

County Council

Tuesday 23 July 2024

Minutes

Attendance

Committee Members

Councillor Chris Mills (Chair), Councillor Andy Jenns (Vice-Chair), Councillor Richard Baxter-Payne, Councillor Brett Beetham, Councillor Margaret Bell, Councillor Sarah Boad, Councillor Barbara Brown, Councillor Peter Butlin, Councillor Jonathan Chilvers, Councillor Jeff Clarke, Councillor John Cooke, Councillor Andy Crump, Councillor Piers Daniell, Councillor Jackie D'Arcy, Councillor Tracey Drew, Councillor Judy Falp, Councillor Jenny Fradgley, Councillor Sarah Feeney, Councillor Bill Gifford, Councillor Peter Gilbert, Councillor Clare Golby, Councillor John Holland, Councillor Dave Humphreys, Councillor Marian Humphreys, Councillor Kam Kaur, Councillor Dale Keeling, Councillor Justin Kerridge, Councillor Sue Markham, Councillor Jan Matecki, Councillor Sarah Millar, Councillor Jeff Morgan, Councillor Penny-Anne O'Donnell, Councillor Bhagwant Singh Pandher, Councillor Caroline Phillips, Councillor Wallace Redford, 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, Councillor Martin Watson and Councillor Andrew Wright

1. General

(1) Apologies for Absence

Councillors Jo Barker, Parminder Singh Birdi, Yousef Dahmash, Brian Hammersley, Jack Kennaugh, Christopher Kettle, Daren Pemberton, and Kate Rolfe.

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

Councillor Isobel Seccombe declared an interest in item 9 on the agenda, 'Police and Crime Commissioner Representation' due to her relationship with the Commissioner. Councillor Piers Daniell also declared an interest in this item due to his relationship with the Deputy Commissioner.

(3) Minutes of the previous meeting

The minutes of the meeting of Council held on 14 May 2024 were agreed as an accurate record for signing by the Chair.

(4) Chair's announcements

(a) Engagements since the last meeting

The Chairman shared details of the engagements he had undertaken since the AGM in May.

(b) Lawyers in Local Government

The Chairman announced that Warwickshire County Council's Legal Services team had achieved recognition in two categories at the Lawyers in Local Government (LLG) Awards for 2024: winning the 'Excellence in Training' category and Alison Freeth, Legal Executive in the Young People team at WLS, was Highly Commended in the 'Lawyer of the Year' category, with Sioned Harper also a finalist.

(c) West Midlands Property Awards

The Chairman advised Council that Brookmill Meadows in Warton, North Warwickshire, had been shortlisted for Small Residential Development of the Year and was 'Highly Commended' in the category at the Insider Media Midlands Residential Property Awards.

(5) Petitions

None.

(6) Public Speaking

None.

2. Application for a Dispensation

Councillor Isobel Secombe moved the recommendation that a dispensation be granted for Councillor Jack Kennaugh which was seconded by Councillor Adrian Warwick. There was no debate but Council joined to wish Councillor Kennaugh well.

Resolved

That the Council approves the absence of Councillor Jack Kennaugh from meetings of the authority on the grounds of ill health.

3. Warwickshire Education Strategy 2024-2029

Councillor Kam Kaur (Portfolio Holder for Education) moved the recommendation as set out in the report. In doing so, she noted that the Strategy had been developed following a wide ranging consultation and was based on four priorities as set out in the report.

Councillor Sue Markham seconded the recommendation.

Debate

During the course of the debate, councillors made the following points:

- There were clear ambitions set out in the strategy but there were tensions between ambition and reality related to academisation and the public sector's impact on local authority resources.
- The focus on early years with the priority of 'Best Start' – securing the very best start for all children in the county – was welcomed. However, it was also pointed out that the first 1000 days was not covered by the Strategy. It was noted that outcomes were better when interventions were made in this window of opportunity and it was hoped that the Strategy could be calibrated towards more holistic decisions.
- There was also support for the Strategy's focus on areas that the Council had genuine influence over.
- Questions were raised around alternative provision, assessments times and the associated high costs related to independent alternative provision.
- There was no specific mention of the impact of the pandemic and confirmation was sought that the legacy of Covid-19 had been considered during the development of the Strategy.
- The Strategy was broad the delivery plan was keenly awaited, particularly around integrated delivery.
- The alignment with other Council strategies was welcomed, and it was suggested that also aligning the Strategy with the Local Transport Plan could offer significant environmental benefits by supporting pupils to walk to school.
- Questions were raised about the rise in elective home education and the potential link to SEND where parents perceived that the education system did not deliver for their children's needs. Whilst it was clear that there was a lot of support for elective home education, and the Council's commitments in this regard were celebrated, it was considered an omission for this aspect of the Council's work to be missing from the Strategy.

In response to questions raised, Councillor Kaur responded that:

- Funding had been awarded by the Department for Education to create an early years pathway this would pave the way for some commendable and exciting collaborative work with schools and health providers.
- In terms of alternative provision, funding had been approved for a pilot pod in Coleshill, which would pave the way for further provision elsewhere in the county.
- In terms of delivery, performance indicator measures were in development to feed into reporting on the Council Plan so that overview and scrutiny could have an informed view of performance against the Strategy.
- The Council continued to work with the borough and district councils to ensure there were links between Local Plans and the Local Transport Plan and this formed part of an holistic approach with those councils.
- The impact of Covid-19 had been well publicised and this had also had an impact on increasing the number of children educated at home from 500 children pre-Covid to over 1,500. The Council continued to work with schools and parents ensuring adequate signposting regarding the associated implications.

Vote

A vote was held. The motion was carried unanimously.

Resolved

That Council approves the Warwickshire Education Sufficiency Strategy 2024-2029.

4. Warwickshire Education Sufficiency Strategy

Councillor Kam Kaur (Portfolio Holder for Education) moved the recommendation as set out in the report. In doing so, she recognised the threads into the Education Strategy, considered at the previous item on the agenda, and the Council's statutory duties.

Councillor Sue Markham seconded the recommendation.

Debate

During the course of the debate, councillors made the following points:

- The current funding required for school places was questioned as an underestimation, with queries around the formula and what was included being raised.
- It was noted that there was an expectation for Developers to meet growing needs, and the reality of this based on past experiences was questioned.
- The Strategy set out the optimal preferred size of secondary schools as 900 places, which was different from the 2000 places offered at Kenilworth Sixth Form and it was queried whether there was similar disparity elsewhere and how the gap between ambition and delivery could be explained.
- It was queried whether the acceptable walking distances from home to school included in the strategy (2 miles for primary school and 3 miles for secondary school aged children) were a national standard, how realistic this was and how active travel could be promoted when these were presented as suitable walking distances.
- Clarification was sought on the Department for Education figures showing '101% of children accessing 3 and 4 year old entitlement'.
- The report stated that as part of the feasibility work on capital projects, where feasible net zero and low carbon options and associated costs were explored and considered, but this appeared to be ruled out by the subsequent report on the agenda.
- Provision for reception places was questioned as being concentrated in the north of the county, which was leading to children having further distances to travel to school and in some cases leading to the Council being responsible for transport.
- The number of school children with an Education Health and Care Plan was noted and whilst an increase in provision was sought there was still an anticipated shortfall. What plans were in place to resource the gap in provision, eg sponsored academies.

In seconding the recommendation, Councillor Sue Markham commended the Strategy which she believed would deliver on Council priorities. She noted the link between all three education-related papers on the agenda for the meeting and expressed her support for them all.

In response to questions raised during the debate, Councillor Kaur responded that:

- The Department for Education provided the formula for the calculation of school places. The methodology used by the Council had also been endorsed by an independent consultant. Population figures could be drawn from the census but in-year changes made for an unknown quantity.
- The 2 and 3 mile distances quoted by the report related to statutory duties.
- There were positive examples of work with Developers that could be drawn from going forward.
- Strategic discussions took place with district and borough councils and local developers to understand when developments would progress and, therefore, when the associated need for school places would be required.
- Home to school transport budgets were increasing in tandem with a regular influx of in-year applications. It was not an easy task to place young people in their local school and the impact this had on the home to school transport budget was acknowledged. The criteria that was in use was set out on the Council's website.
- Comments regarding the availability of reception places was noted and whilst this was difficult to manage, the Council would work with providers.

Vote

A vote was held. The motion was carried unanimously.

Resolved

That Council approves the Warwickshire Education Sufficiency Strategy 2024-2029.

5. Education Sufficiency Capital Funding Gap

Councillor Kam Kaur (Portfolio Holder for Education) moved the recommendation as set out in the report. In doing so, she recognised the links to the previous two reports on the agenda and highlighted that over 2000 places would be required over the next five years. She noted the increase in the cost of schemes but that the traditional means of funding them (through the basic needs grant and section 106 monies) did not always meet the total cost of projects, leading to a funding gap of £20.155m and it was therefore proposed to add this figure to the capital programme.

In seconding the recommendation, Councillor Peter Butlin noted the reasons for the funding gap, highlighting that the basic needs grant did not reflect the inflationary costs of projects that had been seen in the last few years and the proposed use of the Capital Investment Fund to bridge the gap. He noted efforts to limit the increase in costs through retendering when costs were high and, in commending the paper, he expressed hope that the new government would seek to address the funding gap but in the meantime the proposed approach would safeguard provision of school places in the county for the next 5 years.

Debate

During the course of the debate, councillors made the following points:

- The report was broadly welcomed and assurance was sought that the funding position and requirement for school places would be regularly reviewed.
- It was acknowledged that there were risks associated with the proposed change in processing section 106 contributions and more clarity on the plans and the detail of what the risks were was sought.
- The need to provide schools in the right place at the right time in order to reduce travelling was highlighted, together with queries regarding the willingness of schools to expand and increase capacity rather than build new schools and the risks associated with such an approach.
- It was noted that the ability to build new schools relied on this capital investment.
- Clarity was sought on the provision for planning for increased in-year requirements for secondary places.
- The impact of inflation was noted and the Council's efforts to mitigate against this were commended.

In response to questions raised during the debate, Councillor Kaur responded that:

- A briefing on the processing of section 106 contributions would be arranged to provide clarity on the system.
- The Annual Sufficiency Report would continue to be presented to Cabinet and Council and this would provide the ongoing assurance sought.
- A briefing paper regarding capacity in Rugby would be shared.
- Delivery of new schools was the Council's responsibility but approval for them and the associated funding was provided by the Department for Education who based their decisions on the sufficiency strategy.

Vote

A vote was held. The motion was carried unanimously.

Resolved

That Council approves the allocation of £20.155 million from the Capital Investment Fund towards the provision of school places as outlined in the report and its addition to the capital programme for that purpose.

6. Transforming Nuneaton - Vicarage Street Development

Councillor Peter Butlin (Deputy Leader and Portfolio Holder for Finance and Property) moved the recommendation as set out in the report. In doing so, he noted that funding for the development had originally been added to the capital programme prior to the pandemic and due to delays in delivery, a cost review exercise had been undertaken followed by extensive value engineering and optioneering work to consider what could be delivered within the original budget envelope. A revised scheme was now proposed, with acceptable change in scope/scale, resulting in additional funding being sought to support the works.

Councillor Jeff Clarke seconded the recommendation and reserved his right to speak.

Debate

During the course of the debate, councillors made the following points:

- The importance of providing library services to the community was highlighted
- Changes to the design were noted and energy efficiency was welcomed.
- The investment was welcomed but an improvement in the community space provided was sought.
- The inflationary pressures that had affected the scheme were noted and the simplified design and funding sources were welcomed.
- However, concern regarding the housing needs of Nuneaton were raised and the Portfolio Holder was requested to work with local members to consider appropriate provision and viability.

In response, Councillor Jeff Clarke welcomed the plan to regenerate this area of the town, noting that the current building had reached the end of its useful life. He supported the energy efficiency measures and welcomed the work undertaken by officers that would enable delivery of the project.

Councillor Peter Butlin welcomed support for the project, which he confirmed was being developed in co-operation with Nuneaton and Bedworth Borough Council, including discussions regarding housing needs. He noted that libraries had a wide role and offered a number of community services which would be reflected in the use of the new provision.

Vote

A vote was held and the motion was carried by a majority.

Resolved

That Council approves:

1. The allocation of £5.14m from the Capital Inflation Contingency Fund for the delivery of a new Library and Business Centre in Nuneaton; and
2. A £6.70m increase to the capital programme, for the new Library and Business Centre in Nuneaton allowing for the inflationary uplift referred to at resolution 1, the land purchase price and a contribution of up to £1.5m from the West Midlands Combined Authority (WMCA), giving a total scheme budget of £26.12m.

7. Audit & Standards Committee - Annual Report 2023/24

Councillor Ian Shenton 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. He thanked members of the committee for their hard work and commended the Chairing skills of Mr John Bridgeman.

Councillor John Cooke seconded the motion.

Councillors Bill Gifford and Sarah Feeney commented favourably on the work of the Committee and the positive contribution made by the Chairman, Mr John Bridgeman.

Vote

A vote was held. The motion was carried unanimously.

Resolved

That Council endorses the Annual Report of the Audit & Standards Committee.

8. Police and Crime Commissioner Representation

In accordance with their prior declaration of interest, Councillors Isobel Seccombe and Piers Daniell left the room during consideration of this item.

Councillor Andy Crump (Portfolio Holder for Fire & Rescue and Community Safety) introduced the published report. Members were informed that the Police and Crime Commissioner had a legal right to sit on the County Council to speak on and consider matters regarding the Council's function as Fire and Rescue Authority.

Councillor Adrian Warwick seconded the recommendation noting a duty to support collaboration and co-operation between blue light services.

Vote

A vote was held. The recommendation was agreed unanimously.

Resolved

That the Warwickshire Police and Crime Commissioner be reappointed as a co-opted member of the full Council for the purposes of Section 7 Policing and Crime Act 2017.

9. Member Question Time (Standing Order 7)

(a) Councillor Jeff Morgan posed the following question to Councillor Kam Kaur:

“A couple of years back we ran a project seeking to raise standards of schools, both primary and secondary in Nuneaton. Can the Portfolio Holder give us any information on the results of this programme? In particular I'd like to know of any progress made by the Nuneaton Academy since the new sponsors took over. This school in Stockingford, which is not in the most disadvantaged area of Nuneaton by any means, has had a dreadful history, including 10 years without once gaining better than inadequate by OFSTED. A generation of children has been sold short by poor teaching. One hopes there are indications of progress at last.”

In response, Councillor Kaur confirmed that the Nuneaton Education Strategy 2020 - 2024 (NES) encompassed work with 38 primary, secondary and special schools as well as early years providers and providers of post 16 education. The work of the strategy had been impacted by the Covid-19 Pandemic and many of the activities and projects had been adapted to meet the changing demands of the time. Whilst substantial data would not be available to demonstrate the overall impact until later in the financial year, there were some headlines that could be shared:

- In 2019, 22 out of 26 primary schools in Nuneaton were Ofsted rated good or outstanding, as were three out of the six secondary schools. In 2024 all primary schools in Nuneaton were rated good or outstanding by Ofsted and four secondary schools were rated good or outstanding. Nuneaton Academy and Hartshill Academy had not been inspected since moving to the United Learning Trust in 2023. Whilst it would be difficult to claim that all the improvement in the Ofsted ratings was due to the work of the NES, head teachers had said that it provided wider access to training activities and projects giving a broader approach to look at their pupils' needs.
- The Nuneaton Academy had been re-brokered during the period of the strategy and was yet to be Ofsted inspected as part of the United Learning Trust. However, the Progress 8 score in 2023 was the highest in the school's history, although it remained low in comparison to both Warwickshire and national levels. Pupil numbers had grown rapidly and the school was now at PAN in most year groups. United Learning Trust had introduced new attendance and behaviour policies which had led to an improvement in behaviour. They were also working to reduce the number of permanent exclusions (which had remained high in recent years). Despite the challenges of previous years, the school was fully staffed and remained a priority for the Trust.

(b) Councillor Sarah Feeney asked Councillor Kam Kaur the following question:

“The Warwick Schools foundation is a private schools foundation that is seeking to form a new Multi-Academy Trust (MAT) with several special schools as well as primaries. The Labour Group would ask what understanding the school’s foundation has of special education and the challenges facing the state sector. What input has the local authority had on these issues and what is the view of the cabinet member?”

Councillor Kaur sought clarification as to whether Councillor Feeney or Labour Group Members had visited the schools referred to or met with the MAT and was advised that Councillor Feeney had visited several special schools over the years, and the questions had been raised with her Group by parents.

Councillor Kaur advised that any group of schools could come together to create a MAT if the governing bodies decided that it was in the best interests of the school and their pupils. These four schools had come together with the Warwick Independent Schools Foundation, a charitable trust, to bring forward the proposals.

Councillor Kaur expressed her support for the proposals, and advised that she had written to the Department for Education (DfE) to support them. Her support followed discussions with the Chief Executives, meetings with and visits to the schools who had consulted with parents of pupils attending the schools. The evidence had been submitted to the DfE who was the ultimate decision

maker and would now decide whether the creation of the MAT would be in the best interests of the pupils.

(c) On behalf of Councillor Will Roberts, Councillor Jonathan Chilvers posed the following question to Councillor Heather Timms

“Last week I attended Keep Britain Tidy Green Flag awards in Coventry. I noticed that out of all the authorities in the midlands Warwickshire wasn’t present. The Council has some great green spaces, did we apply for any green flags this year as it is a prestigious award. If not are there plans to apply for this award next year?”

In response, Councillor Timms advised that the Council was responsible for five country parks, three greenways and two nature reserves, facilities which provided the opportunity to access the countryside in a welcoming and supported environment. The Council closely managed its country parks to ensure they were well maintained and free of litter. Staffed parks were inspected every day and other facilities were inspected less frequently, but regularly, based on need. Volunteering groups were critical in maintaining the country parks and the previous year volunteer hours exceeded a total of 4,200 hours.

Green Flag Awards focussed on the quality and upkeep of parks and generally, they were more applicable to town parks, which were a more controlled environment, rather than country parks which were more rural. Hence, an application had not been made last year. However, the potential for applying for schemes and awards would be kept under review if they provided an added value but it was recognised that this came at a cost.

(d) Question from Councillor Sarah Boad noted that the Cabinet meeting on 16 July 2024, made a decision on the future of the resourcing to risk consultation. She asked Councillor Crump to confirm when a decision would be made as to whether or not the Community Risk Management Plan (CRMP) would be presented to Full Council and who would be consulted with to reach that decision.

In response, Councillor Crump explained that the Fire and Rescue Service and Legal Services were considering whether material changes to the CRMP followed the proposed operational changes and once those considerations had taken place, Members would be advised of the decision accordingly.

10. Any Other Items of Urgent Business

None.

The meeting rose at 12.04 pm

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Chair