

Minutes of the Council

County Hall, Worcester

Thursday, 18 May 2023, 10.00 am

Present:

Cllr Chris Rogers (Chairman), Cllr Alastair Adams, Cllr Mel Allcott, Cllr Martin Allen, Cllr Alan Amos, Cllr Marc Bayliss, Cllr Dan Boatright-Greene, Cllr Bob Brookes, Cllr David Chambers, Cllr Brandon Clayton, Cllr Kyle Daisley, Cllr Lynn Denham, Cllr Nathan Desmond, Cllr Allah Ditta, Cllr Matt Dormer, Cllr Elizabeth Eyre, Cllr Andy Fry, Cllr Simon Geraghty, Cllr Laura Gretton, Cllr Peter Griffiths, Cllr Karen Hanks, Cllr Ian Hardiman, Cllr Adrian Hardman, Cllr Paul Harrison, Cllr Marcus Hart, Cllr Bill Hopkins, Cllr Matt Jenkins, Cllr Adam Kent, Cllr Adrian Kriss, Cllr Aled Luckman, Cllr Steve Mackay, Cllr Emma Marshall, Cllr Karen May, Cllr Natalie McVey, Cllr Tony Miller, Cllr Jo Monk, Cllr Dan Morehead, Cllr Richard Morris, Cllr Tony Muir, Cllr Beverley Nielsen, Cllr Tracey Onslow, Cllr Scott Richardson Brown, Cllr Andy Roberts, Cllr Josh Robinson, Cllr Linda Robinson, Cllr David Ross, Cllr Mike Rouse, Cllr James Stanley, Cllr Emma Stokes, Cllr Kit Taylor, Cllr Richard Udall, Cllr Malcolm Victory, Cllr Craig Warhurst, Cllr Shirley Webb and Cllr Tom Wells

Available papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. 4 questions submitted to the Assistant Director for Legal and Governance (previously circulated); and
- C. The Minutes of the meeting held on 16 February 2023 (previously circulated).

2430 Apologies and Declaration of Interests (Agenda item 1)

Apologies for absence were received from Cllrs Adrian Hardman, and Luke Mallett.

Cllr Andy Fry declared an interest as an employee of a care company that undertook contracted work for the Council.

2431 Chairman (Agenda item 2)

A Minute's silence was held in memory of former county councillor Gordon Yarranton who had sadly passed away.

The outgoing Chairman described his year of office and thanked the Council and its officers for their support.

RESOLVED that Cllr Kyle Daisley be elected Chairman to hold office until his successor becomes entitled to act.

2432 Vice-Chairman (Agenda item 3)

The nomination of Cllr Alan Amos was moved by Cllr Alastair Adams and seconded by Cllr Bob Brookes.

It was then proposed by Cllr Lynn Denham and seconded by Cllr Richard Udall that Cllr Andy Fry be appointed Vice-Chairman of the Council.

RESOLVED that Cllr Alan Amos be appointed Vice-Chairman to hold office until immediately after the election of a Chairman at the next Annual meeting of the Council.

2433 Public Participation (Agenda item 4)

Melissa Pointon asked a question concerning the reduction of emissions from city and town centres across the county.

Dawn Style asked a question concerning evidence of improvements being achieved by Worcestershire Children First for children/young people and families.

The Chairman thanked Melissa and Dawn for their contribution and said they would receive a written response from the relevant Cabinet Member.

2434 Minutes (Agenda item 5)

RESOLVED that the Minutes of the meeting held on 16 February 2023 be confirmed as a correct record and signed by the Chairman.

2435 Chairman's Announcements (Agenda item 6)

Noted.

2436 Reports of Cabinet - Summary of Decisions Taken (Agenda item 7)

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

- Children and Adolescent Mental Health Services Overview and Scrutiny Report
- Household Support Fund
- Worcestershire Children First (WCF) Business Plan.

2437 Councillor Code of Conduct (Agenda Item 8)

Council considered the adoption of a Code of Conduct.

The Chairman of the Standards and Ethics Committee introduced the report and commented that the LGA Model Code of Conduct and various suggestions to augment that Code had been considered by the Committee. The Committee had been unanimous in its view, in line with many other councils, that the LGA Model Code of Conduct should be adopted in its entirety by the Council.

In the ensuing debate, concern was expressed about the lack of business being conducted by the Standards and Ethics Committee and the lack of authority granted to the Council to act against those councillors who had transgressed the Code of Conduct. The Chairman of the Standards and Ethics Committee responded that the general good behaviour of councillors accounted for the lack of Committee business.

RESOLVED that the draft Code of Conduct as set out as an Appendix to the report be adopted by Council.

2438 Constitutional Matters (Agenda item 9)

(a) Malvern Chase By-Election and Political Balance

Council considered the outcome of the Malvern Chase By-election and its impact on political balance.

RESOLVED: that the recalculation of political balance set out in Appendix 1 to the report be approved and the Assistant Director for Legal and Governance be required to give effect to it in accordance with the nominations from the respective Group leaders from time to time.

(b) Chairmen and Vice-Chairmen of Member Bodies

Council considered appointments of Chairmen and Vice-Chairmen to Member Bodies.

RESOLVED that Members be appointed to the Chairman and Vice-Chairman roles in accordance with Appendix 2 of the report.

2439 Notices of Motion - Notice of Motion 1 - Traveller camps (Agenda item 10)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Cllr Mel Allcott, Cllr Richard Udall, Cllr Dan Boatright and Cllr Lynn Denham.

The motion was moved by Cllr Richard Udall and seconded by Cllr Dan Boatright, who both spoke in favour of it.

Those in favour of the motion commented:

- Illegal traveller camps created fear, tensions and stress amongst local residents and left local councils with huge clear-up and security costs. There was a critical shortage of transit/temporary sites in the county despite the legal duty placed on the Council to provide them. The current protocol for the management of gypsy sites only provided for 21 days of deferred enforcement for illegal encampments. Evidence suggested that transit camps were needed and would be used by travellers thereby avoiding the cost of enforcement action. These legal transit camps would benefit travellers and be welcomed by local residents instead of unauthorised illegal camps. The Council had a responsibility as lead authority to work with district councils to make the necessary provision
- Travellers in the local Pershore area had drawn attention to the lack of transit sites in the county. The addition of such sites would make a significant difference to them.

Those against the motion commented:

- The Cabinet Member with Responsibility for Communities commented that there was not a critical shortage of transit/temporary sites in the county. The responsibility for the allocation of permanent or transient traveller sites rested with the local planning authority through the site allocations in their local plan and any concerns should be raised with them. The Council worked with partner agencies through the joint protocol for the management of unauthorised gypsy encampments to deal with illegal encampments when they occurred on land in the ownership of this Council
- The Chairman of the Corporate and Communities Scrutiny Panel commented that the Panel had received a report in 2022 on gypsy sites. The report explained that the administration of the 21 days' notice of deferred enforcement under the protocol for the management of unauthorised gypsy encampments had always been of secondary importance to the welfare needs of the gypsy/traveller community. The 21 days' notice would only be enforced if the illegal encampment became a nuisance to local residents.

On a named vote, the motion was lost.

Those in favour of the motion were: Cllr Mel Allcott, Cllr Martin Allen, Cllr Dan Boatright, Cllr Lynn Denham, Cllr Andy Fry, Cllr Matt Jenkins, Cllr Natalie McVey, Cllr Beverley Nielsen, Cllr Josh Robinson, Cllr Richard Udall, Cllr Malcom Victory and Cllr Tom Wells. (12).

Those against the motion were: Cllr Alastair Adams, Cllr Allan Amos, Cllr Marc Bayliss, Cllr Bob Brookes, Cllr David Chambers, Cllr Brandon Clayton, Cllr Kyle Daisley, Cllr Nathan Desmond, Cllr Allah Ditta, Cllr Matt Dormer, Cllr Elizabeth Eyre, Cllr Simon Geraghty, Cllr Laura Gretton, Cllr Peter Griffiths, Cllr Karen Hanks, Cllr Ian Hardiman, Cllr Paul Harrison, Cllr Marcus Hart, Cllr Bill Hopkins, Cllr Adam Kent, Cllr Adrian Kriss, Cllr Aled Luckman, Cllr Steve Mackay, Cllr Emma Marshall, Cllr Karen May, Cllr Jo Monk, Cllr Dan Morehead, Cllr Richard Morris, Cllr Tony Muir, Cllr Tracey Onslow, Cllr Scott Richardson Brown, Cllr Andy Roberts, Cllr Linda Robinson, Cllr Chris Rogers, Cllr David Ross, Cllr Mike Rouse, Cllr James Stanley, Cllr Emma Stokes, Cllr Kit Taylor, Cllr Craig Warhurst, and Cllr Shirley Webb. (41)

2440 Notices of Motion - Notice of Motion 2 - Parental leave policy for council members (Agenda item 10)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Cllr Mel Allcott, Cllr Richard Udall, and Cllr Dan Boatright.

The motion was moved by Cllr Lynn Denham and seconded by Cllr Mel Allcott, who both spoke in favour of it, and Council agreed to deal with it on the day.

Those in favour of the motion commented:

- The motion was concerned with providing practical solutions to enable as many people as possible to become councillors and not put barriers in their way
- It was important to attract people to become councillors from all backgrounds, particularly younger and female candidates.
- A precedent had been set by other councils who had updated their governance arrangements to make parental leave available to help councillors undertake their role
- This motion would help improve the balance of equality and diversity within the Council
- This motion would remove obstacles from people wishing to become councillors. The current arrangements for requesting parental leave were ad hoc and inefficient.

Those against the motion commented:

- The Cabinet Member with Responsibility for Corporate Services and Communication noted that the wide-ranging terms of reference of the Independent Remuneration Panel (IRP) included the importance of encouraging people from all backgrounds and circumstances to serve in local government without suffering financial loss as a result of their membership of the Council. On this basis, he considered that this motion was unnecessary
- The motion asked the IRP how to, not whether to implement this policy. It was not for Council to instruct an independent body how to deal with this matter. There were other ways of addressing parental leave issues

without the need for the introduction of a policy, for example providing substitutes at meetings through political groups.

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

2441 Notices of Motion - Notice of Motion 3 - Safer streets outside schools (Agenda item 10)

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Cllr Matt Jenkins, Cllr Beverley Nielsen, Cllr Tom Wells, Cllr Natalie McVey, and Cllr Malcolm Victory.

The motion was moved by Cllr Matt Jenkins and seconded by Cllr Natalie McVey, who both spoke in favour of it, and Council agreed to deal with it on the day.

Those in favour of the motion commented:

- “School Street” Schemes had been successfully trialled in many councils nationally. These schemes encouraged active travel and different modes of transport, made streets outside schools safer, improved air quality and improved the lives of local residents. The schemes usually involved the introduction of a Traffic Regulation Order prohibiting driving from Monday to Friday in school term time for a short period of time to coincide with school pickup and drop off times. At present, the Council did not have a “School Streets” policy and no way of applying for the introduction of a “School Street” scheme on the Council’s website
- At present, it was impossible to enforce zig-zag parking restrictions and 20 mph flashing speed limit signs outside schools without the introduction of a TRO
- There was clear evidence of “School Streets” schemes working effectively in many areas of the country, particularly in London. It was therefore unnecessary to report to the OSPB as proposed by the Cabinet Member with Responsibility for Highways and Transport
- The Chairman of the OSPB welcomed the suggestion by the Cabinet Member with Responsibility for Highways and Transport to provide a progress report on safer streets outside schools to OSPB. However, he requested that any suggestions made by OSPB should be accepted by Cabinet
- There was a mixed picture across the county in terms of the effectiveness and ability to introduce advisory speed limits and TROs outside schools
- It was requested that bus provision be included in any review of progress made on safer streets outside schools
- Encouraging people to park a little further away from schools reduced congestion and associated pollution levels and improved road safety
- The Council should consider introducing a “School Streets” pilot scheme in the county

- It was not justifiable to continue to encourage parents to drive their children to school given the negative impact on the local community and climate change
- The aim of a “School Streets” policy was to seek appropriate solutions for individual schools. It was recognised that for certain parts of the county, particularly rural areas, it might not be practical.

Those against the motion commented:

- The Cabinet Member with Responsibility for Highways and Transport commented that he had asked officers to update the website with information about how the “School Street” schemes could be introduced in the community. Any school wishing to take part in the scheme would need to notify the Council and provide evidence of support from a parent body, demonstrate support locally and have volunteers available to facilitate the scheme on a daily basis. He would be happy to report progress on safer streets outside schools to OSPB or the relevant scrutiny panel. In relation to the enforcement of keep clear zig zag lines, officers had been identifying troublesome areas and introducing TROs where economically viable which would be enforced accordingly. 20 mph speed limit flashing light signs were in operation constantly day and night which made mandatory enforcement impossible. Local councillors would be able to request speed reductions via the member portal from July 2023. The progress being made by the Council made this motion unnecessary
- Different areas of the county had different issues outside schools and therefore it would be impossible to introduce a generic “School Streets” policy. Each individual school needed to find its own solution
- The closure of roads outside schools would cause upset amongst residents in neighbouring roads. The enforcement of speed limits and addressing parent behaviour outside schools by the police would be the most appropriate solution
- The reality of modern-day pressures meant that parents/grandparents were more likely to want to transport their children to school by car irrespective of the availability of active travel schemes
- Local councillors had an important role to work with all parties to address safety issues outside schools
- It was not appropriate to compare the issues associated with the introduction of “School Streets” schemes in London with those experienced in a rural county such as Worcestershire
- It was not possible or practical for all parents to walk their children to school in this county. The key issue was to improve the behaviour of parents outside schools and that was an enforcement issue
- It was not possible for every child to attend their local school which meant that the use of a car had become a necessity for some parents. In addition, the road layout outside certain schools meant finding a workable solution was not possible.

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

2442 Annual Report of the Leader of the Council (Agenda item 11)

The Leader of the Council presented his report.

The Leader then answered a broad range of questions from members.

The Chairman thanked the Leader for his report.

The report was noted.

2443 Annual Report of the Chief Executive (Agenda item 12)

The Chief Executive presented his report to Council which covered various topics.

The Chief Executive answered a broad range of questions from members.

The Chairman thanked the Chief Executive for his report.

2444 Annual Report of the Chairman of the Overview and Scrutiny Performance Board (Agenda item 13)

The Chairman of the Overview and Scrutiny Performance Board (OSPB) introduced the report. He thanked the Board members and everyone involved in the scrutiny process for their work over the last 12 months. He also acknowledged the good working relationship that scrutiny had with the Chief Executive, the Leader and Cabinet members. An aspect of the Board's work that needed to be progressed was the approach taken to budget scrutiny, particularly in respect of policy development. The Board would therefore seek to be involved at an earlier stage to enable its contribution to be fed into the corporate strategy week in September.

The Vice-Chairman of the Board added his thanks to the Chairman of the Board and all the Panel Chairs for their support and hard work throughout the year.

The Chairman then answered a broad range of questions from members.

RESOLVED that the annual report of the Chairman of the Overview and Scrutiny Performance Board for 2022 be received.

2445 Overview and Scrutiny Work Programme 2023/24 (Agenda item 14)

The Council considered the Overview and Scrutiny Work Programme 2023/24.

The Chairman of OSPB introduced the report and noted the commitment of the Cabinet Member with Responsibility for Highways and Transport to report progress made on safer streets outside schools which would be added to the work programme accordingly.

RESOLVED that the 2023/24 Scrutiny Work Programme be endorsed.

2446 Question Time (Agenda item 15)

Four questions had been received by the Assistant Director for Legal and Governance and had been circulated in advance of the meeting. The answers to all the questions are attached in the Appendix

2447 Reports of Committees - Audit and Governance Committee (Agenda item 16 (a))

The Chairman of the Committee indicated that in order to meet the statutory publication deadline on 31 May 2023, the draft Statement of Accounts would be considered by the Committee at its meeting on 26 May.

The Council received the report of the Audit and Governance Committee containing a summary of the decisions taken.

2448 Reports of Committees - Pensions Committee (Agenda item 16 (b))

It was queried whether the Pension Fund invested in local place-based initiatives within the county, for example in local infrastructure, social housing or renewable energy projects. The Chairman of the Pensions Committee responded that local place-based initiatives were not sufficiently big enough to generate the returns necessary for the Fund to meet its fiscal duty to its pensioners and employers.

The Council received the report of the Pensions Committee containing a summary of the decisions taken.

The meeting was adjourned from 11.25am to 11.45am and 1.00pm to 1.45pm and ended at 2.55pm.

Chairman

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COUNCIL 18 MAY 2023 - AGENDA ITEM 15 – QUESTION TIME

Questions and written responses provided below.

QUESTION 1 – Cllr Lynn Denham asked Cllr Andy Roberts:

"What advice can the Cabinet Member with Responsibility give colleagues when approached on a Saturday afternoon by a mother who needs help because she has no money left to buy formula feed for her baby?"

Answer

Thank you for your question. It might have been put to my colleague Councillor Marcus Hart in his 'communities' role. Indeed, I am grateful to Hannah Perrott for helping me with my response, which I make in the knowledge that poverty puts an additional strain on families, which can lead to parental mental health and relationship problems, which can impact on children's wellbeing.

Adults struggling with the cost of living can call the Adult Front Door at Worcestershire County Council, where they will speak to a friendly advisor. Advisors are trained in the cost-of-living support available and will signpost residents to local foodbanks, citizens advice support, support from health professionals and also local support schemes and groups. Advisors have a database of community support available and, alongside the 'Help for Households' national scheme, we have also collated local support schemes, groups and activities. On calling the team, the resident will have a supported conversation with an advisor where their strengths as well as their needs will be explored, the advisor will then signpost them to local support available in their area and follow this up in an email with links and telephone numbers needed. If the advisor ascertains that the level of support needed is higher than what can be provided through signposting then they will refer on to the appropriate team. (Targeted Adult Support Team (TAST), ASC Area teams or Safeguarding Team – depending on level of need).

With respect to this lady specifically, she can get help to buy food and milk through the Healthy Start Scheme programme. I will see that the links are provided: [Applying for Healthy Start – Get help to buy food and milk \(Healthy Start\)](#)
Vitamins can also be obtained through the Healthy Start Vitamin Programme: [Healthy Start - Vitamins | Starting Well \(startingwellworcs.nhs.uk\)](#)

You could also encourage her to ring the team where she will receive more personalised support and information about her local foodbanks and other district-based support.

Supplementary question

In response to a query, the Cabinet Member with Responsibility for Children and Families undertook to provide details to all councillors of the emergency duty team contact number for the 24/7 Family Front Door for Adults and Children.

QUESTION 2 – Cllr Matt Jenkins asked Cllr Mike Rouse:

“In January 2021 the following motion was approved by the full council:

“Requests for more 20mph speed limits, particularly in residential areas and near schools, are often made to councillors. This motion requests that a task group or member advisory group be set up to review how 20mph areas are currently considered and look at the feasibility of creating a process that would allow a 20mph area to be created within a councillor’s division.”

It has been well over two years since this motion was approved, but no group has met. Can I ask the Cabinet Member with Responsibility to set a date for the first meeting of such a group as soon as possible, and before the full council meets again in July?”

Answer

I have decided that actions speak louder than words, and so a group has not been necessary yet because I have asked for the implementation of a process for consideration of a new 20 MPH zone within a given division. Officers have been working on this and it will be added to the Member Portal with the changes going live from July 2023. I will convene a group in November to review the impact of these changes and suggest further improvements.

Supplementary question

In response to a query about the lack of a response from the Council to the previously agreed motion, the Cabinet Member with Responsibility for Highways and Transport commented that as the work was ongoing, it not been necessary to convene a meeting to date. A meeting would be arranged in November to review this work.

QUESTION 3 – Cllr Beverley Nielsen asked Cllr Mike Rouse:

“Councils up and down the country use Fix My Street, www.fixmystreet.com, to help residents to report pressing highways issues supplementing whatever IT solutions they have of their own, such as our ‘Report It’ solution. Does Worcestershire County Council capture comments made online from ‘Fix My Street’ in addition to those made via ‘Report It’ as well as tracking time to respond to any such comments?”

Answer

Can I please thank Cllr Nielson for her question regarding Fix my Street.

Our approach has always been to improve the customer experience and provide an enhanced self-service model with end-to-end reporting. Our Highways Report-it tool went live in July 2022 and incorporated our customers’ feedback. Information is captured correctly at first point and prioritised by our Highways & Transport Control Centre to ensure that we provide the right response at the right time. Enquiries are received real-time and our customers can also talk to officers directly to seek further help or information.

Prior to launch of the County Council’s Report It, we carefully considered use of Fix my Street but identified that there was often double handling of information and insufficient information to enable us to provide a full response. Where a customer opts to log an enquiry or report on Fix my Street, they can be directed to the County Council’s site, negating any need to navigate the web further.

We pride ourselves on a system that easy and intuitive to use; customers are provided with a reference number and can track/follow up enquiries and check on progress. We provide updates to reassure customers that there are enquiries are being dealt with.

Supplementary question

It was queried whether the Council monitored and responded to enquiries made through the Fix My Street website. The Cabinet Member with Responsibility for Highways and Transport responded that Fix My Street was a third-party commercial service and the Council had to act in accordance with its procurement framework. The Council did not monitor or respond to enquiries on the Fix my Street website as it was considered to be an unjustifiable use of public resources.

QUESTION 4 – Cllr Matt Jenkins asked Cllr Marc Bayliss:

"Concerns have been raised by residents about the impact of the installation of full fibre in their streets. For example, where cabling was installed under the footway/highway, it has been left in poor condition. Elsewhere, telegraph poles were installed with no consultation. This led to residents arguing with City Fibre staff about the location of the poles. Clearly, this is not good enough.

Can the Cabinet Member with Responsibility ensure that there is improved communication by City Fibre with residents and that we ensure that work is completed to a high standard?"

Answer

The Electronic Communications Code legally allows listed network providers, to place mobile masts, poles and other broadband apparatus on public land, providing the Local Authority are notified accordingly and it does not cause an access issue e.g. reduce the width of a footway below the minimum width or interfere with visibility splays at junctions.

They have a statutory right, as telecommunications providers, to install network in the public highway. Whilst some operators will agree to re-locating new poles, providing they are required and do not cause access or safety issues, it is at their discretion as to whether they do so or not. Worcestershire County Council are part of trials with at least one operator exploring alternatives to new poles in areas that underground infrastructure is not viable.

Any operator, or contractor acting on their behalf, must comply with national legislation and meet the specific requirements of Worcestershire County Council. As the Highways Authority we manage and maintain the Highway to ensure its physical integrity, longevity and clearly the immediate safety of users on the network, therefore we must be satisfied by the working practices of those organisations seeking to work upon it, the quality of work and reinstatements they undertake.

I understand you received a response from the Broadband team to specific enquiry within your Division, confirming they had spoken with CityFibre and asked them to rectify a particular issue, with the Streetworks team also confirming that they are inspecting all of CityFibre's works and that they had already identified some defects to the areas in question, that were with CityFibre to put right.

To conclude, work will always be inspected and only agreed as complete when it meets the required standards of WCC as the Highways Authority, following this Council a briefing will be issued to all Councillors to aid with messaging to communities and I have already asked the broadband team to ask each operator that they review their communications processes.

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