

# County Council

Tuesday 26 September 2023

## Minutes

### Attendance

#### Committee Members

Councillor Christopher Kettle (Chair), Councillor Jeff Morgan (Vice-Chair), Councillor Brett Beetham, Councillor Margaret Bell, Councillor Parminder Singh Birdi, Councillor Peter Butlin, Councillor Jonathan Chilvers, Councillor John Cooke, Councillor Andy Crump, Councillor Yousef Dahmash, Councillor Piers Daniell, Councillor Tracey Drew, Councillor Judy Falp, Councillor Sarah Feeney, Councillor Bill Gifford, Councillor Clare Golby, Councillor Brian Hammersley, Councillor John Holland, Councillor Dave Humphreys, Councillor Marian Humphreys, Councillor Andy Jenns, Councillor Kam Kaur, Councillor Justin Kerridge, Councillor Sue Markham, Councillor Jan Matecki, Councillor Sarah Millar, Councillor Chris Mills, Councillor Bhagwant Singh Pandher, Councillor Daren Pemberton, Councillor Wallace Redford, Councillor Will Roberts, Councillor Kate Rolfe, Councillor Jerry Roodhouse, Councillor Isobel Seccombe OBE, 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 and Councillor Martin Watson

### 1. General

#### (1) Apologies for Absence

Councillors Jo Barker, Richard Baxter-Payne, Sarah Boad, Barbara Brown, Jeff Clarke, Jackie D'Arcy, Jenny Fradgley, Peter Gilbert, Penny-Anne O'Donnell, Caroline Phillips, and Andy Wright

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

Councillors Bill Gifford, John Holland, and Sarah Millar all declared a non-pecuniary interest in items 5 and 6, which they considered may lead to discussion on resident parking zones and visitor permits since each of them lived in an such an area.

#### (3) Minutes of the previous meeting

The minutes of the meeting of Council held on 25 July 2023 were agreed as a true record subject to the amendment of the word "trap" to "track" in the eighth paragraph of item 3 (Addition of Lias Line Improvement Scheme to Capital Programme) so that it reads "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."

#### **(4) Chair's announcements**

##### **(a) Death of Former Councillor Philip Morris-Jones**

The Chair regretted to announce the death in June 2023 of former Councillor Philip Morris-Jones, who had served as a Conservative Member for the Fosse Division from 1989 to 2013.

Councillor Isobel Seccombe noted that she had served alongside Philip for a long time and recollected that he was a very dedicated local councillor, committed to his community and the parishes he represented in the Chamber. He had also been Chairman of the County Council. An engineer by trade, he ran a business in Coventry and, during his tenure, his views and thoughts on behalf of the business community had been valued. Councillor Seccombe reflected on his funeral service and extended her thoughts to his family.

Councillor Adrian Warwick noted his honour and privilege to represent the Fosse division after Philip who had set a very high bar, taking his public office and duty seriously. He had worked tirelessly for the community and there was rarely a meeting he had not attended. He was deeply missed and sympathies were extended to his family.

Councillor Jerry Roodhouse noted that Philip had been very passionate about his community whom he had served extremely well. Councillor Roodhouse stated that he had been fortunate to know him from his industrial work and he would be missed. Sympathies were extended to the family.

Councillor Sarah Feeney had got to know Philip towards the end of his life and she recognised him as a deeply committed Christian who did what he saw as the right thing to do for his community. After serving at the County Council, he had joined the local Parish Council and he took his duties there very seriously. She knew his wife, Joanna, deeply missed him and would be heartened by the kind words shared in this meeting.

##### **(b) Death of Former Councillor Raj Randev**

The Chairman stated that it was his sad duty to inform Council of the recent passing of former County Councillor Raj Randev. Raj, from the Labour group, served as a Warwickshire County Councillor for Warwick West between 2001 and 2009. Raj served as Portfolio Holder for Adult Services. Condolences were extended to his family and friends.

Councillor John Holland had known Raj well and remarked on his ability to work with others and tackle problems. He noted a number of projects that he had worked on and his endeavours as Portfolio Holder for Adult Services. He achieved a great deal in his eight years' service.

Councillor Jerry Roodhouse considered he had been fortunate to work with Raj.

Councillor Isobel Seccombe noted that Raj was a gentle person and she recalled his efforts to serve his community and his endeavours as portfolio holder.

Council stood for a minute's silence in memory of former Councillors Philip Morris-Jones and Raj Randev.

(b) Retirement of Kushal Birla

The Chairman announced that Kushal Birla, Director of Business and Customer Services would leave the Council at the end of September after a distinguished career of public service that had spanned 38 years.

Kushal joined the organisation as a young trainee Trading Standards Officer and throughout the years had demonstrated her exceptional commitment to improving the lives of Warwickshire residents and communities, and had been an outstanding public servant.

Kushal exemplified all that was good about public service and community engagement. She was energetic, passionate, and had a 'can do' positivity that for many years had galvanised and inspired Warwickshire's communities.

Kushal's work had been driven by a passion for improving the lives of people, and her leadership had been critical in delivering kindness, support and care to Warwickshire's communities in the most challenging times.

On behalf of the Council, the Chairman recorded how much Kushal would be missed by the colleagues and teams she have worked with, and thanked her for such an outstanding record of public service.

Councillor Isobel Seccombe stated that Kushal was a dynamic individual who had led her team with enthusiasm. The Library Service, of which the Chamber was very proud, was her greatest passion and the Council owed a great deal to her in this regard. Councillor Seccombe expressed her thanks.

Councillor Yousef Dahmash noted that it was rare to find someone who no-one had a bad word to say about. She was an institution within an institution who would be sorely missed.

Councillor John Holland had worked with Kushal for 38 years and he found her very helpful, and his wife, who had managed the Citizen's Advice Bureau had also had a positive relationship with Kushal. Councillor Holland reflected on the way that Kushal listened to local councillors to understand the needs of the local community.

Councillor Judy Falp shared that she had been lucky to have Kushal as her manager for a number of years. She recollected sharing with her a vision for a civic centre and library in Whitnash to which Kushal had lent support and how well it was working was testament to her good decision making.

Councillor Jerry Roodhouse also noted that he had never heard a bad word said about Kushal who was a joy to work with. Warwickshire was a better place due to her service for the county.

Councillor Heather Timms expressed her thanks to Kushal who had supported her since her election to the Council in 2005. She noted that her abilities had left a real physical legacy and her passion had been for public service, reaching out to communities and making services available to them. Councillor Timms wished Kushal well in her future endeavours.

Councillor Kam Kaur placed on record her thanks and gratitude to Kushal. Since joining the Cabinet in 2014 as Portfolio Holder for Customer and Transformation, she had observed Kushal lead on community managed libraries, which was now an exemplar for other authorities. She expressed heartfelt thanks to Kushal for all the work she had done and wished her well.

Councillor Bill Gifford thanked Kushal as a marvellous officer who had produced a strong, excellent team. He commented on her strengths as a senior leader, particularly her ability to manage in the background while allowing her team to come forward and shine which meant that there could be confidence in the Library Team and her wider department going forward after her departure.

Monica Fogarty, Chief Executive, noted that officers had already said their goodbyes to Kushal who was a very private and modest person. She had served the Council for a long time and she would be hugely missed. Kushal and her family were watching the web stream of the meeting, which Kushal was finding very emotional. Sending a message through Mrs Fogarty, Kushal thanked the Chamber for their kind comments.

(c) Children and Families Awards

The Chairman stated that on 13 September around 200 members of staff from the Children and Families Service gathered at an event to celebrate their collective and individual achievements over the past year. It was an excellent opportunity to take time to recognise the great work of the service and positive outcomes for Warwickshire families. Everyone's efforts were celebrated and just over 100 staff members received recognition certificates for going the extra mile. The Chairman expressed congratulations on behalf of the Council.

(d) Virtual School Awards

The Chairman note that the Virtual School Awards had also recently took place, which recognised the educational achievements of children in care. The event was held at Warwick University and was a great celebration of the achievements of Warwickshire children in care.

(e) Fostering Awards

In the summer, the Council had held a Warwickshire Fostering Fun Day. Supported by Cllr Markham and other members, the rain did not stop foster carers and children in care celebrating with lots of fun games, a play bus, BBQ and lots more. Foster carers reported it was a fantastic event. The event had included the annual Fostering Awards, recognising the life changing impact foster carers have on children when they welcomed them into their homes and family. Warwickshire Foster Carers of the year 2023 had been announced as Warwickshire couple Steve and Suzanne, for whom fostering was a real family affair, and their children also embraced fostering and provided support to the young people in care, helping them to feel heard and safe and part of the family.

(f) Corporate Games

The Chairman congratulated all the colleagues from across the Council who came together to

compete in the UK Corporate Games in August. The event took place on the University of Warwick campus, and was the UK's largest multi-sport festival for businesses and organisations.

Organisations large and small entered for three days of competition, and the Council's team met head-to-head with the likes of the University of Warwick, Balfour Beatty and Coventry City Council. The team put in a fantastic performance and didn't let the damp conditions or limited time to practice stop them from achieving a very well-respected 15th place in the medals table and a total of 162 competition points. The final medal tally for Warwickshire County Council was 2 gold; 2 silver and 5 bronze

The Chairman extended a huge well done to everyone who took part and to all their family members and friends who came to watch and support - even in the pouring rain!

(g) Chairman's Activities

The Chairman advised that he had had the opportunity to attend the awarding for British Empire Medals (BEM) to:

- Mr Aby Joseph was awarded an Honorary BEM for Services to Care Home Residents & Staff during COVID-19. Aby went above and beyond throughout the COVID-19 pandemic, most notably - despite being a father of two very young children - at the start of lockdown, voluntarily moving into the Care Home to provide constant support for residents and colleagues.
- Mr Douglas Shorter was awarded the BEM for Services to Young People in Warwickshire. Mr Shorter was Scout Leader and Member of the 11<sup>th</sup> Nuneaton (Weddington) Scout Group Trustee Committee for over 50 years.

The Chair had also attended numerous other events in the County but he had highlighted these awards in particular to demonstrate the commitment that residents had to the community and to making lives better.

(h) Highways Maintenance Reporting

The Chairman reminded the Chamber that officers from County Highways Team were in the ante chamber and were hoping to have a conversation with as many Members as possible to talk through the reporting of potholes, general maintenance of highways and footpaths and how best to work with our communities to make sure that they are reported and that residents have a realistic idea of what can be done and the timescales involved. .

**(5) Public Speaking**

None.

**2. Youth Justice Plan 2023-2024**

Councillor Sue Markham introduced the report and moved the recommendation. In doing so she stated that the submission of the Plan was an annual statutory requirement which also set out the

vision for the delivery of services by the Warwickshire Youth Justice Partnership over the coming year. In relation to performance, Councillor Markham highlighted that the report set out a reduction in first time entrants and re-offending rates for children in Warwickshire – rates which were below the national average and those of local comparative authorities – and a significant improvement in NEETS. The Plan set out the focus on delivering early intervention to support continued reduction in the numbers of youths coming through the criminal justice system and set out four key priorities to achieve this:

- Prevention of Serious Youth Violence
- Prevention of and improved intervention for children who present with harmful sexualised behaviours.
- Embedding the ARC Trauma Informed Model and improving the interventions offer for children
- Focusing on Core Good Practice – including reviewing all policies, procedures and agreements

The recommendation was seconded by Councillor Andy Crump.

## **Debate**

Councillor Sarah Feeney welcomed the report and the work of officers delivering the service. However, she considered that more information regarding neurodiversity could be included and provided statistics from the 2017 ‘Neurodevelopmental disorders in prison inmates’ study which indicated that 9% of prison inmates met the criteria for autism, 25% met the ADHD diagnostic, and 9% met the screening criteria for learning difficulties. She went on to quote from a subsequent report written by the Chief Inspector of Prisons which suggested that it was possible that half of people entering prison could “be expected to have some form of neurodivergent condition which impacts their ability to engage.” In light of this, Councillor Feeney questioned what work could be done through early intervention to provide a focus on neurodiversity.

Councillor Bill Gifford also welcomed the report, and particularly noted the section regarding the Voice of the Child and the work that had been done to increase volunteer panel members with regard to restorative justice. He looked forward to improvements in the process to report on monitoring contact with victims of crime.

Councillor Jonathan Chilvers noted that reoffending figures were showing a downward trend but that this was based on data from March 2021. Like Councillor Gifford, he noted that restorative justice underpinned the service and expressed concern that the volunteer aspect had been in decline. He too welcomed the increase in volunteers and sought Councillor Markham’s view on how well the recovery was taking place.

Councillor Jerry Roodhouse welcomed the report and thanked officers and partners for their work. In relation to paragraph 13 of the report, which noted the challenge of increasing serious crime, Councillor Roodhouse acknowledged that serious violence and knife crime did appear to be on the increase and he noted the challenges that tackling this would present to the service and, in his view, it was therefore important that the information and data that was being relied upon was up to date. Councillor Roodhouse considered that the report would have benefited from including some of the related diversionary activities that were being provided by district and boroughs alongside youth services which would provide greater insight into geographical hotspots.

Councillor Robert Tromans welcomed the report. In response to previous comments he considered that victims of crime also needed support and were not likely to be interested in the neurodiversity of perpetrators. He went on to say that he would have appreciated more detail in the report on prevention and diversion activity and work with victims. He recalled that in a previous role of Deputy Police and Crime Commissioner he had attended the Youth Justice Board and he was of the view that it would be helpful for elected members to be appointed to the Board to provide a voice for the public and an invaluable insight for officers.

Councillor Sarah Millar noted that the data in the report was a few years' old and questioned how the impact of Covid in compounding the challenges already faced by those with mental health and emotional wellbeing challenges would be categorised and reflected in the data.

Councillor Clare Golby expressed her experience and view that some criminals were under the age of 18 and explained that the Nuneaton and Bedworth Community Safety Partnership was aware of repeat youth offenders who had committed serious crimes and the voice of the victims in these cases must not be lost. She noted activities which saw young people groomed into criminal activity and applauded the operational work that the Police had undertaken over the summer months in terms of diversionary work in this regard.

Councillor Margaret Bell also noted instances of antisocial behaviour tipping into serious violence resulting in the loss of life. Whilst she was supportive of the report, it was important to set boundaries and make the consequences of crime clear.

Councillor Andy Crump acknowledged the need to work with partners around the issue of neurodiversity and noted that the Chief Nurse was on the Youth Justice Board and worked with partners to provide advice but he recognised that the report was not explicit about the good work that was being done in this regard. He also acknowledged that more accurate data was required and, in response to Councillor Millar, he believed that it would take time for the impact of Covid to be seen in the data, but it was key to be able to react to changing trends and utilise community intelligence to identify them early. He noted that the serious violence duty was taken seriously and there were some great examples of diversionary work but the points that were made in the debate regarding grooming youths into a life of crime were noted and the need to address the root cause was acknowledged. Councillor Crump welcomed the feedback in the report on the management of high risk children.

Councillor Markham thanked councillors for their comments and would seek to provide more up to date figures as sought during the debate.

## **Vote**

A vote was held. The recommendation was agreed unanimously.

## **Resolved**

That Council approves the Warwickshire Youth Justice Service Strategic Plan 2023/24.

### **3. Appointment of Scheme Member Representative to the Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme**

Councillor Yousef Dahmash introduced this report and moved the recommendation for the appointment of David Vazquez to the Board.

Councillor Ian Shenton seconded the recommendation.

Councillor Sarah Millar welcomed the robust recruitment process and expressed delight at the diverse membership of the Board.

Councillor Ian Shenton explained that the Board was a key part of the pensions governance process, which provided an interesting and challenging role for Members. He welcomed Mr Vazquez applying to join the Board at this critical time and gave his support to the appointment.

Councillor Yousef Dahmash noted that Board Members were appointed on merit.

#### **Vote**

A vote was held. The recommendation was agreed unanimously.

#### **Resolved**

That Council approves the appointment of Mr David Vazquez, as a Scheme member representative on the Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme.

### **4. Organisational Structure and Constitutional Changes**

Councillor Isobel Secombe introduced this report and explained that changes to the structure were proposed in order to increase capacity to cope with demands from central government. Attention was drawn to proposals around the statutory directorships and the constitutional changes that would be required as a result of the proposals around the delegations to those roles.

Councillor Peter Butlin seconded the recommendation.

#### **Debate**

Councillor Sarah Millar considered that the proposals were sensible and, noting the cost neutrality of the temporary provision, asked what the financial implications would be after 2025. Councillor Sarah Feeney also asked how the costs would be absorbed if internal recruitment was not possible and queried whether trade unions had been consulted.

Councillor Jerry Roodhouse supported the proposals in order to support the magnitude of work coming through the system.

Councillor Butlin welcomed support of the recommendations.



Councillor Seccombe advised that the changes were in the form of a two year proposal to be taken forward on an internal recruitment basis. She was confident that this would bear fruit as there were some very high calibre officers in the organisation. Councillors would be kept informed if the approach needed to change. She considered that the proposals were reflective of steps being taken by other councils which would help the Council to deal with the challenges being presented in this field.

## **Vote**

A vote was held. The recommendation was agreed unanimously.

## **Resolved**

That Council:

1. Approves the separation of the functions of the Executive Director for People and the reconfiguration into two Executive Director roles as set out at section 5 and Appendix 1b to the report and supports the Directorate level changes made to the Council's Directorate structures at Appendix 1a to the report.
2. Approves the appointment of the statutory officers of Director of Children's Services (DCS) and Director of Adult Social Services (DASS) as set out at paragraph 5.8.1 of the report.
3. Approves the minor modifications to the Constitution, including officer delegations, to reflect the changes made to the Council's organisational structure.
4. Approves an amendment to Part 2(9) of the Constitution as set out at paragraph 5.8.2 of the report to change the membership of the Health and Wellbeing Board to include the appointed statutory officers of the Director of Children's Services (DCS) and the Director of Adult Social Services (DASS) from time to time.
5. Approves an amendment to Part A of Part 2(10) of the Constitution to increase the level of ex gratia payments to complainants that Executive Directors and Directors have authority to approve from £1,000 up to and including £2,000.
6. Approves an amendment to Part 4(5) of the Constitution to replace the Officers' Code of Conduct with an updated version as at Appendix 2 to the report and authorises the Executive Director for Resources to make such minor consequential modifications to reflect HR best practice and guidance.
7. Approves an amendment to Part 1(9) (Finance, Contracts and Legal Matters) and Part 2(10) (Delegations to Officers) to clarify the delegations relating to the approval of special severance payments as set out at Appendix 3 to the report.
8. Authorises the Executive Director for Resources to make all the necessary changes to the Constitution arising from this report.

## **5. Notice of Motion**

### Digital Divide

Councillor Jerry Roodhouse moved the following motion, which was seconded by Councillor Sarah Feeney:

This Council notes that there is an ever-increasing use and reliance for services including payment by the use of smart phones, Apps and other digital devices as well as the increase in the use of artificial intelligence and communication tools such as chat functions within websites.

Whilst it is recognised that the use of technology has brought benefits to sectors of the community, it has also driven a growing digital divide.

In recognition of this divide Council requests that the Chief Executive and Leader:

1. Ensure that implementation of this Council's digital by design policy does not exacerbate the digital divide and that services are accessible to residents of all ages.
2. Ensure that the Council's strategic policies are reviewed against best practice to ensure they meet the requirements of the Equality Act 2010;
3. Ask the Resources and Fire and Rescue Service Overview and Scrutiny Committee to consider this issue and bring forward any recommendations to Cabinet as to what improvements can be made in relation to accessibility of services;
4. Support Warwickshire County Council's ongoing work with The Good Things Foundation in tackling the digital divide.

## Amendment

Councillor Yousef Dahmash proposed a friendly amendment which was seconded by Councillor Tim Sinclair (deletions shown as strike through, additions shown bold and underlined)

This Council notes that there is an ever-increasing use and reliance for services including payment by the use of smart phones, Apps and other digital devices as well as the increase in the use of artificial intelligence and communication tools such as chat functions within websites.

Whilst it is recognised that the use of technology has brought benefits to sectors of the community, it has also driven a growing digital divide.

**We therefore welcome that this Council does not subscribe to a digital by default policy, and instead employs a more flexible, customer focused approach to enable access to Council services. As such, we further welcome this Council's continued commitment to ensure that no resident is forced to go digital if they either do not wish to or are unable to do so.**

In recognition of this divide **the Council's commitment to ensuring that no resident is digitally excluded within the County, this Council commits to:**

1. **Continuing to ensure, through the that implementation of this Council's digital by design policy choice culture, the availability of non-digital alternatives to access Council services.** Does not exacerbate the digital divide and that services are accessible to residents of all ages.
2. **Continuing to keep** Ensure that the Council's strategic strategies and policies are under reviewed against best practice to ensure they meet the requirements of the Equality Act 2010 **in line with legislation and our own ambitions, with periodic updates to the**

### **Resources and Fire & Rescue Overview and Scrutiny Committee to ensure Member engagement and oversight.**

- ~~3. Ask the Resources and Fire and Rescue Service Overview and Scrutiny Committee to consider this issue and bring forward any recommendations to Cabinet as to what improvements can be made in relation to accessibility of services;~~
3. **Continuing to build upon the work that is already being undertaken and Support Warwickshire County Council's strong relationship ongoing work with The Good Things Foundation in respect of tackling the digital divide inclusion best practice and to ensure digital inclusion in Warwickshire's libraries.**
- 4.
5. **Continuing its extensive programme of work to build digital skills, including free access to public computer networks, provision of free WiFi in public spaces and the digital device lending scheme.**

In moving the amendment, Councillor Dahmash hoped the wording captured the spirit of the original motion but provided more of the essence of the work that was already being undertaken. He noted that the Council had a digital by culture policy, not one of digital by default, and recognised that changing technologies required new skills for engagement which could create a digital divide, especially for older people, those renting or those with no means to access the internet. He commented on work taking place with The Good Things Foundation and the extensive programme of work to deliver skills training through the libraries together with the provision of practical access to wifi and alternative methods to make contact.

In view of the late hour that the amendment was provided, Councillor Roodhouse did not accept it as friendly.

### **Debate**

Councillors Kate Rolfe, Bill Gifford and Sarah Millar expressed concern regarding the move from paper-based visitor parking permits to a digital system and shared examples of the difficulties that elderly residents were having navigating it.

Councillor Tracey Drew commented on the lack of equality of access for those booking household recycling centres online and those trying to do so by telephone. Councillor Timms made a point of clarification that it was possible to book appointments by telephone.

Councillor Brett Beetham commented that the debate was wider than the focus on visitor parking permits and reminded the Chamber of the strides the Council had taken during Covid to address the digital divide which had a wider impact above improving access to education. He also reminded the Chamber that digital options improved access for those who were unable to work with paper-based systems.

Councillor John Holland did not consider that the amendment reflected reality and expressed the view that some people did not have signal or were otherwise unable to use technology. He acknowledged that digital options provided a support for some disabled customers but for others, the customer call centre provide a lifeline and it was essential that a counter service continued. In

view of the comments made regarding the visitor parking permits, he urged a refreshed view and a system that was fit for purpose.

Councillor Clare Golby echoed comments made by Councillor Beetham that the debate was wider than comments made regarding the visitor parking permit system. She noted that not all areas operated this system and the debate needed to be inclusive and suggested that concerns about the system be dealt with by petition and/or referral to the Communities Overview and Scrutiny Committee. Councillor Golby went on to say that the council did not have a digital by default policy.

Councillor Bill Gifford made a point of clarification that the examples given regarding the visitor parking system provided a lived example of the digital divide.

Councillor Jonathan Chilvers sought to clarify comments made by Councillor Tracey Drew regarding equality of access to the household recycling centres for people who could not use the internet to book a slot compared to those who could. Whilst it was understood a resident could telephone to get an appointment, it was suggested it was not possible to book a short notice weekend appointment because the customer service centre was not open on Saturdays and Sundays but, even if it was, a same day appointment required the person to take an email confirmation with them to the appointment and, if they hadn't got internet access to book the appointment in the first place, then they could not do that.

Councillor Isobel Seccombe considered that the debate had missed the achievements that had been reached, particularly pointing out significant investment in recent years to roll out broadband and technology for residents and the work that had provided facilities to help people get connected. She noted high satisfaction rates (88%) with the customer call centre and shared her personal experience of the ease of using the booking system for household waste recycling. She expressed the view that it was important to find ways for residents to easily use digital channels and her understanding that the digital divide was less than 6%.

Councillor Sinclair noted that the Council enabled digital access and encouraged its use, rather than forced it. He noted that this approach was supportive of those people who did not have the necessary foundation skills to work digitally or had concerns about privacy or data misuse. These groups were typically people who were economically inactive or retired. He also noted Age UK's recent report that highlighted the impacts of loneliness and isolation in older people which could be exacerbated by the digital divide and he recognised that the Council had a duty to look after them and ensure there was no digital divide. The amendment therefore sought to reflect the reality of the work that the Council was doing to achieve this and he was therefore pleased to second the amendment and encouraged Council to vote in favour of it.

Councillor Sarah Feeney explained that the original motion had been crafted and put forward due to the lived experiences of residents who felt excluded. She did not consider that the Council should dismiss residents voices, not just on the visitor parking issue, but also relating to blue badges, the equality of access between those visiting services on online and those requiring to use the telephone. She noted that disenfranchisement was at 15% in the division she represented, and that the issues that caused the divide had been highlighted during the debate. She went on to state that services needed to be easy to navigate and the original motion sought to ensure that residents were aware of alternative means of access which should be workable and properly advertised.

Councillor Yousef Dahmash suggested that the relevant Portfolio Holders could reach out on the issues of visitor parking issues and household recycling centres outside the meeting and noted Councillor Golby's advice on how residents' concerns could be dealt with. He welcomed the summary from Councillor Sinclair.

Councillor Jerry Roodhouse stated that if Councillor Dahmash had been able to make contact about the amendment earlier, it would have been possible to bring a more acceptable motion forward since it was recognised that a digital divide existed. He highlighted that the original motion focussed on digital by design (not default), noting that service redesign led to a greater push towards digitalisation and it also talked about people of all ages, not just the elderly. The amendment removed reference to the Equality Act which was the crux of the motion and Councillor Roodhouse considered that Scrutiny had a role to play.

### **Vote**

A vote was held on the Conservative amendment which was carried by a majority and became the substantive motion. A vote was held on the substantive motion which was unanimously supported.

### **Resolved**

This Council notes that there is an ever-increasing use and reliance for services including payment by the use of smart phones, Apps and other digital devices as well as the increase in the use of artificial intelligence and communication tools such as chat functions within websites.

Whilst it is recognised that the use of technology has brought benefits to sectors of the community, it has also driven a growing digital divide.

We therefore welcome that this Council does not subscribe to a digital by default policy, and instead employs a more flexible, customer focused approach to enable access to Council services. As such, we further welcome this Council's continued commitment to ensure that no resident is forced to go digital if they either do not wish to or are unable to do so.

In recognition of the Council's commitment to ensuring that no resident is digitally excluded within the County, this Council commits to:

1. Continuing to ensure through the implementation of this Council's digital by choice culture the availability of non-digital alternatives to access Council services.
2. Continuing to keep the Council's strategies and policies under review in line with legislation and our own ambitions, with periodic updates to the Resources and Fire & Rescue Overview and Scrutiny Committee to ensure Member engagement and oversight;
3. Continuing to build upon the work that is already being undertaken and Warwickshire County Council's strong relationship with The Good Things Foundation in respect of digital inclusion best practice and to ensure digital inclusion in Warwickshire's libraries.

4. Continuing its extensive programme of work to build digital skills, including free access to public computer networks, provision of free WiFi in public spaces and the digital device lending scheme.

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

- a) Question from Councillor Tracey Drew to Councillor Jan Matecki

“Land acquisition was stated, by Cllr Butlin during last February’s AGM, as a, or even the, major hurdle to advancing K2L. Please could you provide a general update on progress on this, one of the Council's flagship cycle schemes? And have leaps or stumbles been achieved in acquiring the necessary land in the last 6 months?”

Councillor Matecki responded that the Council was actively negotiating with the impacted landowners for section 1b of the K2L route between north Leamington and Blackdown roundabout with specialist Bruton Knowles to facilitate construction of the new footway/cycleway. This would require the dedication of existing school playing fields which were Council owned and, at the time of the meeting, leased to North Leamington School and subject to a Department for Education Secretary of State legal process, as well as the acquisition of the adjacent school playing field land owned privately by Kingsley School and the Warwick School Foundation. In addition, easements needed to be established with private landowners both north and south of Blackdown roundabout, to facilitate the installation of the two hybrid retaining structures that would safely support the existing highway embankment once the new footway/cycleway was cut into it. To date, the Council had shared relevant land plans, project drawings, information and held very positive onsite meetings with all parties and negotiations were continuing. The Council had commissioned a specialist engineer for the retaining structures and once the detailed designs were available, the scope of the easements could be confirmed to allow those negotiations to continue. Should negotiations fail, the use of the Compulsory Purchase Order process would need to be considered in order to progress. The land acquisition for the rest of the K2L route remained on hold while the detailed designs for section 3b were finalised and the preferred design for the main bridge crossing for the River Avon was assessed against pre planning conditions, eg flood modelling and ecological impact, etc.

- b) Question from Councillor Jonathan Chilvers to Councillor Jan Matecki

“The aim of the Bermuda project was to speed up journey times for motor vehicles and an estimated number of seconds gain is part of the modelling. However, construction is causing long delays to journeys in some cases for years which currently makes journeys slower.

How many years will it take for the project to 'break even' in terms of journey times for vehicles?”

Councillor Matecki replied that the Bermuda project had a number of aims when originally planned, with improved journey times being just one of them. Other key benefits that the scheme was envisaged to generate were reduced congestion in parts of the town centre, thus improving links on to the A444 in Nuneaton and other parts of the town, enhanced accessibility to local businesses, amenities and residential areas, particularly in Bermuda and adjoining areas, improved connectivity to Bermuda Park Rail Station for trains to Coventry, to provide an improved environment for cyclists and pedestrians and support further economic growth in Nuneaton

through delivery of the Nuneaton and Bedworth Borough Council Local Plan Infrastructure Delivery Plan Scheme which served to enhance access to employment sites and residential areas for all modes.

Councillor Matecki went on to say that the Bermuda Project had been regularly reappraised through traffic modelling on anticipated benefits and presented a strong and positive benefit:cost ratio based on the improved outcomes it would generate. The Bermuda Connectivity Scheme would offer a wide range of benefits to people from the scheme opening over a prolonged period which it was believed would far outweigh the unfortunate temporary traffic disruption created during the construction programme.

Councillor Chilvers stated that it was good to hear that the reappraisal was happening, especially given increased project costs and he asked if Councillor Matecki could commit to making that reappraisal of the cost:benefits available to councillors in order to provide reassurance that it was still a good value project.

Councillor Matecki responded that the scope of the scheme was very different and it was not a like for like comparison. Costs had risen, not least due to inflation and uncharted utilities, but the benefit:cost ratio still represented good value for money.

c) Question from Councillor Sarah Feeney to Councillor Jan Matecki

“Please could you give council an update on how long residents are waiting on the call line for the residents parking scheme. We have reports of numerous residents waiting for up to 40 minutes on the phone and also that they are being advised to go online when they do get through. What is the council doing to address the issues?”

Councillor Matecki explained that improvements continued to be made to the phone line support service for the residents parking scheme and call numbers and average wait times were monitored. The latest showed that the average wait time for the NSL permit line in the week commencing 18 September 2023 was 47 seconds. This was down from 73 seconds in week commencing 11 September 2023. Calls were averaged at 50 per day commencing 18 September 2023 which was down from an average of 68 per day throughout August 2023 and, when these figures were considered against the increasing number of passes issued weekly, this was a move forward. In August 2023, a call back feature was introduced which enabled individuals to request a call back from the service when an operator was free, removing the need for residents to remain on hold. The Council continued to review and improve the wider service. These improvements included:

- Additional resources to be allocated to the phone line service in anticipation of increased call volumes to deal positively and proactively with problems being faced by residents
- Revised postcards with a QR code and instructions of how to log-on to be sent to all residents with a permit due for renewal in the three months following the meeting
- Postcards were also being placed on windscreens displaying permits due for renewal
- Enforcement officers were issuing warning notices to vehicles with newly expired permits rather than issuing a penalty charge notice
- A step by step guide would be available in the form of a crib sheet and a new YouTube video how to guide was being developed. These would be available on the Council's parking webpage and would be circulated

- NSL were setting up online accounts on behalf of customers unable to access a computer and documents were being provided to the customer in their chosen method, which could be by post, email or by hand to local Post Offices.
- Development upgrades, streamlining the visitor permit customer journey, was being launched in the week of the meeting which would introduce a favourites option to toggle between saved vehicles such as “Mum”, “Gardener”, etc.

Weekly meetings with NSL would continue, monitoring feedback and taking action as required.

d) Question from Councillor Sarah Feeney to Councillor Heather Timms

“Recently fly tipping is on the increase in Warwickshire. A number of residents have raised concerns that they are still having to book for taking items to the recycling facilities operated by the County Council and several have commented that they believe that the increase in fly tipping is because of the booking system. Many other local authorities have now removed the booking system so is there any consideration being given to removing the booking system for Warwickshire now?”

In response, Councillor Heather Timms stated that in common with approximately 43% of other Councils, Warwickshire operated a booking system at recycling centres. The booking system had reduced queuing and therefore given environment benefits and an improved customer experience as previously at peak times – weekends and bank holidays – cars would be queuing and people would be spending an inordinate amount of time to be able to recycle their materials. The booking system spread visits out during the day meaning that people could get in and out to recycle items more quickly and easily. In January 2023, the government published a paper entitled Research into the possible links between household waste recycling centre booking systems and the incidence of fly tipping. The conclusion of the research was that there was no demonstrable link between the introduction of recycling centre booking systems and either an increase or a decrease in fly tipping. Monitoring fly tipping trends in Warwickshire over the past ten years, showed that the number of incidents was on a gradual upward trend that was in common with the rest of the UK but that there was no obvious link between changes to Council waste services and incidents. A link between the type of waste being tipped and local changes was also not demonstrated. It was noted that much fly tipping appeared to be related to business and traders. Councillor Timms noted Police success in closing down a number of cannabis farms in Warwickshire which had reduced fly tipping incidents since these were people who were unlikely to visit a household waste recycling centre. She also noted that in the local area, four of the Council’s neighbours - Birmingham, Coventry, Solihull and Gloucestershire Councils – retained booking systems. Nationally, both Essex and Bristol had introduced a booking system in 2023. The booking system used at household waste recycling centres was well liked, had a number of customer services benefits and environmental benefits, and had not led to any demonstrable increase in fly tipping. However, the Council believed in continual improvement and to this end a further customer satisfaction survey would be carried out to ensure that services continued to meet the needs and expectations of customers across the county.

e) Question from Councillor Brett Beetham to Councillor Kam Kaur

“As the portfolio holder for Education knows WCC and partners have been shortlisted for a NASEN SEND Award. This shows that we are on the right path with SEND, so can the Education Portfolio Holder, please put on record my thanks and congratulations to the SEND team and partners.



Furthermore, can the Portfolio holder please confirm this Conservative council is going to continue focusing on transforming and improving SEND services across the County for residents?"

By way of reply, Councillor Kam Kaur stated that she was extremely proud that Warwickshire County Council, in collaboration with Warwickshire Parent Carer Voice and IMPACT, the young people's forum, had been named a finalist in 'Co-Production Initiative of the Year' category at the 2023 prestigious 'nasen' SEND Awards. The nomination recognised the work on the Warwickshire Schools Inclusion Charter which had laid the groundwork for inclusivity and equality within educational settings, fostering a more accessible and supportive environment for learners with special educational needs and/or disabilities. The nomination was a testament to the dedication and hard work of everyone involved in the partnership and she wished all those shortlisted for the awards the very best of luck.

f) Question from Councillor Brett Beetham to Councillor Jan Matecki

There has been a lot of talk from a former Green County Councillor at the Borough Council about wanting to implement a ULEZ where needed in Warwickshire and this included some roads into Nuneaton Town Centres. Can the portfolio holder please confirm that as long as Warwickshire County Council is Conservative Led that we will not implement a further tax on residents by implementing the anti-motorist Ultra-Low Emission Zones (ULEZ) in Warwickshire.

Councillor Jan Matecki stated that there were no plans to implement any form of ULEZ in Warwickshire where the focus was on working to tackle climate change and improve air quality through other transport interventions.

*Monica Fogarty, Chief Executive, read a statement that she had received from the former Green Party County Councillor at Nuneaton and Bedworth Borough Council which announced that he had never campaigned for a ULEZ in Warwickshire.*

g) Question from Councillor Brett Beetham to Councillor Sue Markham

Families in Camp Hill have been using this Council's Holidays Activity and Food commonly called HAF, that allows children to have 16 Activities during the Summer Holiday paid for. I am aware the HAF team is currently refreshing the programmes for the new academic year. Can the Portfolio holder ask officers to make sure that we continue providing activities in Super Low Output Areas such as Camp Hill, Kingswood and Stockingford within reasonable distances and can officers continue to expand sessions that are available and suitable for various SEND needs.

In response, Councillor Sue Markham noted that the HAF Programme was funded by the Department for Education who provided £1.7m funding to provide activities and a meal for school age children in full time education who received benefit related free school meals from Reception to Year 11 inclusive. The programme offered valuable support to families on lower incomes, giving young people the opportunity to access activities with a healthy meal provision over the main school holidays: Christmas, Easter and Summer. A maximum of four sessions per eligible young person with a valid Warwickshire HAF code could be attended during Christmas and Easter holidays, increasing to 16 in the longer summer holiday. All the data and outcomes for children demonstrated that the HAF programme team was working hard to increase the number of locations that were offering funded activities as part of the HAF programme. This included areas where there were high rates of young people accessing benefit related free school meals,

alongside rural areas where transport barriers were significant. The Council was keen to engage further with schools, either to use premises as a venue for activities or for the schools to run their own HAF activities for young people.

Councillor Markham explained that specific sessions for children with special educational needs who met the core criteria were also provided to 196 families. The HAF Programme Team had been trialling new activities over the summer to look to increase the support for families looking to access the programme with SEND needs. These included family experiences at six sites across Warwickshire where eligibility was met alongside supporting inclusive community activities with a food provision. The Council was working to expand the listed SEND activities as part of the offering and support activity providers in additional funds with bookings that required one to one support. Funding was limited for this, however, it had been possible to support 41 provider requests for staffing support in the summer.

Councillor Markham stated that a full analysis of the programme would shortly be published on the website. Across the summer, HAF provided support to a record number of children, with HAF codes issued to 5,819 families. There were 135 registered providers who served 35,148 meals to children over the summer. There were 36,248 places available and bookings were made for 34,500 activity sessions. The next provision would take place from 2-5 January 2024 and if any councillors wished to visit any of the sessions, they should contact John Coleman for details.

h) Question from Councillor Sarah Millar to Councillor Kam Kaur

Are free school meals for all Primary School children now being provided as recommended by Director of Public Health and supported by Council in March?

Councillor Kaur replied that the Director of Public Health annual report did not recommend that free school meals were provided for all primary school children in Warwickshire. The recommendation was “to support children to have the best start in life, Health and Wellbeing Board explores the feasibility of free school meals for all primary school children in Warwickshire, as research shows that children are able to learn better in school if they have a full stomach.” In March 2023, the Council agreed to support the Director of Health Annual Report and as recommended, work was underway to explore the feasibility of providing free school meals for all primary school children. This included the logistics of doing so (in terms of whether school kitchens, dining rooms etc would have the capacity); the cost and whether a non-targeted approach would be appropriate as it would channel funding towards the wealthiest as well as those in greatest need. There was also work going on to explore auto-enrolment for free school meals for those who were eligible in order to increase take up.

i) Question from Councillor John Holland to Councillor Peter Butlin

In the past, Portfolio Holders have fully involved Warwick town centre stakeholders in decisions about County Council property in Warwick town centre. Will Councillor Butlin continue to do this for the future of the Barrack Street office block?

Councillor Peter Butlin explained that Barrack Street was an aging building of its time and the Council was exploring ways to repurpose the building, demolish it, etc. There was no Reinforced Autoclaved Aerated Concrete (RAAC) in the building and once a sensible proposal was achieved, the Council would undertake consultation with the Town Council and Warwick District Council.

j) Question from Councillor John Holland to Councillor Jan Matecki

Does the following reflect your understanding of our decision at July Council? If so, what action has been taken?

"The 'hierarchy of road users' is a concept that places those road users most at risk in the event of a collision at the top of the hierarchy. The hierarchy does not remove the need for everyone to behave responsibly. The road users most likely to be injured in the event of a collision are pedestrians, cyclists, horse riders and motorcyclists, with children, older adults and disabled people being more at risk"

Councillor Matecki explained that the hierarchy of road users was a road safety concept embedded in the Highway Code by new regulations in 2022. It was based on ensuring that all road users were aware of the Highway Code and that they were considerate to other users and understand their responsibility for the safety of others. At its core, it placed greater emphasis and responsibility on those HGV drivers, for example, who could do the most harm to other vulnerable road users.

He stated that in Warwickshire, it had been the case for many years that vulnerable road users were given due consideration when developing new schemes and improvements to existing ones, in particular, through the Road Safety Audit process. Nothing had changed in that regard in relation to the adoption of the Local Transport Plan (LTP4). The central aim of the Safer Travel Strategy within LTP4 was for Warwickshire's residents, visitors and commuters to live, work and move around the county in safety. Everyone should be presented with travel choices that allowed them to reach their destination free from harm. Transport interventions would therefore continue to seek out solutions which provided the best safety outcomes for all network users as they moved through Warwickshire.

Councillor Matecki explained that the hierarchy of road users was somewhat different to the travel choices hierarchy that was set out in LTP4. The decision taken by Council in July 2023 to ratify and adopt LTP4 established the guiding principles of the travel choices hierarchy contained within the new Local Transport Plan. The hierarchy was intended to deliver on the Council's aim for sustainable travel throughout Warwickshire without impacting on economic vitality. It was, in essence, a recognition of the public's desire for a transport system that protected the environment and their own wellbeing as priorities. Taken together, the Safer Travel Strategy, the travel choices hierarchy and the Council's ongoing Road Safety Audit processes helped support modal shift where appropriate and protected the most vulnerable on the network.

k) Question from Councillor Jonathan Chilvers to Councillor Isobel Secombe

Would the leader agree with me that whatever our exact political relationship with the West Midlands Combined Authority (WMCA), strong cooperation on issues like transport and retrofitting assets are essential to solve some of the challenges we face?

Councillor Isobel Secombe stated that the Council's relationship with WMCA continued as it had done for the last eight years or so and the Council had always sought to seek the best advantage for Warwickshire residents and businesses and, for those of the West Midlands Combined Authority and the Council would continue to play an active participating role. The Combined

Authority offered advantages in the area of travel and the Council continued dialogues in this regard. There were some areas where full constituent membership provided an edge but the Council tried to ensure advantages if it could, not just on travel but on retrofitting of housing and the important work that the Combined Authority were doing in this respect and the Council would continue to work closely with them and to try achieve the best it could for Warwickshire businesses and residents.

l) Question from Councillor Jonathan Chilvers to Councillor Heather Timms

Would the portfolio holder agree that a key part of a government's role should be to set a clear direction and framework which allows businesses, Councils and others to invest and innovate with confidence?

If so, does she share my concern at the Prime Minister's recent announcements which moves the goalposts on a number of key Climate Change issues?

Councillor Heather Timms stated that the Prime Minister's announcements did not change the targets in the Sustainable Futures Strategy, which was being considered by all Overview and Scrutiny Committees and was open for comment by all Councillors in the Chamber. The strategy remained consistent with national targets. The action plans that supported the strategy described a range of activity to reduce the Council's own emissions, and a range of future action with more to come as funding became available, particularly focussing on external funding sources.

The Council was working with public sector partners, businesses and other Warwickshire stakeholders to innovate and invest, and importantly find intelligent and pragmatic solutions that would make sense to the communities across Warwickshire.

Councillor Chilvers asked whether Councillor Timms was concerned that some of the assumptions made in the Sustainable Futures Strategy which helped to estimate how big the gap was and how much retrofitting was needed were based on things like the ban on new petrol vehicles and that would need to be changed with the result that the gap in emissions was going to be greater than predicted, and there were a number of other examples about the assumptions that had been made based on previous announcements.

Councillor Timms restated that targets had not changed and, therefore, the Council would be looking at how actions plans may have to change but the Council was committed to the Sustainable Futures Strategy which would be presented to Cabinet later in the year. She noted that Jaguar Landrover, based in Warwickshire and which had a big impact on residents, had welcomed the Prime Minister's comments so, on a local level, it was possible to move forward with the Sustainable Futures Strategy.

m) Question from Councillor Bill Gifford to Councillor Jan Matecki

I am getting more and more people expressing concern about the sink hole in Park Road, Leamington Spa CV32 6LG. This is a long-standing problem that goes back several months. I understand that there may have been disagreements between Severn-Trent and the County Council as to where the responsibility lies. What are the current plans by the County Council to ensure this hole is filled and made safe. When is the work expected to be completed?

Councillor Matecki responded that County Highways were working on a solution to repair the Park Road sinkhole that would likely involve an injection of foam concrete. A high voltage cable had been located which needed to be secured before the work could commence. Councillor Matecki stated that he was happy to instruct County Highways to provide Councillor Gifford with an update as soon as a date for the works could be confirmed and noted that works orders had been placed to expedite the repair.

Councillor Matecki took the opportunity to remind Members that Highways Officers were in the antechamber to answer questions and there was also a surgery on 27 September 2023 for highways questions.

n) Question from Councillor Sarah Millar to Councillor Jan Matecki

Could you provide an update on the parking permit transition process? Residents in Leamington Clarendon have been in touch with me to express their ongoing difficulties with permit renewal and most notably with the visitors permits, including access to the website and over the phone. One resident reported that they received a fine whilst on the phone trying to navigate the system. Will there be the option to allow paper permitting where residents are struggling?

Councillor Matecki referred Councillor Millar to his response to an earlier question but added that to date the Council had successfully issued over 3,000 new parking permits through the new digital based system which was just under a quarter of all resident permits in the county. The process and communications systems had been reviewed and improved following feedback. The Council remained committed to the utilisation of a digital permit system. The measures already outlined in response to Councillor Feeney's question above, were in place to support customers that could not use the digital system and if there was anything specific that residents had a problem with, he urged them to raise the issue so that it could be addressed.

o) Question from Councillor Sarah Millar to Councillor Heather Timms

Please could the portfolio holder provide an update on the solar panel scheme. Residents are still reporting difficulties in finding resolutions to deposits and contracts that have not been delivered. What help is available to residents still encountering these problems?

In reply, Councillor Heather Timms explained that The Solar Together Warwickshire scheme was run by iChoosr who were contractually responsible for the selection of the supplier. The collapse of that supplier, GET UK, had unfortunately impacted some Warwickshire residents, which was regrettable. County Council officers had continued to work closely with iChoosr to find the best solutions for those residents, a process that had achieved satisfactory resolutions for a number of residents. She had been advised that iChoosr would shortly be contacting those still to achieve resolution to help establish next steps. Council Timms stated she was happy to receive details of any residents experiencing difficulties and, if officers were not already involved, iChoosr would be asked to provide support.

## **7. Any Other items of Urgent Business**

None.

The meeting rose at 1.16 pm

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Chair