

Minutes of the Annual Meeting of Warwickshire County Council held on 17 May 2011

Present:

Councillor Phillip Morris-Jones (Chair)

Councillors John Appleton, Martyn Ashford, Peter Balaam, Peter Barnes, Sarah Boad, Penny Bould, Peter Butlin, Les Caborn, Richard Chattaway, Jeff Clarke, Alan Cockburn, Ron Cockings, Jose Compton, Richard Dodd, Michael Doody, Alan Farnell, Jim Foster, Peter Fowler, Carol Fox, Mike Gittus, Eithne Goode, Colin Hayfield, Robin Hazelton, Martin Heatley, Bob Hicks, Richard Hobbs, Clare Hopkinson, Julie Jackson, David Johnston, Bernard Kirton, Joan Lea, Barry Longden, Tilly May, Frank McCarney, Brian Moss, Tim Naylor, Mike Perry, Clive Rickhards, Carolyn Robbins, Kate Rolfe, Jerry Roodhouse, John Ross, Chris Saint, Izzi Seccombe, Martin Shaw, Dave Shilton, Bob Stevens, Ray Sweet, B.E.M., June Tandy, Heather Timms, Sid Tooth, John Vereker C.B.E., D.L., Angela Warner, John Whitehouse, Chris Williams, Sonja Wilson and David Wright.

The Council welcomed Councillor Martin Heatley to his first meeting of Council following his period of illness.

1. Election of Chair

Councillor Jose Compton, out- going Chair of Council, opened the meeting and called for nominations for Chair for the municipal year 2011/12.

Councillor John Vereker proposed that Councillor Phillip Morris-Jones be elected Chair for the ensuing municipal year. Councillor John Ross seconded the proposal and there were no other nominations.

Resolved

That Councillor Phillip Morris-Jones be elected Chair of the County Council until the annual meeting of the County Council in 2012.

Councillor Phillip Morris-Jones thanked the Council and paid tribute to Councillor Jose Compton for her service as Chair and thanked Mervyn Compton for his support as consort to the Chair. Councillor Jose Compton thanked the Council for their support and gave particular thanks to her husband Mervyn and the help and guidance she had received from her PA, Dawn Mardle.

Resolved

That the County Council places on record its sincere appreciation to Councillor Jose Compton for her excellent service as Chair of the Council for 2010/11.

2. Election of Vice Chair

Councillor Les Caborn proposed that Councillor Michael Doody be elected Vice-Chair for the municipal year 2011/12. Councillor Dave Shilton seconded the proposal and there were no other nominations.

Resolved

That Councillor Michael Doody be elected Vice-Chair of the County Council until the annual meeting of the Council in 2012.

3. General

(1) Apologies for absence.

Apologies for absence were submitted on behalf of Councillors Chris Davis, Barry Lobbett, Helen Walton and Claire Watson

(2) Members' Disclosures of Personal and Prejudicial Interests.

None.

(3) Minutes

Resolved

That, subject to the deletion of the word 'possible' in the declaration of interest from Councillor Bould, and the correction of the finishing time to 11.45 a.m., the minutes of the meeting held on 29 March 2011 be approved as a correct record.

(4) Petition concerning the reduction in staffing in the County Council's Countryside Access Team

Mr Alan Cummings, member of the Warwickshire Area Ramblers Association, presented a petition containing 1020 signatures and expressing concern at the reduction in staffing levels in the Countryside Access Team and the impact this could have on the condition of the footpath network. Mr Cummings cited a recent comment to him that indicated that work undertaken three years before on the Warwickshire section of the Shakespeare's Way was already deteriorating, illustrating how quickly paths can deteriorate. He added that the reduction in access would have a negative impact on the Council's aims of encouraging walking for health and encouraging tourism and income.

Mr Cummings added that teams of volunteers had worked successfully in partnership with the Countryside Access Team and that

their removal would take away a leg of the partnership, losing both the officer skills and the walkers' contribution.

Mr Cummings concluded by asking the management team at the Council to look again at the reductions.

The Chair thanked Mr Cummings for his presentation and referred the petition to the Strategic Director for Environment to consider and respond.

Petition concerning the reduction in bus service Route 17D.

Councillor Barry Longden presented a petition of 376 signatures from residents of Stockingford, Galley Common and other places on the 17D bus route between Nuneaton and Arley. Councillor Longden explained that residents were concerned that the service had been reduced, making it difficult for people to access services, shops and, in some cases, prevent people from getting to work.

The Chair received the petition and referred it to the Strategic Director for response.

4. Constitutional Changes

Councillor Alan Farnell, Leader of the Council, moved the proposals and recommendations as set out in the report amended at (2) as follows:

“Appointments Sub-Committee

Composition: At least three elected members drawn from a pool of members agreed by the Staff and Pensions Committee to sit as and when required. *The Chief Executive will make arrangements for the sub-committee with membership being proportionate to the representation of the political groups and individual members on the Council, and nominated by the Leaders of the political groups.”*

Councillor Bob Stevens, Deputy Leader of the Council, seconded the proposals.

Some members expressed concern at the proposed new arrangements for Leader and Cabinet portfolio holder individual decision making, which removed the need for the Cabinet member to meet in public. Councillor Alan Farnell assured the Council that the usual processes would still apply (entry in the Forward Plan, published report with the proposed decision, and record of that decision once made) and that this would be available to all members.

A vote was taken on the proposals and the proposals were agreed as set out below, the voting being 36 for and 22 against.

Resolved

- (1) That the Council approves the changes to Standing Orders (Part 3, Section 1 of the Constitution) as set out in Appendix 1 of these minutes.
- (2) That the Council approves the changes to Officer Employment Standing Orders (Part 3 Section 2) as set out in Appendix 2 of these minutes.
- (3) That the Strategic Director for Resources makes any further amendments to the Constitution as may be necessary to give effect to these changes.
- (4) That Council establishes an Appointments Sub-Committee to deal with the appointment of the Head of Strategic Commissioning and appoints the following members to that sub-committee:

Cllrs Izzi Seccombe, Carolyn Robbins, Bob Stevens, June Tandy and Jerry Roodhouse.

5. Appointments to Committees and Other Bodies

- A** Councillor Alan Farnell, Leader of the Council, moved the report and recommendations, including the Conservative Group nominations for membership. Councillor Bob Stevens, Deputy Leader, seconded the proposals.
- B** Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, moved the following amendment and was seconded by Councillor John Whitehouse:

“That the Council:

- 1) Requests that the Leader adopt a rule that Cabinet should consist of no more than six members.
- 2) Requests that the Leader adopt a rule that no portfolio holder may hold an executive position on any other authority.

Following a debate a vote was taken on the amendment at **B** above. This was lost, the vote being 21 for and 36 against.

- C** A vote was taken on the proposals in the report as moved at A above, (including the nominations for membership from the political groups) and were agreed as set out below. The vote was 36 for and 21 against.

Resolved

- (1) That the Council confirms that the Committee structure and delegations in the Constitution remain unchanged.
- (2) That the number of places on Council Committees be as follows:

<i>Committees</i>	<i>Con</i>	<i>LD</i>	<i>Lab</i>	<i>Other</i>	<i>Total</i>
Audit and Standards Committee	4	1	1	(4 non-cllrs)	6
Regulatory Committee	8	2	2		12
Staff and Pensions Committee	4	1	1		6
O&S Board	7	2	2	1	12
Adult Social Care and Health O&S Cttee	6	2	2		10
Children & Young People O&S Cttee	6	2	2		10
Communities O&S Cttee	6	2	2		10
<i>Area Committees</i>	<i>All Members in that area</i>				
Total	41	12	12	1	66

- (3) That the Council appoints the following committees and the members to sit on them:

Audit and Standards Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Clare Hopkinson	David Johnston	Tim Naylor
Bob Stevens		
John Vereker		
Helen Walton		

Non-councillors: John Bridgeman, Robert Jeanes, Robert Meacham, and 1 vacancy.

Regulatory Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Ron Cockings	Peter Barnes	Brian Moss
Jose Compton	Eithne Goode	Ray Sweet
Robin Hazelton		
Clare Hopkinson		
Joan Lea		
Mike Perry		
Carolyn Robbins		
Chris Williams		

Staff and Pensions Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Alan Farnell	Eithne Goode	Brian Moss
Jim Foster		
Colin Hayfield		
Martin Heatley		

Overview and Scrutiny Board

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>	<i>WRA</i>
John Appleton	Jerry Roodhouse	Tim Naylor	Bernard Kirton
Les Caborn	John Whitehouse	June Tandy	
Jeff Clarke			
Peter Fowler			
John Ross			
Dave Shilton			
Chris Williams			

Plus the following co-opted members:

- one member from an overview and scrutiny committee of each district/borough council in Warwickshire (to be appointed/confirmed by relevant authority)
- one independent member of the Warwickshire Police Authority
- one non-executive representative of the Warwickshire PCT.

Adult Social Care & Health O&S Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Martyn Ashford	Kate Rolfe (Spokes)	Penny Bould
Les Caborn	Richard Dodd	Sid Tooth (spokes)
Jose Compton		
Dave Shilton		
Angela Warner		
Claire Watson		

Children and Young People O&S Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Carol Fox	Peter Balaam (spokes)	Julie Jackson
Mike Perry	Clive Rickhards	June Tandy (spokes)
Carolyn Robbins		
John Ross		
Martin Shaw		
Sonja Wilson		

Communities O&S Committee

<i>Conservative</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Mike Gittus	John Whitehouse (spokes)	Richard Chattaway (spokes community safety)
Barry Lobbett	Sarah Boad	Ray Sweet (spokes environment)
Michael Doody		
Tilly May		
Chris Saint		
Helen Walton		

- (4) That the Area Committees are appointed as follows until 28th June 2011. The terms of reference and arrangements for the Committees remain unchanged.

North Warwickshire Area Committee

Councillors Peter Fowler (C), Carol Fox (C), Colin Hayfield (C), Joan Lea (C), Tilly May (C), Brian Moss (L), Martin Shaw (C) and Ray Sweet (L).

Nuneaton and Bedworth Area Committee

Councillors Richard Chattaway (L), Jeff Clarke (C), Alan Farnell (C), Jim Foster (C), Martin Heatley (C), Bob Hicks (L), Julie Jackson (L), Barry Lobbett (C), Barry Longden (L), Frank McCarney (L), John Ross (C), June Tandy (L), Sid Tooth (L) Sonja Wilson (C).

Rugby Area Committee

Councillors Peter Butlin (C), Richard Dodd (LD), Robin Hazelton (C), Phillip Morris-Jones (C), Carolyn Robbins (C), Jerry Roodhouse (LD), Heather Timms (C), John Vereker CBE DL (C), Helen Walton (C), Claire Watson (C), David Wright (C).

Stratford-on-Avon Area Committee

Councillors John Appleton (C), Peter Balaam (LD), Peter Barnes (LD), Ron Cockings (C), Mike Gittus (C), Richard Hobbs (C), David Johnston (LD), Mike Perry (C), Clive Rickhards (LD), Kate Rolfe (LD), Chris Saint (C), Izzi Seccombe (C), Bob Stevens (C), Chris Williams (C).

Warwick Area Committee

Councillors Martyn Ashford (C), Sarah Boad (LD), Penny Bould (L), Les Caborn (C), Alan Cockburn (C), Jose Compton (C), Chris Davis (LD), Michael Doody (C), Eithne Goode (LD), Clare Hopkinson (C), Bernard Kirton (WRA), Tim Naylor (L), Dave Shilton (C), Angela Warner (C) and John Whitehouse (LD).

- (5) That John Bridgeman be confirmed as the Chair of the Audit and Standards Committee. The terms of reference and arrangements for sub-committees of that Committee remain unchanged.
- (6) That the Chair of the Staff and Pensions Committee shall be the Leader of the Council. Subject to any changes that may be made by the Staff and Pensions Committee the terms of reference and arrangements for the Pension Fund Investment Board remain unchanged.
- (7) That the **Leaders Liaison Group** be reconfirmed to consist of the Leaders and Deputy Leaders of the political groups represented on the Council. The terms of reference remain unchanged.
- (8) That the following 9 members be appointed to **Warwickshire Police Authority**

<i>Conservatives</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Peter Fowler	Chris Davis	Bob Hicks
Carol Fox	Eithne Goode	Frank McCarney
Richard Hobbs		
Phillip Morris-Jones		
John Vereker		

- (9) That the following 5 members be appointed to the **Standing Advisory Council for Religious Education:**

<i>Conservatives</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Heather Timms	Clive Rickhards	Julie Jackson
Carolyn Robbins		
Sonja Wilson		

- (10) That the following 3 members be appointed to the **School Admissions Forum:**

<i>Conservatives</i>	<i>Liberal Democrat</i>
Heather Timms	Peter Balaam
Carolyn Robbins	

- (11). That the Community Forums continue to operate in accordance with the arrangements previously agreed by Council.

- (12) That the following members be appointed to the **Warwickshire Waste Partnership**

<i>Conservatives</i>	<i>Liberal Democrat</i>	<i>Labour</i>
Jeff Clarke	John Whitehouse	Ray Sweet
Alan Cockburn		
Michael Doody		

- (13) That with immediate effect all other committees, sub-committees and Panels cease to operate other than any statutorily required bodies
- (14) That the Council confirms the delegations to officers as set out in the Constitution.

6. Overview and Scrutiny Annual Report

Councillor Chris Saint, Chair of the Overview and Scrutiny Board, presented the 2010/11 Overview and Scrutiny Annual Report and thanked members for their diligent work, and in particular commended the work undertaken by the task and finish groups.

Overview and Scrutiny Committee Chairs and spokespersons gave their thanks to members and also thanked the scrutiny officers for their work.

During discussion, it was suggested that the Overview and Scrutiny Board consider adding safeguarding of adults as a possible future topic, given the Government's draft legislation in this area.

Resolved

That Council welcomes the Overview and Scrutiny Annual Report and suggest that the Board consider programming safeguarding of adults for review in future .

7. Motion to Council

- A** Councillor June Tandy, Leader of the Labour Group, moved the following motion and was seconded by Councillor Julie Jackson.

“That this County Council shows and proves its commitment to openness and accountability by fully engaging members of the public in decision making processes by setting up a facility for them to speak on agenda items at meetings of Cabinet and all other decision making bodies within the County Council and that the Strategic Director for Resources makes the appropriate amendments to the Constitution.”

- B** County Councillor John Vereker, CBE,DL, moved the following amendment and was seconded by Councillor Carolyn Robbins:

Delete all words after 'processes' and insert:

“ by encouraging the use of the current petition procedure, by participating at community forums, or otherwise contacting their local councillors either by e-mail or in writing.”

- C** Councillor June Tandy indicated that she would accept an amendment to her motion that incorporated the amendment at B but that did not delete any of her wording in A.

Councillor John Vereker indicated that he did not support this proposed amendment.

- D** The amendment at B was put to the vote. Councillor June Tandy requested a recorded vote.

The vote was taken and the amendment was carried 36 for and 20 against.

For the amendment (36): Councillors John Appleton, Martyn Ashford, Peter Butlin, Les Caborn, Jeff Clarke, Alan Cockburn, Ron Cockings, Jose Compton, Mike Doody, Alan Farnell, Jim Foster, Peter Fowler, Carol Fox, Mike Gittus, Colin Hayfield, Robin Hazelton, Martin Heatley, Richard Hobbs, Clare Hopkinson, Bernard Kirton, Joan Lea, Phillip Morris-Jones, Mike Perry, Carolyn Robbins, John Ross, Chris Saint, Izzi Seccombe, Martin Shaw, Dave Shilton, Bob Stevens, Heather Timms, John Vereker CBE,DL, Angela Warner, Chris Williams, Sonja Wilson, David Wright.

Against the amendment (20): Councillors Peter Balaam, Peter Barnes, Penny Bould, Richard Chattaway, Richard Dodd, Eithne Goode, Bob Hicks, Julie Jackson, David Johnston, Barry Longden, Frank McCarney, Brian Moss, Tim Naylor, Clive Rickhards, Kate Rolfe, Jerry Roodhouse, Ray Sweet, June Tandy, Sid Tooth and John Whitehouse.

Resolved

That this County Council shows and proves its commitment to openness and accountability by fully engaging members of the public in decision making processes by encouraging the use of the current petition procedure, by participating at community forums, or otherwise contacting their local councillors either by e-mail or in writing.

8. Member Question Time

(1) Manor Park School Site, Nuneaton

Councillor Bob Hicks put the following question to Councillor Martin Heatley, Cabinet Portfolio Holder for Resources:

“ As the Council has given notice to quit (this summer) to organisations located on the Manor Park School site in Nuneaton, what are your plans for the site when vacated?”

Councillor Martin Heatley replied:

“The directorate has given notice that the land is surplus to requirements. One external organisation has given notice to quit. A range of services is being looked at and discussions have taken place with the local MP, local member and I intend to keep you fully briefed of progress on this. There are no specific plans at present.”

Councillor Bob Hicks asked the following supplementary question:

“ As there are no specific plans, will you be consulting Councillor Heather Timms, portfolio holder for Children, Young People and Families, on whether the awaited primary school review is near completion and whether this may suggest a primary school use”.

Councillor Martin Heatley replied that he would speak to Councillor Heather Timms and keep Councillor Bob Hicks informed.

(2) Household Waste Recycling Centres

Councillor John Whitehouse, Chair of the Communities Overview and Scrutiny Committee, put the following question to Councillor Alan Cockburn, Cabinet Portfolio Holder for Environment and Economy:

“ Would the portfolio holder confirm what discussions with staff or other interested parties have taken place since the Household Waste Recycling Centres pre-consultation event on 21st March, what the current plan is for achieving the budget savings and when public consultation about this plan is due to start?”

Councillor Alan Cockburn replied:

“ The overall saving package from Waste Management includes changes to how we manage our household waste recycling centres (HWRCs). We are looking to save £983,000 in a full financial year. This figure is made up of four different elements of running these centres:

1. Reducing hours of operation over the week, but in the main Monday to Friday to be open six hours a day, bringing a saving of £105,000.
2. We are also looking at present to bring the service back in house. We expect to make a saving in the region of £533,000 but it will require an initial capital investment of £660,000 for the first year.
3. Reducing the days open for all the remaining HWRC sites to five days per week, closing two days during Monday to Friday, saving £205,000. This was an area that was fully discussed at our pre-consultation event held on 21 March with councillors and partners. Officers are looking to see if there is any other way these savings can be made from the HWRC budget that would reduce the impact in this area.
4. Introducing an 'open bag policy' for general waste on all the sites. By introducing this we should see an increase in the levels of recycling, so reducing the cost of disposal. The estimated saving would be £143,000.

As stated earlier, work has already started on a pre-consultation event held with members and other key stakeholders. Using the information gathered and the views expressed at that event, the Waste Management team are currently still investigating potential options of how to deliver the HWRC service. Once this is complete, consultation with public and key stakeholders will start to take place mid June”.

Councillor John Whitehouse asked the following supplementary question:

“I was shocked to hear that there was an option to close Kenilworth recycling centre for five days a week. This would also have a negative impact on traffic for the two open days. Can the portfolio holder give a categoric assurance that this option is no longer under consideration?”

Councillor Alan Cockburn replied:

“Yes I do give that assurance”.

9. Leader Question Time

(1) Impact of Schools becoming 'Free Schools'

Councillor June Tandy asked:

“Is the Leader aware of the potential impact that the proposal from Priors School, Priors Marston, to become a free school will have on education in Warwickshire, including a number of pupils being diverted from St Lawrence School, Napton?”

Councillor Alan Farnell replied:

“It is Government policy to support free school places and this Council Administration will stand by this.”

(2) NHS Reform

Councillor Julie Jackson asked:

“Given the concern amongst the medical profession regarding NHS proposals, what assurance can the Leader give that people in Warwickshire will have full access to services?”

Councillor Alan Farnell replied:

“ I welcome the public involvement in the current ‘pause’ to listen phase and the Government has given a commitment to improve the NHS and I hope we all agree with that.”

(3) Motor cycle and bicycle travel expenses rates.

Councillor Tim Naylor asked:

“Given that the mileage rate claimable by staff for using motorcycles and bicycles has not changed for over ten years, will the Leader be looking at encouraging this greener form of transport and review the rates?”

Councillor Alan Farnell replied:

“I will not be looking at these rates.”

(4) Public Interest Debate

Councillor Julie Jackson asked:

“ When, in accordance with Part 3,Section 1 paragraph 36 of the Constitution, will the Leader call a public interest debate?”

Councillor Alan Farnell replied:

“I will talk to officers about having a public interest debate as soon as possible.”

(5) Sale of cars on public highways

Councillor Richard Chattaway asked:

“ Will the Leader ask for a solution to tackling the problem of the illegal selling of cars off the public highway?”

Councillor Alan Farnell replied:

“ We are doing some work with Nuneaton and Bedworth BC to tackle this problem of illegal advertising generally on highways, not just for sale of cars. Meetings have taken place between the Leader of the Borough Council, local member and officers from both authorities, with a view to curbing this problem permanently. Any suggestions for tackling this are welcome. ”

(6) Fire & Rescue Service

Councillor Angela Warner asked:

“Can the Leader give reassurance that the Council will continue to seek options for a Fire Station to serve both Warwick and Leamington?”

Councillor Alan Farnell replied:

“Yes, we will use our best efforts on this. An advertisement has been placed in the press and we have had interest in the current site. Officers are exploring options.”

(7) Rugby Rural Link –Community Bus Service

Councillor Robin Hazelton asked:

“The Rugby Rural Link community bus service, run by voluntary drivers, is proposed to cease. Is the Government considering additional funding for these types of services and will this service continue?”

Councillor Alan Farnell replied:

“The scheme referred to was introduced and funded by Rugby Borough Council, costing them £30,000 a year with £4,500 contribution from the County council. The Borough Council ceased funding following poor level of services in 2009. There remains a weekly flexibus service that is unaffected by the County Council reductions.”

(8) Meals of Wheels Charges

Councillor Kate Rolfe asked:

“Is the Leader aware of the impact on people of the increase in the cost of meals on wheels (by 60%) at a time when pensions are only being increased by 12% and when care charges are also going up?”

Councillor Alan Farnell replied:

“We have had to look at all services in the budget process and this has been difficult for many services. In this case it is important that quality is maintained if not improved”.

10. Any other items of urgent business.

None

11. Exclusion of Press and Public

Resolved

That members of the public be excluded from the meeting on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

12. Exempt (Non-Public) Minutes

Resolved

That the exempt minutes of the meeting held on 29 March 2011 be approved as a correct record.

The Council rose at 1.05 p.m.

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Chair