

Executive

Minutes of the meeting held remotely on Monday 29 June 2020, which was broadcast live via the Council's YouTube Channel.

Present: Councillors Day (Leader), Cooke, Falp, Grainger, Hales, Matecki and Rhead

Also present: Councillors: Boad (Liberal Democrat Group Observer), Nicholls (Chair of Finance & Audit Scrutiny Committee); Milton (Chair of Overview & Scrutiny Committee); and Davison (Green Group Observer).

1. **Declarations of Interest**

Minute number 3 (IV) - Community Infrastructure Levy (CIL) Project List for 2020/21

Councillor Falp declared an interest because she was a Whitnash Town Councillor and did not speak or vote on the item.

2. **Minutes**

The minutes of the meeting held on 12 February 2020 were taken as read and signed by the Chairman as a correct record. Members also noted that Appendix D to the Minutes of 12 February 2020 had changed substantially since the meeting.

Part 2

(Items upon which a decision by the Council was not required)

3. **Urgent Decisions Made under Delegated Powers CE (4)**

Due to the Coronavirus outbreak, and in line with the self-isolation Government advice, the meetings of the Executive were temporarily cancelled. As a result, decisions were taken under the Chief Executive's delegated authority CE(4).

The items below were urgent matters which could not wait until the next Executive meeting. Due to the Coronavirus outbreak, it was not known when the Council meetings would resume. This resulted in the use of delegated power CE(4), which stated:

"The Chief Executive be authorised to deal with urgent items that occur between meetings, in consultation with the relevant Deputy Chief Executive, Head(s) of Service (if available) and Group Leaders (or in their absence Deputy Group Leaders), subject to the matter being reported to the Executive at its next meeting."

(I) **Use of Delegated Powers – Amendment to the Statement of Community Involvement**

The Executive considered a report from Development Services.

The provision of a Statement of Community Involvement (SCI) was a statutory requirement. Warwick District Council's SCI required an update in order for consultations to be able to continue in times of crisis such as the global pandemic taking place at the time.

The provision of a Statement of Community Involvement (SCI) was a statutory requirement, and needed to be reviewed and refreshed every five years. The proposed SCI would not constitute a review of the document, and a full revision would take place during 2020.

The SCI update inserted provision for undertaken consultations in times of national crisis, such as the Coronavirus pandemic taking place at that time. This change meant that consultations took place solely online at the time, with hard copies of documents (usually viewed at deposit points) unavailable.

The proposed amendment was in line with government guidance and had been reviewed by legal officers.

In terms of alternative options, none were considered as the decision was already made and the report was for information only.

Resolved that the decision taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) to agree to the amendments to the Statement of Community Involvement (attached as Appendix 1 to the report).

(The Portfolio Holder for this item was Councillor Cooke)

(II) **Use of delegated powers - Service Area Plans for 2020/21**

The Executive considered a report from the Deputy Chief Executive (AJ) requesting the approval of the Council's Service Area Plans for 2020/21.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4). The Service Area Plans (SAP) at Appendices A-J to the report were agreed as the Council's programme of work for the financial year 2020/21.

From 1 April 2020, the Council would have ten Service Areas – Assets; Chief Executive's Office; Cultural Services; Development Services; Finance; Health & Community Protection; ICT; Housing Services; Neighbourhood Services; and People and Communications - each of which, following consultation with

the respective Portfolio Holders, produced an annual SAP. The SAP comprised five parts:

- Part 1 - Purpose of the Services Provided
- Part 2 - Managing Service Delivery
- Part 3 - Managing and Improving People
- Part 4 - Budget (Main budgetary pressures and changes)
- Part 5 - Managing Planned Changes, Major Work-streams and Projects

The individual plans sought to describe a Service Area's scope of services and projects, and how delivery would be managed through the respective Service Area's resources. In aggregate, the SAPs were the programme of work for the Council for the financial year in question.

The Executive was asked to agree the SAPs at Appendices A-J, noting that the Plans were produced so as to be consistent with the Business Strategy, General Fund and Housing Revenue Account Budgets and Climate Emergency Action Programme. Performance against the SAPs would be reported to Executive twice-yearly.

In terms of alternative options, none were considered as the decision was already made and the report was for information only.

Resolved that the decision taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE(4) to agree the Service Area Plans (SAP) at appendices A-J as the Council's programme of work for the financial year 2020/21, and that the Plans have been produced so as to be consistent with the Business Strategy, General Fund and Housing Revenue Account Budgets and Climate Emergency Action Programme agreed by Council on 26th February 2020, be noted.

(The Portfolio Holders for this item were Councillors Cooke, Day, Falp, Hales Matecki, Morris and Rhead)
Forward Plan Reference 1,121

(III) Use of delegated powers - Relocation of Kenilworth Rugby Football Club

The Executive considered a report from Development Services informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to approve the Council entering negotiations for the purchase of land currently occupied by Kenilworth Rugby Football Club (hereafter referred to as KRFC) at Thickthorn Kenilworth, and also to take proactive steps to help facilitate the development of land at Warwick Road for sporting use.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was

cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

In September 2017, Warwick District Council adopted the Warwick District Local Plan 2011-2029. Local Plan policy DS11 'Allocated Housing Sites' addressed the allocation of land for housing development and associated infrastructure. Site H06 – East of Kenilworth (Thickthorn) – was given an indicative allocation of 760 dwellings and included two parcels of land occupied by KRFC. The club benefitted from the freehold of a parcel of land c.1.8 hectares in area, which included the club's first team pitch and clubhouse, shown at Appendix 2 to the report, and also occupied a larger parcel of land, c.7.6 hectares in area, shown in Appendix 1 to the report, and physically separated by the smaller parcel, under a 999 year long-leasehold (over 965.5 years remained) from the freeholder Stoneleigh Estates.

KRFC wished to improve and expand the use of its facilities, and to locate onto a single site, and this was not possible at the existing sites it occupied. It therefore approached the Council to see whether an alternative site was available.

Local Plan policy DS23 allocated land for outdoor sports and recreation in Kenilworth. In relation to the matter under consideration it stated that:

"and land at Warwick Road (SP2), Kenilworth, as shown on the Policies Map, is allocated for provision of outdoor sport.

Appropriate facilities associated with the provision of outdoor sport will be permitted provided that they preserve the openness of the green belt and do not conflict with the purposes of including land within it".

KRFC considered that by relocating their current site to SP2, shown at Appendix 3 to the report, it could improve and expand its facilities whilst consolidating facilities on one site.

KRFC was approximately 34.5 years into the 999-year lease. Its plan was to sell its freehold interest in the main club site at Glasshouse Lane, to partly fund the relocation of the club. In tandem with its landlord, respective interests in the larger 'Cowpatch' site would be surrendered contemporaneously to a third-party, for a capital sum. That capital sum was estimated to be considerable and based on the work that KRFC had already undertaken would: enable new facilities to be developed at the Warwick Road site; enable an endowment to be put aside to ensure the long term future of KRFC; and allow for a payment to be made to Stoneleigh Estates. Discussions took place between KRFC and Stoneleigh Estates over a number of years and they were in agreement to this approach.

The capital sum to be paid to Stoneleigh Estates had still to be agreed between the parties, however, KRFC was clear that this sum needed to take into account of the need to develop the Warwick Road site and provide the endowment. If these elements were not agreed, then KRFC would be unable to move and given the length of tenure benefitting KRFC, Stoneleigh Estates would receive no capital sum.

KRFC and Warwick District Council (WDC) officers had worked closely over the last few years to arrive at the position where Local Plan policies were in place to facilitate KRFC's move, and the Council had supported the rugby club in their negotiations with the landowner of the Warwick Road site and also with Network Rail (the new site spanned a railway line and access was required over existing railway bridges). Whilst KRFC had been clear that they were looking for best value from offers for their land, the relationship with the Council led KRFC to consider whether it would be advantageous for the Club to enter into a deal with the Council whereby the Council would take a freehold interest in one or both of KRFC's current sites. KRFC therefore indicated that if the Council was able to meet its valuation of the site, then it would be happy to do a private deal with the Council.

KRFC indicated that they intended to market the 'Cowpatch' in the near future, with the first team pitch site anticipated to be marketed at a later date. Based on discussions with the club it appeared less likely that the Council would be able to compete with the market for the smaller site.

If the Council was unsuccessful in meeting the valuation of the club and therefore did not purchase the site, officers would also consider if there were any opportunities whereby the Council could work with any successful bidder to take on the affordable housing element to be provided within the scheme.

The following strategic approach was followed with regards to KRFC's relocation to Warwick Road:

- KRFC would fund the construction of the new facilities at Warwick Road with the funds it received from the sale of the current sites;
- If able to meet KRFC's valuation for the sites, WDC would promote and/or develop the Thickthorn land for housing;
- If unable to meet KRFC's valuation for the sites, the land would be sold to private developer(s) and WDC would see the return of the up-front funding it has provided; and
- The development of the Thickthorn land would result in the following:
 - A share for Stoneleigh Estates
 - KRFC share arising from its interest in the land
 - A share for KRFC to pay for the construction of the facilities on site.

Executive made it clear that it wished to take a more proactive role in the housing market, but had been stymied by the Council's lack of land in its ownership available for development. This meant that any significant house-building programme would rely on the purchase of land at market rate. The proposal put forward by KRFC enabled officers to explore land purchase of a significant scale.

To undertake the work necessary to progress the negotiations, officers needed to call on professional assistance, for example, surveys, legal advice, market intelligence and site capacity work. A budget with sufficient funds (the Housing Strategy and Development budget) was available to undertake this work and therefore no additional funding was sought from Executive for this. It was also necessary for much internal work to produce the business

case to ensure the proposal was affordable to the Housing Revenue Account and the General Fund.

If officers determined that they wished to recommend to Executive that an offer should be made for either of KRFC's sites and satisfactorily negotiated with KRFC, then a report(s) would need to be submitted to Executive and/or Council for the necessary permissions and release of funding.

The Executive was made aware in making a decision on recommendations 2.3 and 2.4 in the report that recent experience of others sites had demonstrated that even with such an arrangement, as outlined in the report, this neither guaranteed a successful land purchase, nor committed the Council to make a bid that matched or exceeded any market offer. The Council would undertake its own valuation and site capacity work which would form the basis of any offer, and if that suggested a value that was notably lower than what a private developer was able to offer, then it might be inappropriate for the Council to continue to compete for the site(s).

The relocation of KRFC to Warwick Road was a key part of the delivery of the Local Plan in Kenilworth. The relocation would provide the town and District with enhanced leisure facilities and would enable the development of the two rugby club sites for residential development, which together could enable around 200 dwellings to be delivered. This was important in delivering a comprehensive development in East Kenilworth as required by the Local Plan and reinforced by the Land East of Kenilworth Development Brief. Without the Council's support with up-front funding, there was a risk of delay in the relocation of the club and therefore housing delivery. Whilst the Council was satisfying its five-year housing land supply and the Housing Delivery Test, delays on large sites potentially put this at risk.

The opportunity to purchase KRFC's current site was one of a number of opportunities that had been explored, which might make possible the Council's long-held ambition of delivering an extensive house-building programme. However, this opportunity would only have arisen if, in effect, the Council was prepared to put itself "in the shoes" of a developer.

KRFC was a community sports club and had limited funds. To take its plan forward, KRFC relied on a developer providing up-front at-risk funding so that it could achieve the necessary planning consent to hopefully move to the Warwick Road site. At the time of writing, it was estimated that the cost of this work would be up to £300k. The developer's position would be that in return for providing this funding, it would have secured an option on the Thickthorn land so that it would ultimately be the freeholder when KRFC moved.

If the Council wished to secure the land with the prospect of developing housing, it needed to act in a commercial manner by providing the up-front funding. However, there was a way to do this and release the up-front funding to KRFC without waiting for all the legal agreements for land purchase to be completed. It was proposed that WDC and KRFC should enter into a similar agreement as the Council had with Kenilworth Wardens, as described below.

Facing similar circumstances, WDC agreed an approach with the neighbouring community sports club, Kenilworth Wardens, whereby the Council would provide forward funding. In that situation, a formal Project Agreement between the two parties was made and set out how the two parties would work together on the project. The agreement included details of the security that the Council had over this forward funding, which was through a charge on the existing land. The charge would remain in force until the preliminary funding was repaid to the Council either by:

- (a) If the project proceeded to Phase 2 (Acquisition and Disposals), the preliminary work funding paid by the Council would be deducted from the club's return when the Council purchased the Thickthorn Land (unless otherwise agreed by the parties); or
- (b) In the event that the project did not proceed to Phase 2 and the Thickthorn Land was disposed of at any point in the future, the preliminary work funding paid by the Council needed to be repaid within five working days of the Thickthorn Land being disposed of. The Agreement acknowledged that there could be a requirement for additional funding in excess of the initially agreed amount to carry out the preliminary work and under such circumstances, both parties needed to agree whether or not to continue with the Project and if so, how the remainder of the preliminary work would be funded.

It was possible that should WDC provide up-front funding and planning permission was not achieved or the land values did not provide enough funding to enable KRFC to move, then WDC would have a charge against land that could not be developed.

If Members agreed to the approach, then it was recommended that the Executive agrees to make available up to £300k from the New Homes Bonus to enable KRFC to complete all the necessary steps to submit a planning application subject to appropriate security being put in place. The Council's Head of Finance and Deputy Chief Executive & Monitoring Officer (DCX (AJ)), in conjunction with the Portfolio Holders for Finance and Development Services, would work with the Council's solicitors to ensure that the necessary security was achieved and that an appropriate commercial return was received. Within the Budget report agreed in February, £300,000 was included in the Revenue Budget to accommodate this transaction. This was funded from the Business Rate Retention Volatility Reserve in 2020/21, with the Business Rate Retention Volatility Reserve to be replenished from the anticipated New Homes Bonus in 2021/22.

Council officers remained committed to supporting the KRFC relocation project as it would enable the delivery of Local Plan housing and outdoor sport allocations; enable the comprehensive development of allocated land in east Kenilworth in accordance with the Local Plan and the Land East of Kenilworth Development Brief; and would provide residents of the District with new and enhanced outdoor sports facilities. Without additional forward funding, there was a risk that the project would stall and impact upon the delivery of housing on the existing site.

A formal Project Agreement needed to be drafted and put in place relating to the up-front funding and how both parties would communicate and work together in relation to the relocation project. In order to draft the legal agreement and apply the charge on the land, the Council required legal expertise. The Project Agreement followed a similar approach, as followed with Kenilworth Wardens and their relocation project.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that Executive notes the decisions taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE(4) to:

- (1) note the Warwick District Local Plan position as it relates to KRFC;
- (2) note the financial principles underpinning KRFC's plan to move to a new site;
- (3) agree that officers enter into negotiations with KRFC for the in-principle purchase of the land allocated in the Local Plan for housing at site H06 occupied by KRFC thereby helping to facilitate the relocation of KRFC to land at Warwick Road and that the terms of funding for the land purchase are developed by the Council's Heads of Finance and Housing and Deputy Chief Executive & Monitoring Officer (DCX (AJ)), in consultation with the Portfolio Holders for Finance, Housing and Development Services, having taken appropriate advice from the Council's solicitors. Should negotiations lead to a satisfactory conclusion, then a report(s) will be submitted to Executive and/or Council for the necessary permissions and release of funding;
- (4) agree to make available up to £300k from the New Homes Bonus to enable KRFC to complete all the necessary steps to submit a planning application and achieve all the necessary consents for its relocation subject to appropriate security being put in place as agreed by the Council's Head of Finance and Deputy Chief Executive & Monitoring Officer (DCX (AJ)), in consultation with the Portfolio Holders for Finance and Development Services, having taken appropriate advice from the Council's solicitors; and
- (5) delegate the details of a legal agreement (and applying a charge on the land) that will be required to be entered into with KRFC relating to

the up-front funding to the Council's DCX (AJ) and Section 151 Officer and that expenditure was authorised of up to £3,000 in legal costs funded from the Service Transformation Reserve to draft and complete the necessary legal agreement.

(The Portfolio Holders for this item were Councillors Cooke, Hales and Matecki)
Forward Plan Reference 1,117

(IV) Use of delegated powers - Community Infrastructure Levy (CIL) Projects List for 2020/21

The Executive considered a report from Development Services informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to approve the proposed CIL Projects list for 2020/21 as the basis for focusing the distribution of CIL receipts collected during the year.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

In March 2019, Executive agreed the "Regulation 123 List" projects that the Council would fund from anticipated CIL receipts in 2019/20. This formed the basis on which CIL contributions received were distributed in the previous year. An additional project was added to the 2019/20 list in November 2019 (the Whitnash Civic Centre and library).

Table 1 below identified all those CIL projects contained within the CIL Projects List, indicated how much CIL income was allocated to each project in 2019/20, and set out how much it estimated would be spent by the end of March 2020.

Table 1: Spending on CIL Projects in the 2019/20 CIL Projects List		
	CIL spending for 2019/20 (£)	
Infrastructure Project	Agreed	Actual spend
Destination Parks	Nil	Nil
Bath Street Improvement Scheme	195,000	45,000
Emscote Road Multi Modal Corridor Improvements	200,000	100,000
Warwick Town Centre Improvement works	373,000	373,000
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	Nil	Nil
Medical facilities - N Leamington (Cubbington/Lillington)	60,000	60,000
Wayfinding in Leamington, Kenilworth and Warwick	£70,000	Nil

Table 1: Spending on CIL Projects in the 2019/20 CIL Projects List		
	CIL spending for 2019/20 (£)	
Infrastructure Project	Agreed	Actual spend
Whitnash Civic Centre and Library	410,000	410,000 (*)
PLUS CIL Administrative charge	60,000	60,000
Total	1,368,000	1,048,000
* This money was allocated in 2019/20, however would not be drawn down by Whitnash Town Council until later in 2020 during the construction of the centre.		

In terms of understanding how much money the Council was likely to have available from CIL contributions to fund projects over the following five years, it was possible to estimate this using the latest Local Plan housing trajectory. If the Housing Trajectory was achieved for 2019/20, CIL was predicted to deliver the following as set out in table 2. (It should be remembered that a proportion of CIL receipts (15% or 25%) needed to be distributed to Town and Parish Councils and therefore was not available to the District Council to allocate).

Table 2: Estimate of future CIL income to Warwick District Council			
	Total (£)	If 15% passed to parish councils (£)	If 25% passed to parish councils (£)
2020/21	6,020,500	5,037,000	4,444,000
2020 - 2025	30,827,300	26,226,000	23,140,000

To this income should be added an estimated £1,013,000 of CIL income that was collected, but would remain unspent as at 31 March 2020 (taking account of all spending commitments in the 2019/20 CIL Projects List in table 1). Therefore, the amount of money available for projects within the CIL Projects List was predicted to be in the range of £5,458,000 to £6,050,000 for 2020/21, and £24,153,000 to £27,238,000 for the period 2020 to 2025.

It was noted that the actual amount of CIL received was not easy to predict accurately. CIL was payable within 60 days of developments starting on site, and was entirely dependent upon the rate at which new development came forward. Nevertheless, the above figures were the best estimate the Council could provide at the time for likely future level of CIL income.

In the Autumn of 2019, the Government changed CIL regulations to remove Regulation 123 and with it, the legal requirement to produce a list of CIL-funded projects. It was, however, still considered good practice to produce a list of CIL Projects, and this gave the Council a clear basis and mandate on which to allocate CIL receipts. For this reason, officers undertook the same

process as in previous years to seek to identify possibly infrastructure projects that CIL could fund, and to recommend which ones the Council should support. This process involved consulting with Infrastructure Providers including Warwickshire County Council, NHS South Warwickshire Foundation Trust, the Clinical Commissioning Group, the Police, and other services within Warwick District. These providers submitted proposals for consideration for inclusion in the list for 2020/21. A full description of all submitted proposals was set out in Appendix 2 to the report.

In August 2017, prior to the introduction of CIL and in consultation with the Development Portfolio Holder, the following criteria was put forward as the basis for assessing proposals for the (then) Reg. 123 list:

- Identified benefits of project:
 - Relationship to development proposed within the Local Plan
 - Extent to which project addressed current and projected issues
 - Anticipated impact on infrastructure capacity once project completed;
- Identification of the project within the IDP (Infrastructure Development Plan);
- Overall cost of project;
- Required level of funding from CIL (taking account of other sources of funding and the degree to which these are committed); and
- State of progress (was the scheme clearly planned and deliverable within the timescale envisaged?).

These criteria formed the basis upon which CIL projects were considered annually since that time. In the Autumn of 2019, and following the declaration of the climate emergency in Warwick District, Councillors asked that a further criterion should be added to assist in assessing proposals for 2020/21, that of the extent to which the proposal supported the commitments made to the climate emergency.

These criteria were included within the forms that infrastructure providers were asked to complete and was also used to assess proposals. An analysis of the submitted proposals against these criteria was undertaken and was set out in Appendix 3 to the report.

These criteria were identified to provide a way of fairly assessing infrastructure proposals from different organisations. In doing so, officers were conscious that, although Warwick District Council was the CIL charging authority and had the ultimate say on where CIL money was spent, the purpose of CIL was to collect money to spend on infrastructure that the community needed. In this context, the relationship between the CIL Projects List and the Infrastructure Delivery Plan (IDP) was important. The IDP was underpinned by an evidence base which was prepared alongside the Local Plan. Schemes in the IDP were therefore identified as being priorities to address the impact of growth. It was therefore, reasonable to use the IDP as the starting point for the CIL Projects list and officers were confident that the benefits of these schemes had been evidenced and tested alongside the Local Plan preparation and examination.

Notwithstanding this, it was also noted that the IDP was a dynamic document which recognised and responded to changing infrastructure needs. It also needed to be kept under regular review with new items of infrastructure included where these were justified. For this reason, the Council established an IDP Member Reference Group to review and update the IDP and assess the schemes that were proposed for inclusion on the CIL Projects List. This group met quarterly, and was used to assess these proposals as part of preparing this report. The IDP Member Reference Group supported the list of proposals on the CIL Projects List and the proposed distribution of CIL contributions for 2020/21, as set out in the report.

The schemes set out in Appendices 2 and 3 total, potentially, were in excess of £38m. There was clearly insufficient projected income to fund all of these projects and so an element of prioritisation was needed. In recommending a way forward, the following principles were proposed to underpin this prioritisation:

- It was predicted that between £24,153,000 and £27,238,000 would be available for the period 2020 to 2025. In line with the approach taken in previous years (and recognising the risk that development might not come forward in line with the Housing Trajectory), it was advised that the Council only committed funds in line with the more cautious estimate (i.e. assuming that 25% of all CIL receipts were handed over to Parish Councils). Therefore, a minimum of £24,153,000 was estimated to be available to fund CIL projects between 2020 and 2025; and
- The Development Portfolio Holder and IDP Member Reference Group suggested that the Council did not identify projects to meet all of the anticipated income (in line with the more cautious estimate) but held some of this in reserve. A figure of 15-20% was suggested as being held in reserve. The reason for this was that there might be occasions during the year when new projects emerged, which would be legitimate and would benefit from CIL contributions. If there was no "headroom" with the CIL Projects List, then the Council had less flexibility to support new projects. An example of this that came forward during 2019/20 was the Whitnash Civic Centre and library proposal.

On this basis, it was recommended that two of the projects for which bids were made, were not included in the CIL Projects List for 2020/21.

- Medical facilities (Leamington town centre): This scheme (up to £6.5m requested) could potentially have been suitable and eligible for CIL, in particular, recognising that there was significant population growth in Leamington town centre, and that this was taking place on a large number of sites. The scheme was, however, at a very early stage (no site had been identified at this stage and little feasibility and design work was undertaken) and so the project required further development before it could be considered further. Also, other sources of project funding had yet to be fully explored; and
- Newbold Comyn: This funding (£10.03m requested) was required to support improvements to Newbold Comyn, following an options

assessment and public consultation that took place during 2018 and 2019. The amount included in the bid reflected the amount proposed by the consultant. This scheme could potentially have been suitable and eligible for CIL. The scale of the funding request was, however, beyond the limit of anticipated CIL income over the following five years. Furthermore, the scheme was still at a consultative stage and final proposals had not been agreed, nor had all opportunities for outside funding, including private sector investment, been fully explored. (A draft masterplan for Newbold Comyn was to be considered by Executive in March 2020.)

Table 3 in the report listed the prioritised infrastructure projects which were recommended for inclusion in the List for 2020/21. In some cases, it was not proposed that the full amount of the bid should be supported, and the reasons for this were set out in the table. It was noted that all of the projects were on the (2019/20) CIL Projects List unless indicated.

Within Table 3, there was a CIL Administrative charge. CIL charging authorities were entitled under regulations to take up to 5% of CIL income as an administrative charge. In order to implement and deliver CIL, the Council had to employ a full-time CIL Administrative Officer and had to invest time and resources changing its systems and procedures. Whilst it was not proposed that the Council took its full 5%, an administrative charge of £325k (i.e. £65k per year) was considered reasonable. This was a small increase from the £60,000 agreed in 2019, which was built into the Council's Medium Term Financial Strategy.

Taken together with the list of schemes detailed in Table 3 in the report, it brought the total amount committed within the CIL Projects List to £19,925,000. This was against a project CIL income of £24,153,000. This left a reserve of £4,228,000, approximately 17% of the total, in line with the recommendations of the IDP Member Reference Group. (It was noted, however, that whilst there was a reserve projected over the subsequent five years, none of this would be available during 2020/21. This was explained in the paragraphs below).

As set out above, it was estimated that between £5,458,000 and £6,050,000 would be available from CIL contributions to spend in 2020/21. Taking the lower (more conservative) figure as the basis on which CIL contributions would be available, the following was recommended as the basis on which CIL receipts will be distributed in 2020/21.

Table 4: Proposed distribution of CIL contributions in 2020/21	
Infrastructure Project	Proposed 20/21
Destination Parks	Nil
Bath Street Improvement Scheme	£150,000
Emscote Road Multi Modal Corridor Improvements	£115,000
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	£5,000,000

Medical facilities - N Leamington (Cubbington/Lillington)	Nil
Wayfinding in Leamington, Kenilworth and Warwick	£105,000
Europa Way bridge	Nil
Whitnash Civic Centre & Library	£250,000
PLUS CIL Administrative charge	£65,000
Total	£5,685,000

It was noted that there was an estimated shortfall of £227,000 in projected income against planned expenditure in 2020/21. Given that this was less than 4% of the total estimated income, and that the income was based on a more cautious estimate in any event, this level of possible "overspend" was considered reasonable. Notwithstanding this, it was recognised that it was possible that actual income during 2020/21 would be less than that projected. In the event that this happened, it was recommended that the amount given to the Kenilworth Leisure (Phase 2) project was reduced accordingly and not that each project took a proportionate reduction in funding (as was the practice in previous years).

Where CIL income was to be distributed to external partners, legal agreements were put in place to set out when payments would be made and ensure that any CIL contributions were spent appropriately. For projects delivered by the Council, Service Level Agreements were entered into with the relevant Head of Service.

To summarise therefore, the Council projected and recommended the following:

Minimum income to the Council from CIL between 2020/2025 (including any receipts carried forward from 2019/20)	£24,153,000
Total value of schemes on which this income can be spent (2020/25) (including an allowance for a CIL admin fee)	£19,925,000
Total CIL income to the Council from CIL during 2020/21 (including any receipts carried forward from 2019/20)	£5,458,000
Total recommended requested during 2020/21 from those infrastructure projects on the proposed CIL Projects list.	£5,685,000

The existing Scheme of Delegation allowed for the Head of Development Services to enter into agreements, providing for the transfer of funds received through CIL. The wording of the existing delegation specifically referred to CIL Regulation 123. Given that Regulation 123 was no longer in operation, a minor amendment to this wording was required, as set out in the recommendation.

In terms of alternatives, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decisions taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE (4) to:

- (1) note the amount spent during 2019/20 on CIL Projects from the current CIL Projects List and the anticipated level of CIL Contributions to be received by the Council in the next five years;
- (2) approve the CIL Projects List for 2020/21 set out in Appendix 1 to the report;
- (3) approve that paragraphs 3.19-20 and table 4 in the report are used as the basis for distributing CIL receipts collected during 2020/21; and
- (4) amend the existing delegated authority to the Head of Development Services as follows: "To enter into agreements providing for the transfer of funds received, as a result of payments to the Council under the Community Infrastructure Levy Regulations 2010 (CIL), to an infrastructure provider for a scheme which has been agreed by the Council".

Recommends to Council that the Scheme of Delegation be updated to reflect this change.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,102

(V) **Use of delegated powers - Newbold Comyn Draft Masterplan**

The Executive considered a report from Neighbourhood Services. Following the closure of the golf course at Newbold Comyn, a series of studies and public consultations had been carried out in order to develop a draft Masterplan. The report informed Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to agree a final Masterplan for the site.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

The Sport Leisure and Culture Consultancy (SLC) were initially appointed in September 2018, to carry out a study looking into future uses for Newbold Comyn.

Following completion of this study and a further report to Executive in March 2019, SLC were re-appointed to carry out further work including a more detailed public consultation, Masterplan development and business planning. The report provided an update on each of these elements.

Engagement with identified stakeholders, together with a comprehensive public consultation exercise, was undertaken during September, October and November 2019, seeking feedback on the facility options developed during the initial study.

The purpose of this consultation was to inform the Council on the public's view of which facilities were to be included in the Masterplan. The responses were to be reviewed alongside an assessment of need and a consideration of financial sustainability.

The key conclusions emerging from the consultation were detailed below. A full breakdown of the results could be found at Appendix 1 to the report.

- the online survey generated a total of 3,346 responses;
- the vast majority of consultees were positive about enhancing opportunities for increasing physical activity at Newbold Comyn;
- the facility options with the strongest support through the online survey were nature trails, extension to the nature reserve, improving pedestrian routes, cycle trails and routes, adventure play area and café/visitor centre;
- the facility options with the strongest support through the c. 400 attendees of the two public drop-in sessions were exactly the same as the online survey. This demonstrated a clear consensus amongst local people about which facilities they favoured the most;
- support was indicated for activities that created a 'sense of wellbeing', and could be integrated into the existing landscape and were low cost or free to access;
- concern was expressed about the character of the site being spoilt and the impact upon wildlife and ecology of any over-development;
- transport to and from Newbold Comyn by public transport, bicycle and on foot could be enhanced;
- dog walkers wished to retain the unrestricted access to Newbold Comyn that they currently enjoy;
- improving disability access across the site was mentioned several times in the online survey comments and during the public consultation drop-in sessions; and
- mixed views were expressed, regarding golf at Newbold Comyn – some were strongly supportive of reinstating a full golf-course or the 'front 9 holes' and some were strongly against reinstating any golf provision.

On 19 November 2019, SLC facilitated a workshop with Warwick District Council (WDC) Members and Officers to agree which facility options should be taken forward to the next stage of the feasibility study and Masterplan.

SLC took Members through an exercise to appraise the facility options which considered the need and viability of each proposed facility option. Each

option was then given a priority rating. A full summary of this workshop could be found as Appendix 2 to the report, however, due to commercial sensitivities, needed to be considered as private and confidential.

It was agreed that those facility options identified as a High or Medium priority should be taken forward to the next stage to test the feasibility of each one.

Facility Group	Priority Rating
Cycle trails / pedestrian routes / exercise trim trail	High
Extended nature reserve / nature trails	Medium / High
Artificial turf pitch	High
Redesigned golf offer – driving range, par 3, footgolf	Low
Outdoor Activity Centre – High ropes, climbing, zip wires, archery, dry tobogganing, woodland craft	Medium
Adventure golf / Pitch and Putt	Medium
Adventure Play	Medium
Skate park	Low
Café / Visitor Centre	High
Community garden / sensory garden	Low

A draft business case and feasibility report was produced which provided capital costs and options for management and operational arrangements for each facility.

The cost for delivering the draft Masterplan was £10,030,600. This figure was made up of capital and project costs. Further work needed to take place to identify funding sources and delivery models for each facility.

It was recommended that this viability work should take place over the coming months, and a final business case should be brought back to the Executive for approval in the summer, along with the final Masterplan. As agreed by the Executive at its 21 August 2019 meeting, the draft Masterplan was subject to a final public consultation.

The purpose of this consultation was to understand the public and stakeholder's views on the draft Masterplan. The feedback would inform any changes before a final version was brought back to Executive, alongside the business case referred to in paragraph 3.11 in the report.

The draft Masterplan proposed for consultation was included in Appendix 4 to the report.

It would consist of an online survey which would include an interactive map of the site. This would allow participants to review each facility on its own or to look at the site in its entirety.

There would also be public drop in sessions where the project team would be able to talk through the facility mix and provide further advice on the design.

Historically, these events had been very popular, so SLC would be in attendance to support officers.

There were a number of vacant outbuildings adjacent to Newbold Comyn. For clarity, Appendix 3 to the report showed each of the barns, referred to as:

- A: The old clubhouse; and
- B: The barns.

In the feasibility work carried out, a variety of uses for the outbuildings were considered which could have potentially supported the facilities and activities proposed through the Masterplan.

The outcome of this work was that building 'A' could add value to the wider project. The draft Masterplan proposed that the former golf club was re-purposed to serve outdoor activities. Minor reconfigurations to the internal layout were proposed to provide a reception area and lobby, a meeting/briefing room, a store for hire cycles and toilets.

The buildings referred to as 'B' did not have an identified use within the Masterplan. This position was informed by indicative budget estimates to repurpose the barns from their former agricultural use alongside a commercial appraisal that was presented to the Executive at its 21 August 2019 meeting. This commercial appraisal also stated that to 'do nothing' with the 'B' outbuildings, was not an acceptable option.

On a short term basis, a potential use was identified as providing storage and workshop facilities for a local dance company, who had been based in the District for 30 years and who were at risk of being displaced from the town if an alternative was not found. This was subject to Executive approval, and the recommendations were provided in a separate report.

The long term future use would be decided once an Asset Review had taken place as part of the implementation of the Asset Management Strategy. This review would dictate the level of future investment and ensure that any future use was capable of meeting the Council's needs and objectives.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that Executive note the decisions taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE(4) to:

- (1) note the progress made by SLC on their study to determine the future of Newbold Comyn;
- (2) approve the proposed methodology for a further public consultation exercise which will seek views on the proposed Masterplan; and

- (3) note the work done to date in regard to the outbuildings and agree the next steps for determining their future use.

(The Portfolio Holder for this item was Councillor Norris)
Forward Plan Reference 1,104

(VI) Use of delegated powers - Local Development Scheme (LDS)

The Executive considered a report from Finance informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to approve a refreshed Local Development Scheme (LDS). The LDS set out the work of the Planning Policy team over the next three years in terms of the production of planning documents, was a requirement of the Planning and Compulsory Purchase Act 2004 and was updated annually.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

The adoption and publication of a Local Development Scheme was a statutory requirement of the Planning and Compulsory Purchase Act 2004, which laid out the coverage and duration of the document required. This included a provision for an annual review of the Scheme to ensure it remained relevant and up-to-date.

The Warwick District Local Plan (2011–2029) was adopted in September 2017 and as such, a revision of the LDS was required to detail the Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that were required to support the Local Plan and add further detail for applicants and decision makers.

Much of the programme of work was driven by commitments within the Local Plan. As well as these commitments, additional work would arise in response to either local planning issues or changes in national legislature. Where possible, these were factored into the scheme, and a refreshed LDS was produced annually to reflect progress made and any new areas of policy being worked on.

The 2019 LDS was adopted by the Executive in February 2019. A subsequent update to the LDS was approved by the Executive in November 2019 to allow for the introduction of a significant new DPD related to climate change and the rearrangement of other areas of work.

The LDS removed the proposed Leamington Area Action Plan (AAP) from the work programme. This piece of work was on hold whilst the Creative Quarter and Leamington Neighbourhood Plan progressed. It was considered that work on both projects, as well as the work done on the Leamington Town Centre Visioning, was sufficiently advanced as to render the production of an AAP superfluous.

This LDS also included a separate work stream on the revision, consultation and adoption of a new Statement of Community Involvement (SCI) during 2020. A review of SCIs was required every five years, with the current one being adopted in January 2016.

The LDS proposed no other significant changes to that which was approved in November 2019, and set out the areas of work to be covered in 2022 that were not included in that paper.

The National Planning Policy Framework required Local Plans to be reviewed every five years to ensure that they remained relevant and continued to deliver the growth laid out in the plans. Work on the Plan Review would begin in earnest, with the identification and assembly of the required evidence base as well as identifying areas to update as a result of the publication of the revised National Planning Policy Framework in 2019. It was expected that this work would fully engage any capacity within the team over the period of the LDS, shown in Appendix 1 to the report.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decision taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE(4) to note the content of the LDS (Appendix 1 to the report) and to agree the adoption of the LDS and its proposals for delivery of planning documents over the forthcoming three years.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan reference 1,083

(VII) **Use of delegated powers - Canalside Pre-Submission Development Plan Document (DPD) – Request to Consult**

The Executive considered a report from Development Services. The Warwick District Local Plan 2011-2029 was adopted in September 2017 and contained a commitment to bring forward a Development Plan Document (DPD) for the canalside.

A further commitment was made in the Local Development Scheme to produce relevant DPDs outlined in the Local Plan, such as the canalside.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

The adopted Local Plan stated in policy DS17 'Supporting Canalside Regeneration and Enhancement' that the Council would prepare and adopt a DPD, identifying areas for regeneration in the urban area suitable for other

uses and areas for protection throughout the canal network. The DPD set out policies for the assessment of planning applications in the canalside area.

Part of the commitment for the protection of the canal and surrounding areas was addressed through the designation of a Canal Conservation Area in January 2019. This was acknowledged and referenced in the DPD.

The DPD:

- identified the issues with regard to the use of the canals, both real and perceived, and the opportunities that a canalside location could provide;
- provided specific policies for the three areas outlined in the Local Plan for consideration as residential sites where there were currently employment uses and vacancies and assesses other potential sites;
- provided a range of policies dealing with: the use of the canal towpaths as a pedestrian/cycle route linking towns and countryside; access; protection of heritage assets, biodiversity and infrastructure; design of new developments; signage and public art;
- considered the future role of the canal itself and the potential to utilise as a source of water and contribute to urban cooling in helping to combat climate change; and
- recognised and acknowledged the benefits that the canalside area could have on health and wellbeing.

The Local Plan proposed three older areas of canalside employment for consideration for residential use. These areas were Sydenham Industrial Estate, Cape Road/Millers Road and Montague Road. Development of part of the Sydenham Industrial Estate for residential use took place with the area to the west of Sydenham Drive and immediately adjacent to the canal given over to new housing.

Following the decline in the use and interest in the canals post WWII, there had been a resurgence in interest in the canal network throughout the country. It was recognised that the canals formed a useful resource and as well as providing a network of tow paths that joined towns and countryside and providing a backdrop for leisure pursuits, they were also a valuable resource in providing places of peace and tranquillity, supporting the health and wellbeing of all who used them.

Examples of regeneration elsewhere and particularly in the bigger cities, Birmingham for example, demonstrate how this resurgence of interest and investment in the canals could assist with the regeneration of surrounding areas, providing a catalyst for new uses to be found for vacant land and buildings and raising awareness of the opportunities provided by the canals.

The pre-submission draft of the DPD, at Appendix 1 to the report, dealt with these issues and provided responses to these with policies that would be utilised by officers dealing with planning applications. Specific policies dealt with the redevelopment of redundant sites for residential use and a series of other opportunity sites were identified, examined and assessed for suitability to be taken forward for this and other appropriate uses.

As a DPD, the document followed the same procedure as the Local Plan, in that this final stage of formal consultation was required to test the soundness and legality of the document before it was placed before an independent inspector at public examination. The report of the inspector would be binding on the Council and any amendments needed to be made to the DPD before it was brought back to Executive for adoption, and to Council for ratification. At that point, it would carry the same weight as the Local Plan and become part of the planning framework for development.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decisions taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE (4) to:

- (1) note the content of the pre-submission document (Appendix 1 to the report) and approve it for a six-week public consultation, in accordance with the Council's adopted Statement of Community Involvement (SCI);
- (2) note the Report of Public Consultation (Appendix 2 to the report) and the responses thereto. The consultation ran from 21 October to 2 December 2019 and a total of 26 respondents submitted comments with a total of 90 responses;
- (3) note the Sustainability Appraisal Report (Appendix 3 to the report) that has been prepared by consultants to accompany the pre-submission document; and
- (4) note that following the public consultation the pre-submission version of the DPD and the SA Report will be submitted to the Secretary of State and an Examination in Public will follow. After this the Inspector's report will be brought before Executive with final amendments to the document which will then be considered for adoption.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,080

(VIII) **Motionhouse Dance & Leamington Town Hall**

The Executive considered a report from Cultural Services informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to agree to the proposals for Warwick District Council to partner with Motionhouse Dance company in order to create a new 'creation space' in the Assembly Hall within Leamington Town Hall.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

Founded in 1988 by Louise Richards and Kevin Finnan MBE, the dance company Motionhouse created world-class dance-circus productions that toured extensively around the world. The company created full-length productions for theatre touring, flexible work for outdoor festivals, and large-scale 'spectacles'. Their innovative productions, which integrated athletic physicality, digital imagery and emotive musical scores, were popular with audiences and the company was highly regarded nationally and internationally.

Motionhouse had been based in Royal Leamington Spa for over 30 years, and created their productions in the town and toured them to audiences across the UK. They also performed in the USA, China, Japan, Australia and Korea as well as touring regularly throughout Europe, helping to put Royal Leamington Spa and Warwick District on the international cultural map.

Motionhouse was one of only two organisations based within the District that received regular grant funding from the Arts Council of England (ACE) as a National Portfolio Organisation (NPO). ACE stated that Motionhouse was an important organisation for them and that the company contributed greatly to the delivery of ACE's goals and their mission of "Great Art for Everyone" (a letter of support from ACE was included at Appendix A to the report). ACE recognised that Motionhouse was one of the most celebrated touring dance companies in the country. ACE also valued the organisation's enormous contribution to the region and in particular Motionhouse's engagement with the local community and the work delivered with young people in the District. The company was also considered to be stable, well managed, with good governance and an excellent track record.

Motionhouse had been a strategic partner of Warwick District Council for many years and grant funded as a Key Client of Cultural Services. They were also an existing tenant of the Council, with their offices and education studio space located in Spencer Yard in Royal Leamington Spa. Having a nationally recognised organisation like Motionhouse based in the town, benefitted the local creative economy, and organisations like this were integral to the Council's plans to develop Leamington's Creative Quarter and other key actions included within the wider Creative Framework.

In 2017, Motionhouse Dance joined forces with the British furniture manufacturer, Vitsoë, under a five-year partnership to create a new dance creation space in the Vitsoë headquarters building in Royal Leamington Spa. The co-habitation was conceived by Vitsoë and Motionhouse as a symbiotic and like-minded working arrangement and it received a great deal of attention from the national arts press and funders as a unique partnership between a cultural organisation and the manufacturing sector. The initiative received a significantly large amount of capital investment from ACE in order to create and equip a purpose built, state of the art rehearsal and

development space so that Motionhouse could create new, innovative work at a larger scale than previously possible.

When Vitsoe first moved to its new building in Leamington Spa in May 2017, it had surplus warehouse space that it offered to share with Motionhouse, until such time it would be needed by Vitsoe. This was originally thought by all parties to be at least five years, and this time period was a condition of the ACE investment into the project. The availability of this space allowed Motionhouse to grow and develop the quantity and quality of its performances work, and the company was thriving more than ever. Meanwhile Vitsoe's global growth – selling to 70 countries – led to the need for more production space. The result of this growth was that Vitsoe could no longer accommodate Motionhouse's rehearsal space at the heart of its building. However, Vitsoe would continue to support Motionhouse and provide a limited amount of storage and vehicle parking at the Vitsoe site. (A letter of support from Mark Adams, Managing Director of Vitsoe, was included as Appendix B to the report).

At the end of November 2019, Vitsoe was forced to give Motionhouse six months' notice to vacate their building, meaning that they needed to leave by 31st May 2020. This caused several serious and immediate issues for the company.

- Firstly, the success of their business model relied upon the continual development of new work which pushed the artistic boundaries of dance-circus and digital projection. Motionhouse's large, purpose built creation space at Vitsoe was crucial to this and without it, they would be unable to develop this work and service the demand for their productions from the market;
- Secondly, ACE invested heavily in the current creation space and the capital funding was awarded with various grant conditions attached, including the length of time that the space would be in place for. If an alternative space was not found, these grant conditions would be broken; and
- Furthermore, as part of the standard conditions of Motionhouse's NPO funding, they needed to submit their new business plan to ACE before the end of March 2020 in order to retain their grant during the next funding cycle. Therefore, because the creation space was a key part of their business model, Motionhouse urgently needed to secure new premises for it, before the new business plan was submitted, or they risked putting their core ACE funding in jeopardy, which would have potentially catastrophic repercussions for the company.

Council officers worked closely with both Motionhouse, Vitsoe and ACE since November 2019 to explore alternative options including, after agreement with the Portfolio Holder for Culture, assessing the suitability of the Council's own asset base. No suitable commercial alternatives were found to be available within the District. Potentially suitable premises that met Motionhouse's very specific requirements, such as large, high-ceilinged industrial warehouses, were found to be prohibitively expensive and also in very short supply. Any opportunities presented by the Creative Quarter were several years from being delivered. After an extensive search over the

previous three months, Motionhouse had exhausted all potential options for alternative premises within the local area.

This situation presented a unique opportunity to develop a substantial, innovative partnership between a national creative company and Warwick District Council. To this end, the transformation of the Assembly Hall in Leamington Town Hall into a creation and rehearsal space for the company was proposed by officers.

This opportunity was extremely timely, in light of the recent development of the Creative Framework and the progression of plans for the Creative Quarter. It was proposed that by placing Motionhouse at the physical centre of Royal Leamington Spa, it would have made the company's work more visible and accessible, opening access to local residents, instilling pride in the local community, and attracting more visitors to the town centre. It would also animate an under-used public space on the high street, visibly showcasing a global arts company and celebrating Royal Leamington Spa as the core of a nationally acknowledged creative hub.

This project would involve the Council granting Motionhouse a five-year License to Occupy in order to allow them sole use of the Assembly Hall for their development work. Essentially, this would result in the replication of their current specialist 'black-box' theatrical space within the room, complete with dance floor, stage lighting and digital projection equipment. To enable this, Motionhouse would invest heavily in the project (estimated to be upwards of £80,000). The costs to de-install from the Vitsoe site and construct a free standing structure to support a new creation space were very high for a medium sized, not-for-profit arts organisation.

Motionhouse's technical team commissioned a specialist company to manage the project to remove of all equipment from Vitsoe, design the new structure and potentially install it within in the Town Hall. Motionhouse's board approved the use of its reserves to cover the cost of such a relocation at the board meeting on the 20 January 2020. Fortunately, Motionhouse had built up reserves for some years, and so they were financially stable and had the funds available to meet this significant one-off cost. The Council's Finance team was able to verify this after being given access to Motionhouse's accounts.

At that time, the trussing structure installed in the Vitsoe building was designed to be removable (a design choice created to protect ACE's original investment). However, as the Town Hall was a Grade II listed building a new, bespoke free standing structure had to be built inside the Assembly Hall to replicate the black-box creation space. The Council's Conservation team was consulted as part on-going feasibility work and had no objections to the proposed changes, providing it did not interfere with the fabric of the building and it was a temporary structure (i.e. not fixed to fabric of the building).

Officers were nearing the end of the feasibility stage of this project which explored whether it was operationally possible to install the creative space into the Assembly Hall, and gauged the impact upon other users of the

building. The Council's Assets team undertook specialist structural and acoustic surveys to ensure the solution was practical and that the impact on other users of the building could be minimised.

As part of on-going discussions between Motionhouse and the Council, the company agreed to offer a new creative space for the town as part of this project. There was the ability to offer facilities to other users when Motionhouse took their latest production on tour every year and vacated the space. The intention was that the Council would partner with Motionhouse and utilise this space as a new live performance venue for the town, on the occasions when they were not rehearsing (Motionhouse's full proposal was included at Appendix C to the report).

However, it was inevitable that the use of the Assembly Hall for this purpose would displace existing users, including some of the Council's own functions that currently took place there. The annual income to the Council generated from the hire of the room for events would be replaced by rental income of the same amount from Motionhouse, so budgeted income levels would remain the same. However, the Council needed to provide alternative spaces for regular users of the Assembly Hall. Officers were satisfied that this was possible, either by utilising other spaces within the Town Hall or relocating them to the Assembly Rooms at the Royal Pump Rooms. Fortunately, the event spaces at the Royal Pump Rooms had been placed under the management of the Council's Arts team since the removal of the Pump Rooms from the Creative Quarter project, so this was easily achievable.

Motionhouse would invest heavily in the necessary infrastructure using their financial reserves and also install several hundred thousands of pounds of technical equipment into the space. Therefore, they required a minimum of a five-year agreement in order to protect this investment. ACE were highly supportive of the project but, understandably given the context, they would also require a minimum of a five-year commitment from the Council as part of their funding arrangement with Motionhouse. ACE also required a formal decision (in the form of Executive approving the recommendations of this report) from the Council to provide the assurances they required that their investment would be protected. ACE indicated that they were keen to support and publically promote what they saw as an innovative and exciting partnership between a local authority and an arts organisation.

In respect of the wider, future use of the Town Hall officers saw this as overwhelmingly positive opportunity to begin to test the use of the building in a different way, one that is consistent with the aims of the Leamington Town Centre Vision and the recently adopted Creative Framework. The partnership with Motionhouse could be used as an anchor point to attract further investment and explore the development of a new creative hub within the building as an alternative option to those previously explored. 'Creative hubs' were commonly found in town centres across the UK and had an established model. They were often located within re-purposed civic buildings, with the aim of energising failing highstreets and supporting the creative community to grow.

At the time, the Town Hall could facilitate the storage of all of the company's extensive sets and touring equipment. As part of the proposed partnership the Council would also provide storage and workshop facilities in a different site under a straightforward lease agreement. The 'large barn' on the Newbold Comyn site was likely to be used for this purpose. The agreement for storage would be limited to a two-year lease as this kept other long-term options open for the development of the barns as part an Asset Review in line with the Asset Management Strategy. Motionhouse were content with this, as it would be significantly easier for them to source an alternative storage solution during those two years. Other than the proposal for short-term storage by Motionhouse, there were no viable alternative proposals for the Newbold Comyn barns. The Asset Management Strategy would review the future of these assets, with projects such as the Newbold Comyn Masterplan providing additional detail regarding alternative use. At the time, they were used for limited storage, with on-going maintenance and repair covered by the Planned Preventive Maintenance (PPM) programme managed by the Asset Management Team.

As part of the feasibility study for this project, officers approached other tenants within the Town Hall, including Royal Leamington Spa Town Council (RLSTC), the constituency office of Matt Western MP for Warwick & Leamington, and the Council's CCTV monitoring team. They made the following comments:

- That the Town Hall was a publically owned building and so the Assembly Hall should remain accessible to the local community in some form;
- That noise generated both from rehearsal activity and accompanying music would need to be contained within the Assembly Room to avoid disruption;
- Possession of the Mayor's Parlour by the RLSTC might need to be reviewed in the future, depending on the wider impact;
- That the reduced availability of the Assembly Hall would add to the pressure on accommodation of large public meetings elsewhere in the Town. For example, the Town Hall Council Chamber would be too small a venue for the RLSTC Annual Town Meeting and alternative accommodation would need to be found;
- It potentially limited consideration of future proposals for use of the Town Hall for the period of the occupation;
- The Creative Framework recognised the current absence of space in the District for creative and cultural activities; and
- The logistics of bringing equipment into the Town Hall, particularly via the lift, were limited and would require careful consideration.

Extensive work to explore the feasibility of this project had already taken place and the above points were considered fully.

- The agreement with Motionhouse would include provision for use of the Assembly Hall by the community – primarily as a performance space operated by the Council's Arts team. Motionhouse also committed to increasing their own existing educational and community programmes to ensure the space is fully utilised;

- Work had been done to assess the impact of noise generated by Motionhouse’s activity upon other users of the building. The company spent a full day on-site rehearsing a production as they normally would to test the acoustics. It was found that the noise transference was no more disruptive than current uses of the space. The Assembly Hall was already licenced for live music and performances – with restrictions. However, there were measures that Motionhouse and the Council could put in place to further reduce this transference, as it would occur on a more frequent basis;
- The noise transference into the Mayor’s Parlour and Room 21, both of which were located directly next to the Assembly Hall, was found to be minimal during testing. The impact upon these spaces was considered to be minor;
- The Arts team analysed the Town Hall booking data from the previous three years and identified those priority community organisations that regularly used the Assembly Room and would require alternative spaces – either at the Royal Pump Rooms or the Royal Spa Centre (or potentially remain within the Assembly Hall). Officers would work constructively with these groups to minimise disruption;
- Various alternative future uses for the Town Hall were explored over the previous eight years and none had passed the feasibility stage. The subsidisation of the operation of the Town Hall remained a significant cost to the Council and a solution to maximise its use whilst reducing the ongoing cost of the building was required. Officers believed that the phased development of a creative hub could provide a feasible, and exciting, alternative future for the Town Hall;
- The Creative Framework identified the need for additional creative spaces within the District, and Royal Leamington Spa in particular. The partnership with Motionhouse presented an opportunity for the Council to explore a business case to develop a ‘creative hub’ within the Town Hall which could meet the aims of the Framework and attract key stakeholders to assist in its delivery; and
- There were numerous logistical challenges presented by the Town Hall, all of which required careful planning and systems of work.

No alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decisions taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE (4) to:

- (1) approve the proposal for Motionhouse Dance to be granted a Licence to Occupy for Leamington Town Hall Assembly Hall for a duration of up to five years; and to approve the proposal to grant a commercial lease to Motionhouse Dance for the ‘large barn’ at the Newbold Comyn site for a duration of up to two years;
- (2) delegate authority to the Head of Cultural Services and the Arts Manager to negotiate Heads of Terms

and further details of the agreement with Motionhouse Dance within the scope proposed in this report; and

- (3) note the intention of officers to begin work on exploring the feasibility of developing a 'creative hub' within Leamington Town Hall, with the aim of increasing the use of the building and lowering the cost of operating the asset to the Council. Proposals will be brought forward to Executive for consideration at a later time.

(The Portfolio Holder for this item was Councillor Grainger)
Forward Plan Reference 1,123

(IX) Use of delegated powers - Driver Medical Statement – Temporary Measures in response to COVID (19)

The Executive considered a report from Health and Community Protection. In response to pressures on the NHS, and as a result of the Covid-19 pandemic, officers recognised that taxi and private hire drivers could no longer obtain a DVLA Group 2 medical examination. The report informed Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to approve a temporary measure that could be put in place to support drivers when renewing or wanting to retain a driver (hackney carriage or private hire) licence.

At the time, new and renewing drivers were required to undergo a DVLA Group 2 medical examination and submit a report with their application. This was to be undertaken once every three years, or when requested to do so by officers. The medical assessment had to be carried out at one of the three nominated locations:

- Applicant's own doctor;
- Croft Medical Centre, Sydenham, Leamington Spa; and
- Driver Medicals, Coventry.

Once a licensee had reached age 65, an annual medical was required in order for the licence to remain valid.

The onus was on the applicant to provide appropriate medical proof from the GP or nominated practitioner at their own expense. The Regulatory Manager/Committee might consider issuing a licence if they were satisfied that the report showed a clean bill of health, and that the applicant was a fit person to recommence driving and was deemed to be of no danger to the public.

Failure to provide a medical statement could have resulted in a licence lapsing or not being able to be renewed.

A temporary and time limited self-declaration option was proposed.

Since any new driver applications were not able to be processed due to restrictions in place for training, this option was only available to existing drivers on the WDC register.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that Executive note the decisions taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) to:

- (1) agree to a time-limited (six months initially) time frame to allow drivers additional time to obtain a GP certified medical statement, subject to them providing a Self-Declaration Statement attached as Appendix 1 to the report;
- (2) agree that the option to self-certify be kept in place until the 2 September 2020 or the Covid-19 pandemic has been declared over, whichever is the soonest; and
- (3) agree that officers halt the application process and suspend the licence of any applicant that declares any new medical conditions until such a time as they can reasonably supply a full DVLA Group 2 Medical report.

(The Portfolio Holder for this item was Councillor Falp)

(X) **Use of delegated powers – Vehicle and Driver Renewals – Temporary Measures in response to COVID (19)**

The Executive considered a report from Health and Community Protection, informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders.

Hackney carriage and private hire drivers were permitted to work under the transport exemptions. However, in response to Government guidance on business closures and social distancing measures recommended to help reduce the spread of Covid-19, and a reported drop in demand for service, officers had recognised that many had stopped trading.

Officers had also recognised that many of the hackney carriage and private hire workforce operated as 'sole traders' and as such were having difficulty accessing the government small business relief schemes.

The report outlined measures that could be put in place temporarily to support drivers and vehicle owners to ensure that they retained their driver (hackney carriage or private hire) or vehicle licence.

Officers were being contacted daily by licence holders, asking if they had to renew their licences in order not to lose them, in accordance with the licensing requirements at the time, as laid out in the Drivers and Operators Handbook.

All hackney carriage and private hire licences were granted for a specified period and needed renewing. Those periods varied (a maximum of one year for a vehicle licence, three years for a driver's licence and five years for an operator's licence). The costs involved also varied (from £88.25 for a six-month vehicle renewal, £430 for a three-year driver renewal (plus the medical examination fee), £835 for a five-year Private Hire Operator renewal).

Unlike many other renewable licences, there was no statutory mechanism for renewal contained in the legislation, and therefore no mechanism for a local authority to extend the duration of any of these licences. However, guidance issued by the Local Government Association and advice from Warwickshire County Council Legal Services, on this matter, suggested that Warwick District Council could legally decide what to do with 'expired' licences. Legal advice had been received on all of the proposals considered within this report and fell within Warwick District Council decision making powers under the applicable legislation.

LGA guidance also confirmed that, as the fees for Taxi Licensing were set locally, there was more discretion for reducing or deferring payments for licence holders/applicants.

Where vehicles, and hackney carriage/private hire drivers, continued to trade, licence holders were required to renew them to ensure that they are operating legally

In terms of alternative options, no alternative options were considered as the decision was already made and the report was information only.

Resolved that the Executive note the decision taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) to:

- (1) Agree to implement the following proposal for a time-limited (six months initially) period:

To allow licence holders, that are not working, to have a 'licensing holiday' and allow their licences to be paused 'without consequence' whilst they have no income. At a future date, and within a given time period, the licence holder can 're-licence' the original driver or vehicle licence as if it were a renewal at the appropriate renewal licence fee. Further details are included as Appendix 1 to the report.

(The Portfolio Holder for this item was Councillor Falp)

(XI) **Use of delegated powers - Variation of contract value - Pinnars & Sons Ltd**

The Executive considered a report from Assets informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders to, in accordance with the Warwick District Council code procurement practice, agree to extend the contract value of the existing contract with Pinnars and Sons Ltd.

The contract was to provide repairs and maintenance services to corporate and commercial premises owned by the Council, and also to provide services in relation to works in preparation for the Commonwealth Games, and in relation to other large corporate projects.

The contract commenced in 2013 and was due to end in 2023, at which point it would be re-tendered.

The contract was initially let in 2013 and was extended in 2015, in accordance with the contract. It had a contract value of £5 million in total, and was due to expire in 2023, at which point it would be re-tendered.

However, due to significant additional requirements for work in relation to the Commonwealth Games, and other large corporate projects, not anticipated when the contract was originally let, it was likely that this contract value would be insufficient to cover all of the work required.

Time constraints and issues around Covid-19 and the construction industry meant that it was unlikely that the Council could negotiate an early end to the contract and secure a new contract through a competitive tendering process, in time for works to be carried out in the required time period.

The Council was satisfied with the quality and timeliness of work carried out by Pinnars and Sons Ltd, and it was believed that it was appropriate for the contract value to be extended at the time.

Warwick District Council Procurement section had been consulted and had certified that this proposal was commercially reasonable, and that it would support the recommendation.

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decision taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) to: agree that in accordance with the Warwick District Council, Code of Procurement Practice and Financial Regulations, an exemption is granted to vary the existing contract and that the total contract value is increased from £5 million to £7.5 million pounds, for the remaining life of the contract.

(The Portfolio Holder for this item was Councillor Matecki)

(XII) Use of delegated powers

The Executive considered a report from the Deputy Chief Executive (BH) informing Members of an urgent decision taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to allow grant instalment payments to be made to Shakespeare's England, the Destination Management Organisation (DMO) for South Warwickshire.

The Council contributed funding to Shakespeare's England since the DMO was created in 2013. In March 2019, the Executive approved a further three-year grant to the organisation of £75,000 per annum.

However, the Executive's decision to award the grant had conditions attached to it, one of which was the agreement of a local set of Key Performance Indicators (KPIs) which needed to be measured and reported back to WDC as part of the annual report from the CEO of Shakespeare's England to the Overview & Scrutiny Committee. The wording of the relevant condition was:

'agreement of revised objectives and performance indicators in respect of Shakespeare's England's activities to promote Warwick District, with authority delegated to the Head of Development Services, in consultation with the Business Portfolio Holder, to conclude the agreement prior to the first payment being made'.

The annual grant to the DMO was paid through four quarterly instalments, the first of which, following the funding renewal decision, was due in September 2019. Consequently, during the summer of 2019 officers worked in collaboration with the CEO of Shakespeare's England with a view to developing a set of KPIs to be presented to the Board meeting in October 2019. In the anticipation that these KPIs would be approved at the Board meeting, it was felt that the first instalment would be released shortly after that meeting.

Eight draft KPIs were put before the Board, five of which were accepted as they had been agreed with the CEO and included in her report, but a further three had been submitted after that report had been circulated and the Board felt unable to approve these without a longer period of time to consider them. This decision meant that, as the wording of the March Executive decision explicitly required a set of KPI's to be agreed prior to the first payment being made, the Council was unable to release either the September 2019 instalment payment or a subsequent one that became due in December 2019.

A further difficulty had also arisen as a result of the discussions held during the debate on the proposed KPIs at the October Board meeting with one of the other Councils that provided funding to Shakespeare's England querying the legal basis for imposing KPIs. Officers subsequently sought advice from Warwick Legal Service (WLS).

Following consultation with WLS, Officers were satisfied that the Council could provide the grant (i.e. release the held payments and future payments as per the 2019 agreement) through an agreement with the DMO Board that the WDC grant needed to be spent on specific purposes.

As it had become clear by early January 2020 that the non-payment of the WDC grant was beginning to adversely impact on the DMO's cash flow and operating profit projections for the coming year, a situation that was creating significant concern amongst the members of the Board, discussions were held with the Portfolio Holder and Group Leaders to explore how the situation could be resolved prior to the Board meeting scheduled for 23rd January 2020.

This resulted in the use of delegated power CE(4), which states:

"The Chief Executive be authorised to deal with urgent items that occur between meetings, in consultation with the relevant Deputy Chief Executive, Head(s) of Service (if available) and Group Leaders (or in their absence Deputy Group Leaders) subject to the matter being reported to the Executive at its next meeting."

In consultation with the Group Leaders it was agreed that the March 2019 Executive decision should be varied and instead of seeking formal KPIs, the Council grant was provided subject to agreement that it should be spent on the following specific purposes:

- Building relationships between WDC and SE;
- Increasing WDC Business membership;
- Holding tourism forums and network events within the Warwick District;
- Seeking out tourism news, events and activity in Warwick District;
- Carrying out social media campaigns (targeted at Warwick District Council);
- Promotion of WDC Events;
- Increasing new Shakespeare's England members in Warwick District; and
- Increasing the number of overnight visitors in Warwick District.

The use of the delegated powers allowed the Portfolio Holder and officers to obtain the agreement of the Shakespeare's England Board to the revised approach at the January Board meeting. Officers needed to agree processes with the Shakespeare's England CEO to ensure that evidence was provided to demonstrate that the grant had been spent on these purposes for the next report to the Overview and Scrutiny Committee in September 2020.

In terms of alternative options, none were considered as the decision was already made and the report was for information only.

Resolved that the Executive noted the decision taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) and the reasons for it as set out in section 3 of the report and above.

(The Portfolio Holder for this item was Councillor Rhead)

(XIII) Use of Delegated Powers - Rural/Urban Capital Improvement Scheme (RUCIS) Application

The Executive considered a report from Finance informing Members of an urgent decision that was taken by the Chief Executive under delegated authority CE(4), following consultation with Group Leaders, to approve the following four Rural/Urban Capital Improvement Scheme grant applications.

- Lapworth Cricket Club to install an electronic scoreboard on the existing scoreboard fascia to digitise the scoring process and to purchase and fit out a shed with electrics, shower and changing facilities for match umpires in order to meet the standards required to continue to play competitive matches in the Cotswold Hills league.
- Kenilworth Cricket Club to replace a faulty changing room boiler which provided heating and hot showers and was at end-of-life, replace a self-propelled mower which was also faulty and at end-of-life, and purchase a brush-cutter.
- Wren Hall towards their phase 2 improvement programme specifically to include; a) plastering, decorating, flooring, sound system, stage with lighting, tables and chairs for a new assembly room, b) a new external shed to be used as a storage facility, c) new gates to the hall's car park, d) new signage, and e) recommissioning of the hall's alarm system.
- Heathcote Parish Church for Warwick Gates Community Centre to fence off the side and rear perimeter and include two secure push-bar gates to secure the building perimeter, to deter anti-social behaviour.

Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

The Council operated a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grants recommended were in accordance with the Council's agreed scheme and would provide funding to help the projects progress.

All four projects contributed to the Council's Fit for the Future Strategy.

Lapworth Cricket Club

The cricket club was the only sports club within the village, without which there would be fewer opportunities for the community to enjoy and participate in sports activities, which could potentially result in disengaging and weakening the community, and an increase in anti-social behaviour and obesity (including in children). The project work would digitise the match scoring process, which would hopefully encourage younger members to

continue to participate, and it would also ensure that match umpire changing facility requirements were met, without which the club would be unable to continue to play competitive matches in the Cotswold Hills league.

Kenilworth Cricket Club

Without the club, there would be fewer opportunities for the community to enjoy and participate in sports activities, which could potentially result in disengaging and weakening the community, and an increase in anti-social behaviour and obesity (including in children). The project would replace the current boiler that was at end-of-life and would again provide functional showers; it would also replace the current mower that was at end-of-life, which was necessary to maintain the pitch to a playing standard, both of which were essential requirements for the continued running and use of the club.

Wren Hall

The hall was the only centre facility within the local area to offer community activity and events, without which there would be fewer opportunities for the community to enjoy and participate in social, arts and cultural activities, which could potentially have resulted in disengaging and weakening the community, and an increase in anti-social behaviour. The project would create a more fit-for-purpose facility which would increase activity and events opportunities for the community.

Heathcote Parish Church for Warwick Gates Community Centre

Without the community centre, there would be fewer opportunities for the community to enjoy and participate in social, sports, arts and cultural activities, which could potentially have resulted in disengaging and weakening the community and an increase in anti-social behaviour and obesity (including within children). The project would secure the side and rear perimeter to deter anti-social behaviour, resulting in the community feeling safer especially when using the centre for the many activities on offer

In terms of alternative options, no alternative options were considered as the decision was already made and the report was for information only.

Resolved that the Executive note the decisions taken by the Chief Executive, after Consultation with Group Leaders, under delegated authority CE(4) to approve a Rural/Urban Capital Improvement Grant for:

Lapworth Cricket Club

Lapworth Cricket Club of 80% of the total project costs to install an electronic scoreboard on the existing scorebox fascia and to purchase and fit out a shed with electrics, shower and changing facilities for match umpires, up to a maximum of £7,618 including vat

subject to receipt of the following:

- Written confirmation from Lapworth Parish Council to approve a capital grant of £750 (if the application is declined or a reduced amount is offered the budget shortfall will be covered by Lapworth Cricket Club's cash reserves which have been evidenced through their annual accounts and the provision of recent bank statements).

As supported by Appendix 1 to the report;

Kenilworth Cricket Club

Kenilworth Cricket Club of 69% of the total project costs to replace a faulty changing room boiler which provides heating and hot showers, replace a self-propelled mower which is also faulty and purchase a brush-cutter up to a maximum of £1,633 excluding vat subject to receipt of the following:

- Written confirmation from Kenilworth Town Council to approve a capital grant of £630 (if the application is declined or a reduced amount is offered the budget shortfall will be covered by Kenilworth Cricket Club's cash reserves which have been evidenced through their annual accounts and the provision of recent bank statements)

As supported by Appendix 2 to the report;

Wren Hall

Wren Hall of 49% of the total project costs towards their phase 2 improvement programme specifically to include; a) plastering, decorating, flooring, sound system, stage with lighting, tables and chairs for a new assembly room, b) a new external shed to be used as a storage facility, c) new gates to the hall's car park, d) new signage, and e) recommissioning of the hall's alarm system, up to a maximum of £30,000 including vat.

As supported by Appendix 3 to the report.

Heathcote Parish Church for Warwick Gates Community Centre

Heathcote Parish Church for Warwick Gates Community Centre of 80% of the total project costs to fence off the side and rear perimeter and include two secure push-

bar gates to secure the building perimeter, up to a maximum of £2,784 including vat subject to receipt of the following:

- Written confirmation from Warwick Town Council to approve a capital grant of £596 (if the application is declined or a reduced amount is offered the budget shortfall will be covered by:
 - a) 50% from Heathcote Parish Church’s cash reserves which have been evidenced through their annual accounts and the provision of recent bank statements; and
 - b) 50% from Cllr Jacqui Grey from her monthly Councillor’s Allowance.

As supported by Appendix 4 to the report.

(The Portfolio Holder for this item was Councillor Hales)

4. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraph of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute Nos.	Para Nos.	Reason
5(I), 5(II), 5(III), 6	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The items below were considered in confidential session and the full details of these were included in the confidential minutes of this meeting.

5. **Confidential Items**

(I) **Use of delegated Powers – Compulsory Purchase Order – Land at Leper Hospital Site, Saltisford, Warwick**

The Executive considered a confidential report from the Deputy Chief Executive (AJ).

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Cooke)

(II) **Use of delegated powers – HR and Payroll System**

The Executive considered a confidential report from Human Resources.

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Day)

Use of delegated powers – Acquisitions and Disposals of Land and Property North of Gallows Hill, Warwick

The Executive considered a confidential report from the Chief Executive.

The recommendations in the report were approved.

(The Portfolio Holders for this item were Councillors Matecki and Hales)

6. **Confidential Appendix 2 to Minute Number 127 (V) – Newbold Comyn Draft Masterplan**

The Executive noted an appendix from Neighbourhood Services.

7. **Minutes**

The confidential minutes of 12 February 2020 were approved and signed by the Chairman as a correct record.

(The meeting ended at 6.11pm)

CHAIRMAN
13 July 2020