an Air Quality Management Zone Order which had not yet been completed.

Councillor Jenny Fradgley welcomed the user-friendly document but considered that it was pitched at a high level and more power, guidance and direction was needed. She welcomed the inclusion of active travel but considered that more ambition was required with appropriate guidance to ensure action could take place.

Councillor Sarah Millar also welcomed the amendment and any reflections on proposed rail ticket office closures.

Councillor Kate Rolfe also commented on the pleasant presentation of the Plan but queried where the funding to fulfil its aspirations would be found. She did not consider that there was sufficient emphasis on infrastructure to support development and that the draft should have included more detail.

Councillor Sarah Feeney commented on problems regarding car parking and the need to support people living in deprived areas which were likely to become low emission zones. She also commented that the use of average speed cameras was lamentably absent from the Plan.

Councillor Tim Sinclair noted that the document was more aptly considered as a strategy document than a plan. Whilst it needed to be a useful document, there had to be a flexibility to allow for change, and provide a balance with the environment, wellbeing, economy and place. In his view, it would be a useful strategy document to provide effective implementation plans.

Councillor Clare Golby lamented the low level of consultation responses which she did not consider sufficient to inform a strategy. She highlighted experiences from the division she represented including the A5 partnership, HGV use and funding for the Bermuda bridge project.

Councillor Jerry Roodhouse echoed comments about the low level of consultation response. Whilst this was a high level strategic document, he expressed concerns regarding the base line evidence.

Councillor Peter Butlin noted that this was a strategy document that was required by legislation. He considered that it was important not to introduce punitive measures on the community and this document would allow the community to be engaged in future proposals. He pointed out that the Warwickshire economy depended on good connectivity links and that rural communities had little choice in travel options but that strategic policy could help deliver services.

Councillor Sarah Boad considered that the Plan lacked substance, particularly citing the section relating to the public transport network for the future. In support of this view, she commented on the unreliability of the bus network and lamented the increasing need for individuals to have access to the internet/smartphones to pay for car parking and rail travel.

Councillor Jeff Clarke explained that as Chair of the Communities Overview and Scrutiny Committee he understood that the document presented was a strategic one. He also provided insight into the need for more people to use bus services if they were to continue. He noted that the different districts and boroughs in Warwickshire had different needs and, whilst he broadly supported the Plan, he would like to see those local needs being met in the future developments.

Councillor Jack Kennaugh echoed previous concerns raised by Councillors Golby and Roodhouse. He noted that motorists were at the bottom of the hierarchy system, but considered that the economy was driven forward on the roads which were at capacity and required investment. He also supported the view that different areas in the county had different needs and whilst support for cycling routes may be suitable in some areas, greater emphasis on the needs of private motor vehicles was needed in others.

Councillor Tracey Drew thanked Members for an interesting debate and repeated her previous comments regarding the Lias Line. Noting regional and national statistics on the use of public transport for travel to work and emissions, she considered that there was an urgent need for serious and meaningful change which gave residents active travel choices that would reduce car travel, resulting in fewer traffic jams, fewer new roads being built and fewer emissions.

Councillor Richard Baxter-Payne recognised that each Councillor had a different view of what was best suited for their division but he considered that the Plan would allow those views to be put forward in order to shape priorities. He considered that people needed to be educated and encouraged to leave their cars at home rather than be forced to do so and, in his view, this Plan supported that.

Councillor Jan Matecki also emphasised that the Plan allowed each area to set its own priorities. Despite being new into the role of Portfolio Holder, he had thoroughly considered the Plan and he urged councillors to read it in context. It was not the role of the Council to tell people how to travel, but to provide safe alternatives and give communities opportunity to set their own priorities. He commented on the increasing use of electric vehicles and the need to provide cycle routes for those who wanted them. In relation to criticism on the consultation, he pointed out that the Citizens Panel represented all areas and had opportunity to guide the plans.

## **Vote**

A vote on the motion took place which was carried by a majority.

## **Resolved**

That Council adopts the Local Transport Plan for Warwickshire (LTP4) at Appendix A which supersedes and replaces the existing Plan (LTP3), and will adopt the guiding principles of the Transport Hierarchy set out in LTP4 within the Council's Design Guide and project lifecycle documents to embed and demonstrate the application of those principles across our transport infrastructure projects.

## **6. In Year Appointments**

Councillor Yousef Dahmash (Portfolio Holder for Customer and Transformation) moved that Council agree the proposals set out in the report. Councillor Jill Simpson-Vince seconded the proposals, which were put to the vote and unanimously agreed as set out below.

### **Resolved**

That Council approves

1. an amendment to Part 2(9) of the Constitution to remove the requirement for the membership of the Health and Wellbeing Board to include the Leader of the Council and to update the membership in line with paragraph 1.5 of the report;
2. the appointment of Councillor Penny-Anne O'Donnell to the Health and Wellbeing Board in place of Councillor Isobel Seccombe; and
3. the appointment of Councillor Daren Pemberton to the South Warwickshire Community Safety Partnership.

## **7. Member Question Time (Standing Order 7)**

### **1. Question from Councillor John Holland to Councillor Jan Matecki**

Councillor Holland reminded the Chamber of the question he posed on 21 March regarding the repairs to the road and adjacent footpath for Priory Mews, Cape Road, Warwick, and asked: "Can residents now be given a date when repairs will be completed?"

Councillor Matecki responded that Councillor Holland was aware from conversations with officers, that County Highways was working closely with Severn Trent Water to get Priory Mews reopened. There was a significant void under the carriageway that would need to be filled and this could only be done once Severn Trent had demolished the four houses on either side of the road. Three of the four houses had been purchased by Severn Trent's insurers and they were moving to complete the purchase of the remaining property. The road could not be opened until the grouting work to fill the void had been done and this could not be progressed with the heavy machinery required until the houses had been demolished. The landslip issue involved a Severn Trent water main which was why responsibility for the repair remained with Severn Trent. Senior Council Officers had recently met with directors from Severn Trent to ensure that the issue was being escalated and pushed forward as quickly as possible to a resolution and repair. Councillor Matecki emphasised that it was not possible to make the repair without the demolition of the homes so it was not possible to make the repair as the Highway Authority and then claim the costs back from Severn Trent.

Councillor Holland requested that Councillor Matecki become personally involved as the situation was unsatisfactory. Councillor Matecki assured Councillor Holland that he was involved and speaking to officers on a regular basis to do all that could be done to expedite the repair.

## **2. Question from Councillor Sarah Boad to Councillor Jan Matecki**

Councillor Boad asked “Chiltern Rail are currently consulting on closing the ticket office at Leamington Station. Other train companies are consulting re other ticket offices in Warwickshire This will affect many users, particularly those without a smart phone / access to the internet. Will the portfolio holder object to these plans on behalf of the County Council?”

Councillor Matecki explained that on 5 July 2023 individual train operators had announced a series of individual company consultations on proposals to close the majority of rail station ticket offices in England. This was in response to a Department for Transport request that operators reduced their operating costs and the government funded subsidy required. The consultation period was due to run for three weeks, closing on 26 July 2023. The Council considered a 3-week consultation period for an issue such as this to be insufficient and would making this clear in the response to the three train operators covering Warwickshire that a 12 week consultation should be standard for major policy changes.

Councillor Matecki stated that whilst in principle the concept of reforming station retailing in light of changing consumer behaviours and different ways that customers now buy tickets was supported, it was vital that any changes met the needs of rail users and enabled improved customer services. Council responses to the consultation therefore focussed on the need for further information on the proposals and how they would operate in practice, the importance of maintaining staffing levels who could be deployed in different ways to provide customer information and assistance, and ensuring that accessibility and station services were at least maintained if not improved going forward.

At the time of the meeting, given the lack of detail provided, it was hard to provide a conclusive response and the Council was therefore raising concerns and highlighting the key elements it would want to see. The County Council, along with the West Midlands Rail Executive, would seek to work with the train operators going forward to help review and shape their thinking after this short consultation period.

Councillor Boad agreed that the three week timescale was too short and offered to share the Leamington Town Council response to the consultation. She urged Members to respond to the consultation by the closing date.

## **3. Question from Councillor Sarah Boad to Councillor Jan Matecki**

Councillor Boad asked “There is cabling work going on in the Lillington Area. I knew nothing about this until the work started. There doesn't seem to be any controls on the work taking place - there are adhoc road closures happening without notice and work happening in the carriageway with no traffic control. Can the portfolio holder arrange for members to be alerted to work taking place in their divisions before it starts and also ensure that regular checks are made to ensure that the work is being carried out to a good standard and is being done safely?”



Councillor Matecki advised that CityFibre was working in the Lillington area, they had applied for and received work permits, and were doing their work under stop-go signs or signals. A condition of their permit was that they carried out letter drops to affected residents, which the Council had been told had been done. The roadworks also appeared on the Council's roadwork website. Any closure notices were also sent to members weekly as part of the road closure updates. One of the Council's Network Management Inspectors had been asked to make some additional visits to ensure that CityFibre was complying with all permit conditions and if they were not, they would be fined.

Councillor Matecki explained that there was a significant amount of fibre cabling work taking place across Warwickshire and neighbouring authorities, mostly in rural areas, in order to install fibre access to those areas ahead of the government's planned switchover to fibre in 2025.

Councillor Boad stated that no official road closure had been included in the weekly email and the roads were being closed by parking lorries in the middle of the carriageway. Barriers were being used in a dangerous manner and stop-go was not in use. Councillor Boad requested an urgent report following the Inspector's visit.

#### **4. Question from Councillor Sarah Feeney to Councillor Jan Matecki**

Councillor Feeney asked "I would like to raise a concern that there are a number of Divisions across the council where residents are digitally disenfranchised. With the move to most on street parking being paid for via phone or internet and the permit scheme again mostly being online what information is being sent to residents who may not be aware of these issues.

I am aware that one resident left her car on double yellow lines the other day in Rugby because she only had money for the machine which was no longer accepting it."

Councillor Matecki responded that the County Council was aware of the concerns of individuals being digitally disenfranchised as more and more services across the board adapted to new technologies and ways of working. For many people, the ability to utilise technology provided a quicker, more efficient and more user-friendly experience. However, this could not be to the exclusion of those not able to fully utilise digital technology.

New Pay & Display Machines, that were being installed over the coming months to replace existing stock of old and unreliable machines, included a mixture of physical cash payment in 50% of stock alongside accepting cashless payment methods (card and contactless), as well as the RingGo service (which could also be accessed via telephone as well as online via the website or app). All locations in the county that had Pay & Display machines would have a physical cash payment option going forward.

For parking permits, the Council had moved to a virtual permit system, but this was supported by a telephone support service for anyone unable to use the digital platform. The different options for renewing permits would be sent to permit holders, and would be provided to those enquiring about new permits.

#### **5. Question from Councillor Rob Tromans to Councillor Sue Markham**

Councillor Tromans outlined a current Planning Application before Nuneaton and Bedworth Borough Council Planning Committee. He then asked the following question: Please will the Portfolio holder ensure that when responding to Planning Application Consultations from Nuneaton and Bedworth Borough Council and others, Warwickshire County Council Children's Services provide a specific, rather than general, blanket response and, unless the application is one commissioned by or specifically encouraged by Warwickshire County Council in partnership with the Applicant, the response to the consultation should be that Warwickshire County Council does not support the application.

Councillor Markham stated that she was happy to answer the question but could not do so at this meeting. This was because she was a member of Nuneaton & Bedworth Borough Council Planning Committee which was sitting that evening and, if she gave a reply, it could be deemed that the applications had been predetermined. She stated that her position on the Committee would be compromised if she answered the question before the applications were heard and she would therefore respond by email after the Planning Committee meeting that evening.

**8. Any Other items of Urgent Business**

None.

The meeting rose at 11.58am

.....  
Chair