

Council**Thursday, 17 May 2018, County Hall, Worcester - 10.00 am****Minutes****Present:**

Mrs A T Hingley (Chairman), Mr R C Adams, Ms P Agar, Mr A T Amos, Mr T Baker-Price, Mr R W Banks, Mr R M Bennett, Mr C J Bloore, Mr G R Brookes, Mrs J A Brunner, Mr B Clayton, Mr P Denham, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Ms P A Hill, Mrs L C Hodgson, Dr A J Hopkins, Dr C Hotham, Mr M E Jenkins, Mr A D Kent, Mr R C Lunn, Mr S M Mackay, Mr L C R Mallett, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Mrs F M Oborski, Dr K A Pollock, Mrs J A Potter, Mrs M A Rayner, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Ms C M Stalker, Mr C B Taylor, Mr R P Tomlinson, Mrs E B Tucker, Mr P A Tuthill, Mr R M Udall, Ms R Vale, Ms S A Webb and Mr T A L Wells

Available papers

The Members had before them:

- A. The Agenda papers (previously circulated);
- B. 9 questions submitted to the Head of Legal and Democratic Services (previously circulated); and
- C. The Minutes of the meeting held on 15 February 2018 (previously circulated).

1987 Apologies and Declaration of Interests (Agenda item 1)

Apologies for absence were received from Mr A A J Adams, Mr A Fry, Mr P M McDonald, Ms T L Onslow, Prof J W Raine and Mr P A Tuthill.

Mr J H Smith declared an interest in Agenda item 8 (c) as his wife was proposed as Vice-Chairman of the Health Overview and Scrutiny Committee and he would not participate in the item.

1988 Chairman (Agenda item 2)

The outgoing Chairman described her year of office and thanked Council and its officers for their support. A Minute's silence was held for those who have passed on.

RESOLVED that Mr B Clayton be elected Chairman of the Council to hold office until his successor

<p>1989 Vice-Chairman (Agenda item 3)</p>	<p>becomes entitled to act.</p> <p>The nomination of Mr R P Tomlinson was moved by Mr P Middlebrough and seconded by Mr R C Adams.</p>
	<p>It was then proposed by Mr R C Lunn and seconded by Mr L C R Mallett that Mr P Denham be appointed Vice-Chairman of the Council.</p>
	<p>RESOLVED that Mr R P Tomlinson be appointed Vice-Chairman to hold office until immediately after the election of Chairman at the next Annual meeting of the Council.</p>
<p>1990 Public Participation (Agenda item 4)</p>	<p>Mr K Seago asked questions concerning issues associated with the A456.</p>
	<p>The Chairman thanked Mr Seago for his questions and said he would receive a written reply from the relevant Cabinet Member.</p>
<p>1991 Minutes (Agenda item 5)</p>	<p>RESOLVED that the Minutes of the meeting held on 15 February 2018 be confirmed as a correct record and signed by the Chairman.</p>
<p>1992 Chairman's Announcements (Agenda item 6)</p>	<p>Noted.</p>
<p>1993 Reports of Cabinet - Matters which require a decision by Council - Worcestershire 5G Consortium (Agenda item 7(a))</p>	<p>Council considered the Worcestershire 5G Consortium project. The details were set out in the report.</p> <p>In the ensuing debate, the following principal points were raised:</p> <ul style="list-style-type: none"> • The Leader of the Council introduced the report. He was delighted to secure £4.8m additional funding with £3m match funding to develop the 5G testbed which was one of only 6 in the country. The project would allow the testing of new 5G technology in a business environment. The project would boost productivity through the use of new technology and put Worcestershire on the map • The Cabinet Member for Economy and Infrastructure commented that the project was based at Malvern Science Park and focused on advanced technology and cyber security in association with Mazak, Bosch and QinetiQ with an educational element provided by the Heart of Worcestershire College. The ultimate aim of the

1994 Reports of Cabinet - Matters which require a decision by Council - New Capital Investment - Social Care Case Management System (Agenda item 7 (a))

upgrade to 5G technology was to provide a faster broadband signal

- The project was cautiously welcomed by another member but the total cost of the project and the ability of the Council to pay for it was queried. The Leader of the Council responded that the Government would fund the project together with match funding rather than through Council Tax
- Concern was expressed that should the project prove to be successful, further funding would be required to enable the roll out of the 5G technology. The Leader of the Council responded that if the Government decided to proceed with a wider application of 5G technology, it would form part of a Government programme and this Council would need to make a decision whether to participate based on a costs/benefit analysis.

RESOLVED that the additional £4.81 million income and matching expenditure that will form part of the Economy & Infrastructure revenue budget in 2018/19 for the Worcestershire 5G Consortium project be noted.

The Council considered an addition to the capital programme for the replacement of the Social Care Case Management System. The details were set out in the report.

In the ensuing debate, the following principal points were raised:

- The Leader of the Council introduced the report. He indicated that the existing Social Care Case Management System, Framework-i was coming to the end of its life cycle and would not be supported from December 2018. The benefits of upgrading the system were set out in the report. Approval was therefore sought for the allocation of £2m from the existing contingency within the Capital Programme to seek a suitable replacement system
- An assurance was sought that the new software would be suitable for use by the Alternative Delivery Model (ADM) adopted by the Council for Children's social care. The Leader of the Council responded that there were a number of suppliers in the market place and their systems would be tested accordingly to ensure that the most applicable software was commissioned
- A comment was made that it appeared that

Framework-i had been failing for some time and yet the system was only being replaced at this late stage. The Leader responded that Framework-i was continuing to meet the Council's needs but because it would not be supported from December 2018, it needed replacing.

RESOLVED the addition of £2 million to the Capital Programme for Social Care Case Management System replacement be approved and the capital cash limits be updated accordingly.

1995 Reports of Cabinet - Summary of decisions taken (Agenda item 7 (b))

The Leader of the Council reported the following topics and questions were answered on them:

- Children's Social Care Services Alternative Delivery Model - Business Case Approval
- Plastics and Non-Recyclable Cups - Notices of Motion from Council 15 February 2018
- Use of Children's Centre Buildings - Transfer of the Outreach Centre at the Grove Primary School, Malvern
- Resources Report.

1996 Constitutional Matters (Agenda item 8)

a) Council Working Group

Council considered the report of the Council Working Group. The details were set out in the report.

The changes to the arrangements for Council meetings as proposed by the Council Working Group were moved by Mr J H Smith and seconded by Mr M J Hart.

The mover and seconder spoke in favour of the recommendation, thanking all those who took part in the workings of the Council Working Group although it was noted that the Labour Group had not participated. Sheena Jones and Debbie Dale were also thanked for their support to the Group.

An amendment was moved by Mrs E B Tucker and seconded by Mrs F M Oborski that consideration of the findings of the Council Working Group be deferred in order for the task approved by Council, in response to the original Notice of Motion, be properly addressed as agreed in January 2016 when the Notice of Motion was accepted.

The mover and seconder of the amendment then spoke in favour of its adoption: the key points being:

- The original Notice of Motion had been agreed unanimously and focused on improving the quality of debate at full Council meetings, improving opportunities for non-executive members and better utilising their skills. It was disappointing therefore that the recommendations from the Group did not recognise these aspects but instead focused on ways of shortening full Council meetings and on this basis, consideration of the report should be deferred
- The findings of the Working Group totally ignored the basis on which it was set up to improve transparency and increase the involvement of all backbenchers
- How could every councillor make a strong contribution to debate when the time available for Notices of Motion, questions and Cabinet Member reports was being reduced? The premise behind the findings appeared to be that full Council meetings were too long but this was rejected. Members had a duty to represent their constituents at full Council meetings and the present time commitment for members was not excessive
- The revised deadline for the submission of questions would prevent councillors from raising important issues at the last minute
- The 90 minute time restriction on Notices of Motion was undemocratic and stifled debate. The restriction of motions to statutory functions or County Council matters failed to recognise the impact of national issues on the local area. The current procedures worked effectively
- The time limit proposed for Cabinet Member reports and answers restricted the opportunity of councillors to fully question, complement or criticise the administration on complex issues as well as restricting the time available to the Cabinet Member to provide (in some cases) lengthy replies
- Bearing in mind, there were only 6 meetings of the Council per year and Notices of Motion would be restricted to 90 minutes for discussion under the proposals, each individual councillor would have very limited time over the year to contribute to debate
- Consideration of the Working Group report should be deferred to allow the full range of issues set out in the original motion to be developed further with cross-party support

- The proposed restrictions would lead to issues being raised outside the Council Chamber in other forums or through the media

Members also spoke against the amendment:

- The contribution to this debate from the Labour Group might have been more meaningful if their nominated representatives had attended any of the Council Working Group sessions
- Many of the questions raised at Council meetings could be addressed by officers or Cabinet Members outside the meeting. In addition, the quality of the questions asked was poor. The Working Group proposals were not aimed at restricting debate at full Council meetings. In any case, the number of opposition councillors who left the meeting after lunch should be noted. Councillors had plenty of opportunities to get involved in debate at Cabinet and scrutiny meetings but some councillors were more inclined to make comments in the press.

On being put to the vote, the amendment was lost.

In debating the substantive motion as originally moved and seconded, the following main points were made:

Comments in favour of the substantive motion included:

- The purpose of the findings of the Working Group was to improve the standard of behaviour at full Council meetings
- If members did not agree with the findings of the Working Group then they had the opportunity to vote against them. Deferring consideration of the report because certain aspects were considered unpalatable would just create unnecessary delay
- Provision already existed in the Council's Constitution to ask emergency questions at the discretion of the Chairman of the Council. The Head of Legal and Democratic Services advised that there was provision for urgent formal questions to be placed before Council if the Chairman agreed that the matter was urgent and filed at least 30 minutes before the start of the meeting, although none had been forthcoming to date. That urgency provision was not part of the recommendations of the Working Group and would therefore continue unaffected by the proposals before Council. There was no such

constitutional provision for Notices of Motion

- If issues arose from the next councillor survey, members could request that the Working Group be reformed.

Comments made against the substantive motion included:

- It was not clear what would happen to Motions that were not taken due to the time limit being reached or how to ensure a fair share of Motions between the different political groups within the time limit
- It would appear that the administration would like to control the questions that were asked of it at full Council meetings. However, the role of the opposition was to ask those questions that the administration did not wish to answer
- There needed to be some form of provision in the Council's constitution to allow for emergency questions and Notices of Motion to be submitted
- It was clear from the original Notice of Motion that the work of the Working Group had not been concluded. The last meeting of the Working Group had agreed that there were work streams to progress and to undertake an annual survey of members
- The Working Group should continue and keep a watching brief on the activities of Council and any changes agreed at this meeting should be reviewed by the Group in due course
- Full Council was a different form of theatre to any other Council meetings and drew the attention of the public
- In response to a query about the status of the proposed recommendation put forward by the Conservative Group, the Head of Legal and Democratic Services advised that the statutory officer had set out a neutral recommendation in the report asking Council to consider the proposed changes put forward by the Council Working Group. It was for members of Council to put forward any substantive motion and that was what the Conservative Group had proposed.

On a named vote **RESOLVED** that

a) the arrangements for Council meetings be changed on the following basis:

Question Time:

1. (a) **The proposal is that no change to the number of questions that can be asked but questions must be ranked in order of priority by the Member at the time of submitting a question. The time allowed will be unchanged.**
- (b) **The deadline for questions will be 12 noon on the 9th calendar day before a Council meeting, normally a Tuesday.**

Notice of Motion:

2. (a) **Deadline for Notices of Motion will be at 12 noon on the 9th calendar day before a Council meeting, normally a Tuesday.**
- (b) **A maximum of 90 minutes for all discussions on Notices of Motion.**
- (c) **Notices of Motion must relate to the statutory functions of the County Council or affect the County Council in particular.**

Cabinet Member Reports

3. **It is recommended that reports should be shorter and more concise and a maximum of 30 minutes permitted for questions and answers on the report.**

Future of Council Working Group

4. **This working group has now concluded its work and Council formally disbands it.**

b) the Head of Legal and Democratic Services be authorised to make any changes to the constitution if required as a result of consideration of the proposals.

Those voting in favour were:

Mr B Clayton, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R W Banks, Mr R M Bennett, Mr G R Brookes, Mrs J A Brunner, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs A T Hingley, Mrs L C Hodgson, Dr A J Hopkins, Mr A D Kent, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H

Smith, Mr A Stafford, Mr C B Taylor, Mr R P Tomlinson, Ms R Vale, Ms S A Webb. (37)

Those voting against were:

Ms P Agar, Mr C J Bloore, Mr P Denham, Ms P A Hill, Dr C Hotham, Mr M E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mrs F M Oborski, Mrs M A Rayner, Ms C M Stalker, Mrs E B Tucker, Mr R M Udall, Mr T A L Wells (14)

b) Council meeting dates 2019

County Council meeting dates were currently scheduled up to November 2018. To enable the 2019 meetings programme to be produced and help members plan their commitments, the Head of Legal and Democratic Services suggested that further meetings of the Council were now scheduled for 2019. In accordance with the usual practice and pattern of meetings, further meetings (Cabinet, Committees and Panels) would be arranged in the light of the Council dates and members notified in due course.

RESOLVED that the programme of meetings for 2019 be approved as follows:

17 January 2019

14 February 2019

16 May 2019

18 July 2019

12 September 2019

07 November 2019.

c) Chairmen and Vice-Chairmen of Member Bodies

The Council received regular reports on appointments which needed to be made to various chairmanships and vice-chairmanships. The nominations for a number of appointments were set out in the Appendix to the report.

In the ensuing debate, concern was expressed about the poor attendance by members of the Overview, Scrutiny and Performance Board. The Chairman of the Board undertook to work with members and officers to select suitable dates for future meetings of the Board.

RESOLVED that the constitutional appointments as set out in the Appendix to the report be confirmed.

1997 Notices of Motion - Notice of Motion 1 - Budget process - greater transparency (Agenda item 9)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mrs E B Tucker, Prof J W Raine, Mr M E Jenkins and Mrs F M Oborski.

The motion was moved by Mrs E B Tucker and seconded by Mrs F M Oborski who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

Those in favour of the motion made the following comments:

- The Notice of Motion requested greater transparency in the budget process for members and the public. Members only became aware of the CIPFA report as a result of a Freedom of Information (FOI) request some considerable time after Cabinet received it in 2017. It was also concerning that the Council had not taken up the offer of a further report from CIPFA which was included in the fee. The budget was one of the few statutory functions that full Council considered and all members should be made fully aware of all the information available to enable properly informed amendments to be formulated
- It was accepted that a lot of information was made available to councillors but it was apparent that the administration was only sharing the information it felt appropriate to share. The CIPFA report was critical of the Council's budget. It appeared that the administration was trying to hide the details by not sharing them. It was impossible to scrutinise the budget without a core document being made available.

Those against the motion made the following comments:

- The Leader of the Council commented that the central premise of the Motion was that members were not being made aware of the financial position of the Council and this was not the case. The themes in the CIPFA slides were made known to members. The budget-setting process was long established, open and transparent. The draft medium term financial plan had been published well in advance and members had had the opportunity at numerous briefings, panels and public events to be engaged. All councillors had access to detailed budget reports which included

the financial risks and views of the Chief Financial Officer. Members had the opportunity at any time to seek advice from the Chief Financial Officer. Budget briefings were poorly attended and he urged members to attend future briefings. The Cabinet's role was to formulate proposals and for Scrutiny to examine them and put forward alternative proposals. An informal meeting of SLT/Cabinet had been presented with a series of slides produced by CIPFA in June 2017.

The CIPFA slides had been commissioned by the previous Chief Financial Officer to inform his advice to SLT/Cabinet members at the start of the new Council. The slides raised a series of questions and suggestions but the core issues in them had already been addressed and made public

- Attendance at budget meetings of the OSPB and Cabinet was poor and all members needed to make more effort to engage in the budget-setting process
- The CIPFA slides had been made available to OSPB but did not make a lot of sense without reference to the accompanying commentary. The Council had been open and transparent in agreeing to release the slides under the Freedom of Information Act despite the member feeling there being no requirement to do so. The only issue really was the cost to the Council and it was hoped that some of that cost would be recovered from CIPFA.

On being put to the vote, the motion was lost.

1998 Notices of Motion - Notice of Motion 2 - Sharing information (Agenda item 9)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mr R C Lunn, Mr L C R Mallett, Mr P Denham, Mr C J Bloore, Mr P M McDonald, Mr R M Udall, Ms P Agar and Ms C M Stalker.

The motion was moved by Mr R C Lunn and seconded by Mr L C R Mallett who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

Those in favour of the motion made the following comments:

- Any internal or external report that involved the allocation of public funds should be shared with members, particularly reports concerned with the

Council's finances. The issue was not the commissioning of the CIPFA report but the refusal to share it as well as the cost

- It was not necessarily the numbers set out in the CIPFA report but the commentary that was important. In particular, the premise that the Chief Financial Officer did not have the resources or structural capacity to deliver the administration's plans. The report had been funded from the public purse and therefore should be available to everyone
- The transparency of the tendering process by the previous Chief Financial Officer in the commissioning the CIPFA report and the value for money of the report was queried
- The Motion was not concerned with informal officer/member discussions but where reports had been commissioned at council taxpayers' expense, these should be shared with all councillors.

Those against the motion made the following comments:

- The fundamental principles of the Cabinet system allowed the administration to consider how to develop policy outside the formal council meetings process. The danger of this Motion was that it would prevent the administration from doing this important policy development work. In reality, not many reports had been produced that had not been made public. This Motion would mean that reports would have to be shared with the public and press which could contain legal opinion or commercially sensitive information. A safety first culture would develop which would discourage more imaginative ideas
- It was queried whether the main opposition group would change their stance on increasing Council Tax based on the advice from CIPFA in their slides
- CIPFA was the single recognised chartered institute for financial services and therefore it was appropriate for the former Chief Financial Officer to commission the slides without being concerned about his formal role in that organisation
- The Leader of the Council commented that it was not possible for the Council to operate without holding informal policy discussions.

On a named vote, the motion was lost.

1999 Notices of Motion - Notice of Motion 3 - Community Orchards (Agenda item 9)

Those voting in favour were:

Ms P Agar, Mr C J Bloore, Mr P Denham, Ms P A Hill, Dr C Hotham, Mr M E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mrs F M Oborski, Mrs M A Rayner, Ms C M Stalker, Mrs E B Tucker, Mr R M Udall, Mr T A L Wells (14)

Those voting against were:

Mr B Clayton, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R W Banks, Mr R M Bennett, Mr G R Brookes, Mrs J A Brunner, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs A T Hingley, Mrs L C Hodgson, Dr A J Hopkins, Mr A D Kent, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Mr C B Taylor, Mr R P Tomlinson, Ms R Vale, Ms S A Webb. (37)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mr R M Udall, Ms C M Stalker, Ms P Agar, Mr P M McDonald, Mr R C Lunn, Mr P Denham, Mr C J Bloore, and Mr L C R Mallett.

The motion was moved by Mr R M Udall and seconded by Ms C M Stalker who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

Those in favour of the motion made the following comments:

- The community orchards scheme provided an opportunity to plant rare native trees, bring people/communities together, working outside, promote healthy eating and lifestyles and have fun. The biggest problem for these projects was the availability of land. The Council had pockets of land available across the county and he asked the Cabinet Member to consider how Council land could be used to promote this scheme. Local businesses had already stepped forward to sponsor the scheme so there would be no cost to the council taxpayer
- Community orchards were being established all over the country and had proved successful in providing a community asset, improving

community cohesion, addressing social isolation, improving mental and physical health and increasing interest in fruit-growing

- There had been plenty of opportunity to put forward an amendment to this Motion to ensure that its wording was consistent with the Council's existing policy.

Those against the motion made the following comments:

- This Motion was unnecessary because the Council already operated a community asset policy which governed the introduction of community orchards. The Council assessed all land-use proposals on their merits and in line with this policy
- The problem was that trees planted as part of these schemes were often stolen or died and it was necessary to create a revenue stream to maintain the trees after the initial planting
- The Cabinet Member for the Environment advised that trees were often planted in the wrong place or soil and died as a result. The county had become a designated pollinator and had already promoted a number of community orchards. The existing process operated in association with Worcestershire Wildlife Trust and looked at ways of promoting community wildlife and orchard projects. A Government grant would be available in July to support it.

On being put to the vote, the motion was lost.

2000 Report of the Cabinet Member with Responsibility (Agenda item 10)

The Cabinet Member with Responsibility for Environment and Infrastructure presented his report which concerned a number of overarching issues:

- Economic Growth and Investment
- Worcestershire Local Transport Plan
- Worcestershire Rail Investment Strategy
- North Cotswold Line Risk Force
- Midlands Connect
- Digital Connectivity – Broadband and 5G
- Major Infrastructure Projects – Southern Link Road, Worcestershire Parkway, Hoobrook Link Road, Pershore Infrastructure Improvements, Churchfields Urban Village Highways Infrastructure Improvements, Kidderminster Rail Station, Public Realm Programme and Bromsgrove Eastern Bypass A38 Corridor

- Strategic Planning, Development Control and Waste and Minerals Plan
- Worcestershire Innovation
- Worcestershire Local Enterprise Partnership
- Business Support Programme
- LEADER Programme
- Worcestershire Business Central
- Gamer Changer Sites – Worcester Six, Redditch Eastern Gateway, Malvern Hills Science Park and Technology Park and South Kidderminster Enterprise Park.

The Cabinet Member answered questions about his report which included the following topics:

- Progress of the diary festival
- Worcestershire Local Transport Plan – progress at Alvechurch and Wythall rail stations
- Worcestershire Local Transport Plan – Progress of Evesham Traffic Survey
- The average salary in Worcestershire compared to Herefordshire
- Worcestershire Local Transport Plan – Fernhill Heath Railway holt
- Worcestershire Local Transport Plan – transport needs of Worcester City
- Worcestershire Local Transport Plan – Bromsgrove Western Relief Road
- Worcestershire Rail Investment Strategy – Connectivity aspirations
- Worcestershire Rail Investment Strategy – Frequency of trains on the Birmingham to Stratford rail overspill parking issues at Whitlocks End Rail Station
- Worcestershire Rail Investment Strategy – Timescale for rail service improvements
- North Cotswold Line Task Force – state of the County roads compared to Oxfordshire
- Provision of a shuttle service and parking at Worcestershire Parkway Station
- Completion of the Worcester ring road
- Parking at Kidderminster Rail Station
- Footway and cycleway access to Pershore Rail Station and Keytec Business Park
- Installation of yellow box markings at the island junction by the Holiday Inn on the A38
- Transport of minerals by barge and reinstatement of former minerals development sites to recreational use
- Progress and review date for the Green

		<p>Infrastructure Strategy</p> <ul style="list-style-type: none"> • Highways Officer attendance at Bromsgrove District Council's Overview and Scrutiny meeting – A38 Bromsgrove Eastern Bypass Corridor Major Scheme • Business growth and job creation • Flood Relief Programme – Upton Marina • Redditch Eastern Gateway – foreign investment
2001	Question Time (Agenda item 11)	Nine questions had been received by the Head of Legal and Democratic Services and had been circulated in advance of the meeting. The answers are attached in the Appendix.
2002	Reports of Committees - Audit and Governance Committee (Agenda item 12 (a))	<p>The Council received the report of the Audit and Governance Committee containing a summary of the decisions taken.</p> <p>The Committee Chairman commented that good progress was being made in producing the final Accounts and it was anticipated that they would be submitted to Grant Thornton, the external auditor on schedule. In response to a query, the Committee Chairman would ensure all councillors were kept informed of any issues that arose that impacted on the finalisation of the Accounts.</p>
2003	Reports of Committees - Pensions Committee (Agenda item 12 (b))	<p>The Council received the report of the Pensions Committee containing a summary of the decisions taken.</p> <p>The Committee Chairman indicated that the Worcestershire Pension Scheme had been rated as one of the top performing Pension Fund in the country and he commended the work of the cross-party Pension Investment Panel, chaired by Mr A I Hardman in this respect.</p>
2004	Reports of Committees - Planning and Regulatory Committee (Agenda 12 (c))	The Council received the report of the Planning and Regulatory Committee containing a summary of the decisions taken.
2005	Reports of Committees - Standards and Ethics	The Council received the report of the Standards and Ethics Committee containing a summary of the decisions taken.

**Committee
(Agenda item 12
(d))**

The meeting was adjourned from 1.15pm to 2.05pm and ended at 3.40pm.

Chairman

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COUNCIL 17 MAY 2018 - AGENDA ITEM 11 – QUESTION TIME

Questions and written responses provided below.

QUESTION 1 – Mrs F M Oborski will ask Alan Amos:

"On Friday April 27th there was yet another Road Traffic Accident at the notorious Husum Way Junction with the A456 in my Division. Regularly there are accidents at this junction or at the adjacent dangerous junction of the A456 with Hurcott Lane in Cllr Rayner's Division. Many residents want either an island or traffic lights installed here but these solutions have been dismissed in the past, largely on cost grounds. Given that accidents are now occurring at least once a month and speed of traffic on the A456 is often a contributory factor would the Cabinet Member please ask Highways Officers to urgently investigate the much cheaper solution of : extending the 30mph Speed limit towards Blakedown on both sides of the A456 Dual Carriageway and installing permanent Speed Cameras on the Kidderminster side of the junction approaching Hurcott Lane and the Blakedown side of the carriageway approaching Husum Way and placing a Weight Limit on Borrington Road., Tennyson Way and Husum Way to discourage HGVs from using the route from Spennells Valley Road and through the Comberton and Offmore Estates as a short cut to the A456?"

Answer given

I thank Cllr Oborski for her question.

I undertook a site visit to this location with officers last week to see the situation for myself.

I do think we can enhance the safety situation at this junction in a number of ways.

Firstly, the lines and give way road markings need renewing as they are very worn. This will be done.

Secondly, we will be putting up some additional signage and there will be a new Give Way sign and post for traffic turning right into Hurcott Lane

Thirdly, we will further review the accidents at this location including injury and non - injury, gather new speed data and consider. We will also liaise with the Safer Roads Partnership to make them aware of any speeding issues for them to follow up as appropriate with enforcement.

On the question of the speed limit, at 40 mph it is correct for this location based on Department for Transport criteria and would have been altered if necessary during the Accident Remedial Scheme during 2010. With single lanes, a 40 mph limit buffer is safer and to extend the 30 mph limit would be unrealistic and likely to be generally ignored as such.

On a weight restriction, I would advise that imposing a Traffic Regulation Order on Borrington Road, Tennyson Way and Husum Way will depend on the traffic count that has now been ordered. We will give serious consideration to a TRO once we've received the data to see if such would be an appropriate.

Supplementary Question

In response to a supplementary question, Mr Amos agreed to consider liaising with the Police about the possibility of introducing a 30mph speed limit as soon as accident data is available.

QUESTION 2 – Mrs F M Oborski will ask Alan Amos:

"Whilst I applaud the decision to open up the second lane of the A442 Worcester Rd Kidderminster where it exits the traffic island towards the Silverwoods Junction at the Worcester Road/Wilden Lane and Chester Rd South, Kidderminster, this will be of little assistance to residents of my Division wishing to turn right at this traffic island to access Chester Road and Spennells Valley Road. For these residents it is the large physical size of the traffic island and the restricted road lanes around it which causes the problems. Will the Cabinet Member please request Highways Dept Officers to Commission a study into increasing the capacity by reducing the size of the island?"

Answer given

I thank Cllr Oborski for her question.

I undertook a site visit to this location with officers last week to see the situation for myself.

I can confirm that the hatchings and lines were removed on Tuesday night as scheduled and on time. In addition to the extra exit lane, it is a location where further works form part of our planned update to this junction. Specifically, the works include revised lane markings, circulatory information arrows around the island and a second keep clear marking for right turners approaching from the south. These improvements are designed to improve traffic circulation and this will be monitored by the installation of a camera to provide us with data both before and after the works.

Due to the current location of the approaches to the roundabout it is unlikely that a reduction in the central island would be possible whilst retaining the required deviation to reduce traffic speeds. Higher traffic speeds combined with more weaving movements around a wider circulatory carriageway would increase accident potential creating a safety issue, which would not support a departure from standard design through reducing the size of the central island. The roundabout would have been designed to set design standards, which require sufficient deviation on through routes in order to reduce traffic speeds. My understanding is that a smaller traffic island and a wider circulatory system would increase vehicle speeds compared to a larger island and by reducing the gap between vehicles would consequently reduce road safety. In other words, it is not likely to be possible to reduce the central island design without a complete redesign of the whole junction; and there is no money for such a large and costly scheme.

QUESTION 3 – Mr P M McDonald will ask Lucy Hodgson:

"Would the Cabinet Member responsible agree that a programme should be implemented for the installation of water fountains throughout our country parks?"

Answer

The County Council manages the award winning Waseley Hills and Worcester Woods Country Parks. Both have a range of facilities including play areas, waymarked trails and cafes serving high quality food with an emphasis on local produce and fair trade. Free drinking water is available at both country parks during café opening hours which is the busiest time at our Country Parks.

Providing new water fountains, including infrastructure for connecting utilities, and ongoing maintenance would be cost prohibitive for the Countryside Service, which is currently 75% self-financing.

QUESTION 4 – Mr R C Lunn will ask Alan Amos:

"Can the Cabinet Member for Highways explain why work was carried out to complete the installation of a much needed crossing in Downsell Road, Webheath between 20:00 on Sunday April 15th and 03:30 on Monday April 16th, causing considerable noise, nuisance and disturbance to residents in that part of the road, when Ringway had 2 weeks to complete it?"

"Will he join with me in apologising to the residents for the unnecessary nuisance caused and what steps are being taken to ensure this does not happen again in other roads?"

Answer given

I thank Cllr Lunn for his question.

I was made aware of this incident the very day after it happened and received a full briefing from the officer.

The works in Downsell Road were originally programmed to be completed by 12 April, however the surfacing resource was not available until Sunday 15 April to complete the final surfacing works. The works started at 7 p.m. on Sunday 15 April when two way traffic signals were set up to allow the anti-skid to be completed with some lining work following on. All plant and equipment were removed from site at 4 a.m. Monday 16 April.

WCC were informed on Wednesday 11 April that works would be taking place on Sunday 15 April, it was assumed that these would be carried out during the daytime. Had we known that the works would take place over-night we would have pulled these works and requested them to be rescheduled for another time. As is normally the case, WCC will continue to agree the precise timings of works.

There is no excuse for this but I would just add that the County Councillors were informed on Friday 13 April that the crossing would be completed by the end of the weekend in time for Monday's school run. The zebra crossing was indeed operational on Monday 16 April and it was only Ridgway's determination to honour their commitment that persuaded them to do the overnight work.

The crossing was operational on the Monday morning and being used by the local community.

A full investigation into the matter was undertaken immediately, the fault was quickly identified, and both Ringway - the contractors - and WCC were quick to apologize. Given that lessons have been learned to avoid a repetition of this, and that the apologies were timely and appropriate, I intend to leave the matter there.

Supplementary Question

In response to a supplementary question, Mr Amos agreed to check whether the Council was billed by Ringway for the work undertaken outside normal working hours and check the position with Diamond buses with regard to the removal of the bus stop on Downsell Road.

QUESTION 5 – Mr M E Jenkins will ask Marcus Hart:

"Can you provide me with figures for the number of primary, middle and high schools that have a counselling service, giving this as a proportion of all schools in the county?"

Answer given

I am advised that approximately one third of the county's schools have already accessed the newly-created CAMHS CAST (consultation, advice, support and training) team. The team provides schools and colleges with a named contact within CAMHS who can offer advice, support and training to those working with children and young people who are having difficulties with their emotional wellbeing or mental health. CAST can also give advice on referrals to CAMHS or other services.

Supplementary Question

In response to a supplementary question, Mr Hart agreed to provide details of how the number of referrals to CAMHS for this Council compared to other councils and provide details to all councillors on the availability of online counselling services.

QUESTION 6 – Mr P Denham will ask Marcus Hart:

"Since I raised the issue about Riversides School last year with your colleague Cllr Roberts, about accommodating special needs children in a building which is not fit for purpose, I am aware that the school has been visited by Cllr Roberts, Mr Robin Walker MP and yourself, the last visit by you on 30 January this year.

Can you please tell me what has since been done to resolve this issue and when do you expect to relocate these students into suitable premises?"

Answer given

Officers have undertaken a High Needs Commissioning Review and as a result the Council wrote to all special schools seeking ideas for potential expansions in order to provide more special school places. In March 2018, an initial proposal was accepted in principle from the Advance Trust to develop the former De Montfort middle school site at Evesham. Officers have met with the school to discuss their plans and will now commission consultants to undertake an option appraisal of the site to establish the best use, including options for Riversides School.

The Council is committed to working with all schools in the best interest of the children and young people of Worcestershire. As Riversides in an academy, it remains for the Trust to ensure its facilities are fit for purpose and where necessary seek appropriate funding from the ESFA.

Supplementary Question

In response to a supplementary question, Mr Hart agreed to ensure that the Academy are kept up to date with progress with finding a suitable alternative site for the Riversides School.

QUESTION 7 – Mr P Denham will ask Lucy Hodgson:

"Last time I asked you about unfilled school crossing patrol posts, you told me that about ten percent of schools entitled to a crossing patrol in the county were without one.

Can you please tell me whether there has since been any improvement in recruiting to these important child safety positions?"

Answer given

We currently have 58 School Crossing Patrols sites, four of these sites are vacant with adverts out for a replacement. We continue to focus effort on local recruitment campaigns through school newsletters / local posters as 84% of the current school crossing patrol workforce live within 2 miles of their designated site (35% live within ½ mile).

The County Council does offer road safety education (RSE) and practical pedestrian training to every first, primary or middle aged child in the county to try and prevent injury from crossing roads, and any injury sustained is unfortunate. We also offer RSE to high school pupils. The training is designed to develop the behaviours and attitudes of all participating school children for safe road use as pedestrians, passengers, cyclists and novice drivers. These are behaviours that are potentially life-long.

Supplementary Question

Half the school crossing patrol vacancies appeared to be in the Rainbow Hill Division. Perhaps the Cabinet Member could consider increasing the salaries of school crossing patrol staff to improve recruitment. Mrs Hodgson confirmed that a zebra crossing would be installed outside St Barnabas Primary School in the summer. She highlighted the particular safety issues facing school crossing patrol staff.

QUESTION 8 – Mrs J A Brunner will ask Alan Amos:

"Recently in Arrow Valley East division Severn Trent Water have replaced a main water pipe. This work had caused huge inconvenience to residents, schools, bus services, and businesses. As a result bus services had to be rerouted and two bus lanes had to be opened.

Would the Cabinet member with responsibility for highways please inform this council whether the tax payer picked up the bill for this huge inconvenience?"

Answer given

I thank Cllr Brunner for her question and can I at the same time congratulate her and Cllr Baker-Price on their very proactive response to this situation.

The Works promoter can pick up costs of the provision of alternative services due to road closures where an agreement has been reached beforehand. In this instance, an agreement was not reached; it was a late decision to use a shuttle bus to mitigate the full impact of the road closure and maintain this public service. The only expense that the County Council incurred was the temporary bus service which was put on, at a cost of £60 a day for 35 days; and we are now pursuing reimbursement of this from S-T.

I would add that S-T are actually on some penalties because, although the road closure was removed, S-T then confined all the works to the verge and divorced footways but closed down their permits, meaning that they submitted a Works Stop Notice which should indicate that they had completed the works and cleared the site. However, we then discovered that works were still going on, hence the section74 charge, so they have incurred a fine of £24,000 on it.

I would further add that I now receive quarterly performance reports on the utilities and I can inform Council that, in the last quarter, an amazing 19% of S-T inspections failed (that's 59 out of 303); and that we served 180 Fixed Penalty Notice Offences, equating to nearly half

of all the Notices we served in that period on all the utilities. We shall not let up in our efforts to bring about a significant improvement for the people of Worcestershire.

Supplementary Question

Utility companies should improve their communication with councillors, particularly local councillors. Mr Amos agreed with this sentiment and the need to improve the quality of work and time-keeping and would make every effort to hold utility companies to account and improve matters.

QUESTION 9 – Mr R M Udall will ask Karen May:

"Can the Cabinet Member with Responsibility confirm that she is aware of the decision of the County Council to declare the YMCA field in St John's as surplus to requirements and that attempts are being made to commercially dispose of this land, which would make many sporting clubs and teams, including the current England Homeless Rugby Team who have just become the Homeless Rugby International Champions, without a local ground to play and train. Effectively making The England National Homeless Rugby Team - homeless.

Our Public Health duty should ensure that County Council owned land which is currently used to support and promote physical activity for the local community, should be preserved.

Will she agree to ensure that public access and public community use is protected and that discussions are held with local agencies or charities to ensure the future of this field. Furthermore will she confirm that it will not be simply sold to the highest bidder and then lost to the local community?"

Answer given

The land is surplus to the council's direct delivery requirements. The site was leased to the YMCA in 2006 for a playing field in conjunction with their adjoining owned YMCA centre and hired to a number of local clubs and the England Homeless Rugby Team to use the field. In 2011 the lease to the YMCA expired and they didn't renew although a new lease was offered.

The Council's agents are reviewing the options to regularise the current use and protect the council's asset and informally exploring the options which could be available to the Council to dispose of this surplus site which will form part of the decision making process.

Supplementary Question

In response to a supplementary question, Ms May agreed to speak to Mr Udall in private to discuss the future community use of the site.