

# EXECUTIVE

Minutes of the meeting held on Monday 7 February 2005 in the Town Hall, Royal Leamington Spa at 6.00p.m.

**PRESENT:** Councillor Crowther (Chair), Councillors Mrs Begg, Boad, Ms Flanagan, Gifford, Mrs McFarland and Tamlin.

**ALSO PRESENT:** Councillor Caborn (Chairman of the Audit and Resources Overview and Scrutiny Committee);

Councillor Mrs Compton (Chairman of the Environment Overview and Scrutiny Committee);

Councillor Mrs Falp (Chair of the Social Overview and Scrutiny Committee)

Councillor Guest (Chairman of the Economic Overview and Scrutiny Committee); and

Councillor Hammon (Conservative Group observer).

## 714. DECLARATIONS OF INTEREST

### Minute Number 717 - Budget 2005/06 and Council Tax – Revenue and Capital

Councillor Mrs Begg declared a prejudicial interest because she is a Trustee of Hill Close Gardens and left the room while this part of the report was considered.

Councillor Tamlin declared a personal interest in the report as it referred to the footpath at Harbury Lane which was in his ward.

## 715. MINUTES

The minutes of the meeting held on 20 December 2004 were taken as read and signed by the Chair as a correct record subject to the following amendments:

### Minute 591 – Declarations of Interest

Page 593, Minute Number 601 – Locations for Pilot Phase of One Stop Shops. Delete the second sentence and insert 'Mrs Falp left the room whilst this matter was discussed'.

### Minute 607 – Retail Development in Leamington

On page 610, third bullet point, remove the word 'not'.

On page 610, delete the bullet point in front of the word 'capacity'.

## **EXECUTIVE COMMITTEE (Continued)**

### **716. ELECTION OF CHAIR AND VICE CHAIR**

#### **RECOMMENDED** that

- (1) Councillor Dave Shilton be elected as Chair of the Council for 2005/2006; and
- (2) Councillor Bill Evans be elected as Vice Chair of the Council for 2005/2006.

### **717. BUDGET 2005/06 AND COUNCIL TAX – REVENUE AND CAPITAL**

The Executive considered a report from the Strategic Director Community Resources, on the budget and council tax for 2005/06 both revenue and capital.

The Council was required to set a budget and council tax each year taking into account the many factors that were being considered. The changes introduced last year were being continued:-

The financial strategy and capital strategy had been revised in the light of the decisions to proceed with the car parking strategy, the proposal to introduce green waste collection across the District from 2008/09, and the better overall sustainability of the revenue budget in terms of indicative Council Tax levels.

No specific alternative to the recommendations in the report was made. However the information given enabled members to propose variations to the proposals. Members did have a duty to consider all possible options. The proposals in the report reflected the Portfolio Holder priorities which were put to the last Executive and were consulted on with the Scrutiny Committees and others. Amendments had been made as a result of consultation comments made.

The Audit and Resources Overview and Scrutiny Committee thanked the Community Resources Director and Chief Financial Officer and all Officers involved, for a well presented and detailed report. The Committee noted the report.

The Economic Overview and Scrutiny Committee supported the recommendations in the report and requested a further recommendation be added, as detailed below:

“1.19 That £11,159, detailed on page 2 of the report, be reinstated so that the Hill Close Gardens proposed expenditure 2005/2006 figure of £90,000 was maintained.”

The Environment Overview and Scrutiny Committee passed no comment on this item as it was to be debated at Council in due course.

The Social Overview and Scrutiny Committee asked that the Executive be informed it regrets that £9,000 had been vired from the Small Grants budget to the Discretionary Rate Relief budget despite its request for it not to be done, particularly in light of the fact that it had been done before the Group investigating Small Grants has reported.

## **EXECUTIVE COMMITTEE (Continued)**

### **RECOMMENDED** that

- (1) the 2004/05 Revised General Fund Revenue Estimated net expenditure of £13,514,200 (as summarised within Appendices 1 and 3a of the report) after £14,000 surplus is transferred to the Capital Investment Reserve, be agreed;
- (2) the changes to the 2005/06 General Fund revenue base budget in paragraph 7.2 of the report, together with the Portfolio holder proposals for new growth and savings in paragraph 8.1 of the report be agreed with net expenditure of £14,302,009 as summarised in Appendix 1 of the report (and the formal resolution to this effect be contained in the further budget report that will be prepared for the 23 February Council meeting. This report is to include the parish, county and police precepts.);
- (3) the Council Tax for Warwick District Council for 2005/06 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police Authority precepts be agreed at £119.94, an increase of 4.94% on 2004/05;
- (4) the 2005/06 Council Tax charges for Warwick District Council for 2005/06 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police Authority precepts, for each band be as follows:-

A	£79.96
B	£93.29
C	£106.61
D	£119.94
E	£146.59
F	£173.25
G	£199.90
H	£239.88;
- (5) the General Fund Capital Programme and the Housing Investment Programme as set out in Appendix 8 to the report and Paragraph 12 of the report be agreed together with their financing as shown in paragraph 12.3 of the report;
- (6) if there is any mismatch between the Council's subsidiary strategies and action plans officers bring forward proposals for managing within the agreed budgets (see Para 4.2 of the report);
- (7) the small grants budget for 2005/06 is reviewed in the light of experience following any changes introduced as a result of changes recommended by Social Scrutiny (see Para 8.1.1 of the report);

## **EXECUTIVE COMMITTEE (Continued)**

- (8) a new health strategy would be developed which would refocus on promoting the District services that make a difference to the public's health (see Para 8.1.4 (2) of the report);
- (9) the Council agree to continue its previous arrangements with the Citizens Advice Bureau following its incorporation as a company limited by guarantee (see Para 8.4 of the report);
- (10) the implications for future year's taxes as set out in Paragraph 9 and Appendix 3 of the report be noted;
- (11) £340,000 be built into the revenue forecasts for the continued roll-out of green waste across the District from 2008/09 (see Para 9.2 (h) of the report);
- (12) a future Executive receive further information on the efficiency framework in order to agree a programme of efficiency reviews (see Para 9.3 of the report);
- (13) the detailed business cases be drawn up for each new capital project and approved by the Executive, with the project plans being agreed by the Officer Capital Working Group (see Para 12.2.6 of the report);
- (14) the prudential indicators as set out in Appendix 6 to the report and highlighted in Paragraph 13.1 of the report be agreed and recommended to Council for approval;
- (15) it be proposed that the Amenities Manager and Economic Portfolio holder take forward the suggestions made by the Chambers of Trade in the service area plan relating to signage and car parking, and that the administrative burdens be reviewed as part of the work programme by the Economic Scrutiny Committee (see Para 14.5 of the report);
- (16) the revised financial strategy as set out in Appendix 10 to the report be agreed;
- (17) the Capital Strategy as set out in Appendix 11 to the report be agreed;
- (18) in future the financial strategy incorporates all appropriate elements of the capital strategy (which will be discontinued) to avoid duplication (see Para 15.1 of the report);
- (19) an additional £11,159 capital be approved for Hill Close Gardens at an additional revenue cost of approximately £500 to be met from the current provision for contingency in 2005/06 ;  
and

- (20) an additional £30,000 capital be approved for provision for a footpath joining Anderson Drive and the Sports Pavilion along Harbury Lane, at an additional revenue cost of approximately £1,500 to be met from the current provision for contingency in 2005/06.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Ms Flanagan, Mrs McFarland and Tamlin)

**719. PORTFOLIO HOLDER STATEMENTS: SERVICE TARGETS: BEST VALUE PERFORMANCE PLAN**

A report was submitted from Policy and Performance on the Portfolio Holder Statements, Service Targets and Best Value Performance Plan.

The Portfolio Holder Statements formed an important annual element of the Council's integrated performance management framework. They provided a clear statement from each Portfolio Holder detailing achievements over the past 12 months and direction of travel for the next in delivering the longer term Corporate Strategy.

The Portfolio Holder Statements were prepared in association with Directors and Service Area Managers and were closely coordinated with the service area planning process to ensure priorities and that targets were aligned.

The Service Area Plans were developed by each Service Area to reflect the Portfolio Holder's priorities and the other demands being placed on each service. The Plans included detailed and challenging improvement targets for each service, ensuring that continuous improvement in priority areas was achieved. These targets would form the basis for performance management during the year 2005/06 and, where possible, be reported on a quarterly basis.

The Service Area Plan process was strongly linked to the budget process. Members were made aware, therefore, that achievement of the targets included in the appendices to the report, was dependant on the approval of certain elements of the proposed budget also on this agenda, and therefore it might be necessary to adjust a small number of targets following the approval of the budget.

The Best Value Performance Plan remained a statutory requirement placed on the authority by central government and was a primary communication tool for staff, members, stakeholders and the public containing information on ambitions, priorities and targets. Its publication within agreed timescales each year was an essential element of the Councils performance reporting cycles.

The Audit and Resources and Overview and Scrutiny Committees noted the report.

The Economic Overview and Scrutiny Committee supported the recommendations in the report and requested that their thanks be passed on to the Portfolio Holders.

The Environment Overview & Scrutiny Committee noted the achievements within the Environmental Services Portfolio Area and supported the targets set for the next 12 months, in particular the Street Cleansing target.

The Social Overview and Scrutiny Committee supported the recommendations in the report.

**RESOLVED** that;

- (1) the 2005/06 Portfolio Holder Statements for each portfolio as detailed within appendices 1a to 1f to the report, be approved;
- (2) the 2005/06 service targets for each service area which have been extracted from the 2005/06 Service Area Plans and included with the portfolio information to which they relate within appendices 1a to 1f attached to the report, be approved;
- (3) the format and structure of the 2005/06 Best Value Performance Plan and its publication in accordance with statutory requirements be approved without further approval from Members as detailed within appendix 2 to the report;
- (4) the Interim Targets for 2005/06 table on page 98 of the report be altered to read 'Achieve an improved EFQM assessment subject to requirements of CPA';
- (5) the eighth bullet point of Key Actions for 2005/06 on page 98 of the report be altered to read 'Begin a Best Value Review of partnership working';
- (6) the ninth bullet point of Key Actions for 2005/06 on page 98 of the report be altered to read 'to ensure this Council properly meets Civil Contingency Act requirements'; and
- (7) the fifth bullet point of Key Portfolio Achievements during 2004/05 on page 137 be deleted.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Ms Flanagan, Mrs McFarland and Tamlin)

**721. COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA) 2005 – RESPONSE TO AUDIT COMMISSION CONSULTATION PAPER**

The Committee received a report from Policy and Performance recommending that the comments set out in section 6 of the report be submitted to the LGA and the Audit Commission as Warwick District Council's formal response to the consultation on Comprehensive Performance Assessment (CPA) 2005.

There were some potential benefits for the Council in this new approach. However, there were also some very significant concerns. Consequently it was felt to be important that the Council made a formal response direct to the Audit Commission,

and that it passed its comments to the Local Government Association to ensure it influenced the comments made at a national level.

Corporate Management Team (CMT) had considered the consultation document at a recent meeting and the comments set out in section 6, reflected the views of the Team.

The Audit and Resources, Economic and Social Overview and Scrutiny Committees supported the comments as detailed in section 6 of the report.

The Environment Overview and Scrutiny Committee supported the comments as set out in section 6 of the report and expressed their disappointment that by becoming an excellent council there appeared to be no benefits to the authority.

**RESOLVED** that the comments set out in section 6 of the report be submitted to the LGA and the Audit Commission as Warwick District Council's formal response to the consultation on Comprehensive Performance Assessment (CPA) 2005.

(The Portfolio Holders for this item were Councillors Mrs Begg, Boad, Crowther, Ms Flanagan, Mrs McFarland and Tamlin)

## 722. **THE FUTURE OF THE WARWICK MOP**

A report was received from Leisure and Amenities outlining the work carried out by the Member Working Party which was set up to undertake a review of the Mop and report back to the Executive with recommendations for the future operation and management of the Mop Fair.

Working Party had considered evidence gathered from their consultation. This evidence was detailed in the background papers. In addition they had undertaken on-site visits to the Mop Fair during October 2004 to assess the impact of the Mop on the Town Centre. Having undertaken the consultation and made visits they made a number of recommendations regarding the future operation, management and financing and licensing of the Mop Fair.

These recommendations had been discussed by the Economic and Overview Committee at their meeting in December. The recommendations set out had received the unanimous support from all the members present at that meeting.

The Economic Overview and Scrutiny Committee supported the recommendations in the report.

Councillor Holland also addressed the meeting in his capacity as Ward Councillor and as a member of the Working Party, reiterating the recommendations in the report.

Councillor Mrs Begg proposed that the licence be issued for an initial twelve month period, allowing the Working Party more time to undertake research into alternative providers, cost implications and more suitable 'styles' for the Warwick Mop. Councillor Boad seconded her request and it was put to the vote. The motion was lost 4 votes to 3.

**RESOLVED** that

- (1) the Mop remain located in Warwick Town Centre and operate on the following basis.
  - a) the Mop operate over two weekends;
  - b) the set up times on the preceding Thursdays remain the same as at present with roads closed from 4pm. The full set up to be no earlier than 6pm but larger rides be brought on site between 3 and 4pm if agreed by the Police;
  - c) increased levels of promotional activity take place including the use of posters, banners, and signage in and around the immediate Mop area;
  - d) the Mop operate in accordance with all the details set out in Appendix 1 of the report to the Economic Overview and Scrutiny Committee on the Future of the Mop dated 14th December 2004;
- (2) a new Licence agreement be drawn up on the following basis;
  - a) the licence operate for a period of 10 years with a break clause after 5 years. However, due to ongoing discussions regarding the Warwick Town Centre Traffic Management Scheme and continuing changes in health and safety legislation the Licence will reviewed every year, prior to the Mop Fair taking place;
  - d) the new Licence include the need for a risk assessment to be completed to the satisfaction of the Council before each Mop takes place;
- (3) the Council reserves the right to close rides or stalls if they do not comply with the rules and regulations of the Licence or meet the regulations set down by the Council;
- (4) the Council negotiate on issues with a single chosen nominee of the organising Committee rather than the Committee;
- (5) the licence holder be required to provide the designated officer with a written undertaking to action changes to the layout before any licence is agreed;
- (6) the Council seek, in partnership with the Police, to ban the consumption of alcohol within the Fair Area during the Mop. The selling of alcohol by Guild members be not permitted;
- (7) the Citizen's Panel Survey be used to gauge feedback on the Mop Fair each year in order to monitor public perception; and



- (8) the licence fee paid by the operator of the Mop be set at a level which covers all costs incurred by the Council as shown in Appendix 1 to the report under the heading "General Operating Costs". (This covers the cost of managing the Mop and the provision of accommodation for the operator during the period of the Mop.)

(Councillors Mrs Begg, Boad and Gifford voted against these resolutions)

(The Portfolio Holder for this item was Councillor Tamlin)

## 723. **PUBLIC CONVENIENCE REVIEW**

The Committee received a report from Leisure and Amenities detailing the recommendations that had been considered by the Economic Overview and Scrutiny Committee following a review of the service as part of the work carried out by that Committee.

The Economic Overview and Scrutiny Committee supported the recommendations in the report.

### **RESOLVED** that

- (1) the public convenience located at Myton Fields be opened at weekends from April to October and daily during July and August and the cost of operation be vired from the income generated from car park income identified in the report on Royal Priors;
- (2) the space used to provide night cubicles be used to enhance the toilets at Regent Grove and Warwick Market Place and the provision for taxi drivers at these locations be via the disabled toilet;
- (3) the public convenience at Brome Hall Lane be kept open daily between Easter and October and for one week over Christmas for the period highlighted in 5.5.3 if Lapworth Parish Council fund the full cost of cleaning. Details on possible funding from Lapworth Parish Council were available at the meeting. If funding was not identified by the Parish Council, the public convenience would be close on a permanent basis;
- (4) the long term future use of those toilets closed in April 2004 and set out in 5.6 of the report be agreed;
- (5) the toilets at the Cricket Pavilion be refurbished to provide the public convenience service at Victoria Park and that those toilets at the Bowls Pavilion be closed and converted as part of the Bowls Pavillion; and

- (6) any reference in the report to Broom Hall Lane should be amended to read Brome Hall Lane.

(Councillors Mrs Begg, Boad and Gifford voted against these resolutions)

(The Portfolio Holder for this item was Councillor Tamlin)

724. **AGREEMENT FOR CONTINUED MANAGEMENT OF THE ROYAL PRIORS SHOPPING CENTRE CAR PARK**

The Committee received a report from Leisure and Amenities recommending that they agree the Heads of Terms set out in Appendix 1 and the revised method of calculating the management fee for the continued day to day management of the car park at Royal Priors by Car Park Services. This was recommended for the following reasons:-

1. The current agreement ran out in December 2004.
2. The managing agents for Royal Priors requested a new agreement be made.
3. The car park at Royal Priors plays an important role in supporting the town centre.

The following amendment was made to Appendix 1 of the report at the meeting:-

The dates in the time line of the item 'Management Fee' on page 191 be amended to read 1 January 2006 to 30 December 2007.

The Economic Overview and Scrutiny Committee supported the recommendations in the report.

**RESOLVED** that the Heads of Terms set out in Appendix 1 to the report, as amended, and the revised method of calculating the management fee for the continued day to day management of the car park at Royal Priors by Car Park Services, be agreed.

(The Portfolio Holder for this item was Councillor Tamlin)

725. **GENERAL REPORTS**

(A) **MODEL AIRCRAFT FLYING**

The Executive Committee received a report from Leisure and Amenities outlining the recommendations of the Scrutiny Committee.

The Executive were reminded that at its meeting on the 23<sup>rd</sup> July, it had agreed to:

"allow model aircraft to continue flying on St. Mary's Lands subject to the hours of flying being reduced to a) Mondays, Tuesdays, Thursdays and Fridays, 10.00 a.m. to 7.00 p.m., and b) Saturdays and Bank Holidays 11.00 a.m. to 4.00p.m. and c) no flying permitted on Sundays.

This compromise between no restrictions on flying (favoured by the flyers) and a total ban (favoured by the residents) has been scrutinised by the Economic Overview and Scrutiny Committee in November 2003.

The Economic Overview and Scrutiny Committee supported the recommendations in the report.

**RESOLVED** that

- (1) the existing policy on model aircraft flying be continued;
- (2) a review take place after a further 12 months; and
- (3) The possibility of hiring a Marshall be investigated including cost implications.

(The Portfolio Holder for this item was Councillor Cheryl Flanagan)

#### 726. **MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEES**

**RESOLVED** that the minutes of the Economic and Social Overview and Scrutiny Committees held on 14 December 2004 and the Environment and Audit and Resources Overview and Scrutiny Committees held on 15 December 2004 be noted.

(The meeting ended at 7.50 pm)