

DEVELOPMENT COMMITTEE

Minutes of the meeting held on Monday 6 March 2000 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Crowther (Chair); Councillors Mrs Begg, Mrs Boad, Caborn, Coker, Mrs Compton, Davis, Evans, Gill, Guest, Mrs Hodgetts, Kent, Kirton, Mrs Leddy, Mrs Pavier, Tamlin, Thomas

Councillor Short (Vice-Chairman of the Council)

671. MINUTES

The minutes of the meeting held on 10 January 2000 having been printed and circulated, were taken as read and signed by the Chair as a correct record.

PART I

(Matters not the subject of powers delegated to the Committee by the Council)

672. NOTICES OF MOTION

The Chair clarified that the Notice of Motion from Councillor Mrs M A Begg, shown on the agenda, had not been referred to Development Committee by Council on 1 March 2000.

In relation to the following Notice of Motion from Councillor J S Hammon, part 1 of that Motion had been referred to the Development Committee by Council on 1 March 2000:-

“The costs and consequences of the Town Centres Parking Study have reflected badly on this Council. Steps must be taken to make sure these do not recur.

Therefore

1. The Legal Services Department should take immediate steps to recover from W S Atkins payment for the Town Centres Parking Study and resultant costs to this Council;

2. In view of the Audit Services Manager's investigation report into possible irregularities in the commissioning and oversight of the Town Centre parking study, new guidelines for all departments in the Council should be adopted regarding appointment and oversight of consultants".

DEVELOPMENT COMMITTEE (Continued)

The Chair reported that the Council's Legal Services had been involved, in conjunction with the Development Committee Spokespersons, with this matter. A letter had been received from W S Atkins offering to meet with Council representatives, and it was confirmed that this would take place at the earliest opportunity. A progress report would be submitted to the appropriate Committee.

RECOMMENDED that the action being taken be noted.

673. HILL CLOSE GARDENS, WARWICK

The Committee considered a report from Planning on the progress of the Hill Close Gardens Steering Group and seeking the Committee's advice on the submission of the Heritage Lottery Fund application.

At the meeting on 20 September 1999, the Committee had agreed that the Heritage Lottery Fund Application should be pursued by the Council's Consultants, Plinke Landscape. Approval had been given in the capital programme bids, by Strategy Committee on 16 February 2000, for the allocation of match funding for this lottery bid.

Significant progress had been made by the District Council's Consultants on the public consultation exercise, consultations with the Heritage Lottery Fund and preparation of the bid document.

Plinke Landscape, in consultation with the Heritage Lottery Fund, had now been advised that if an organisation had already received a major award from the Heritage Lottery Fund, an application which was made for a different project could be given a lower priority as the Heritage Lottery Fund would use its grants to support and develop as wide a range of heritage organisations as possible. Reference was made, therefore, to the major award which had been received by the District Council for the Jephson Gardens and the effect that this might have on another application for the Hill Close Gardens.

Mr Colin Burden of Plinke Landscape attended the meeting and detailed two suggested options for the Council as a way forward in terms of the submission of the application. The first option was for the Council to grant a minimum of 25 year lease, as required by the Heritage Lottery Fund, to a trust set up for the management of the gardens with the application being made on their behalf. Preparation of the trust deed was underway by the Steering Group and negotiations were in progress with the Council's Legal Services on this matter and the level of Council representation on such a trust. The second option would be for an application to be made jointly by the District Council and the Friends of Hill Close

Gardens, acting on behalf of a trust in formation. However, this would still retain the Council's name in the application.

RECOMMENDED that a 30 year lease be granted to the charitable trust for the management of Hill Close Gardens so that the application to the Heritage Lottery Fund can be made in the name of the trust, subject to the granting of the lease being reviewed if the application is unsuccessful in the stage 1 round of the bid process.

674. SOUTH WEST WARWICK - BRIEF FOR DEVELOPERS

(Councillor Tamlin declared a non-pecuniary, non-substantial interest in this item).

The Committee considered a report from Planning on the Brief for Developers (neighbourhood briefs) for the residential and employment allocation at South West Warwick.

The brief had been formulated by officers in conjunction with the Council's Urban Design Consultants, Roger Evans Associates, and was a series of neighbourhood briefs for the South West Warwick allocation. It set out the design criteria that would be common throughout the development and then looked more closely at individual parts of the allocation by reference to the land ownership parcels.

Copies of the brief for developers had been circulated to the Committee and been made available in the Members' Library and in the reception area at Planning.

RECOMMENDED that the brief for developers for South West Warwick be approved as Council policy.

675. HEATHCOTE HOME FARM - EMPLOYMENT AREA DESIGN BRIEF

The Committee considered a report from Planning on the design brief for the proposed business park at "Warwick Gates" which was the employment area part of the Heathcote Home Farm housing and employment allocation.

The design brief had been submitted by the developers, J J Gallagher Limited, and had been the subject of discussions between Gallagher's design team, officers and the Council's Urban Design Consultants (Roger Evans Associates).

The brief conformed to the generalised requirements set out in the framework brief for the site and identified key elements that would be required to ensure that the future development of the employment area proceeded in a high quality and coherent manner.

A copy of the brief was appended to the report and colour copies had been distributed to the Committee with further colour copies being available in the Members' Library and in the reception area at Planning.

Concern was expressed about the scale and use of the leisure facilities at the site and it was suggested that the brief should include wording to restrict these non-business facilities.

RECOMMENDED that the design brief for the Warwick Gates Business Park be approved as Council policy, subject to the inclusion of words to ensure that the scale and use of the non-business facilities are consistent with the needs of those employed on the site.

676. DISTRICT WIDE HISTORIC BUILDINGS GRANT SCHEMES

The Committee considered a report from Planning on the allocating of historic building grants funds allocated in the capital programme for 2000/2001.

The District Council had supported grants for the repair and maintenance of historic buildings for many years and this had been a primary means of retaining the historic environment throughout the district. The report set out the present resources which were allocated through various grant schemes, the conservation fund and the shop front enhancement scheme.

In order to maximise the use of these funds, and in order to create enough flexibility for the funds to meet the necessary source, it was proposed to earmark three areas for allocations and a central allocation which could then be sourced by any one of the particular schemes as required.

RECOMMENDED that

- (1) the proposals for the allocation of the £62,500 Historic Buildings Grant be allocated as £15,000 for the Warwick Scheme of Grants, £15,000 for the Historic Buildings District-Wide Scheme of Grants and £10,000 for the Conservation Area Enhancement Scheme of Grants with £22,500 available as a central resource for each of these schemes;
- (2) the Conservation Area Partnership Scheme funding of £52,500 be maintained as matched funding for the Royal Leamington Spa Conservation Area Partnership Scheme for the coming financial year, with a report being brought to the appropriate Committee to review the Leamington Scheme of Grants for the next financial year;
- (3) the shopfront Enhancement Scheme of Grants remain at £20,000 with a view to this being matched funding for an Single Regeneration Budget (SRB) allocation should this be successful; and
- (4) these proposals be reviewed and a report taken to the appropriate Committee in a year's time.

677. BUILDING CONTROL - PERFORMANCE STANDARDS

The Committee considered a report from Planning on the national performance standards that had been devised for the operation of the Building Control service and the proposed adoption of these standards for the operation of Building Control at Warwick District.

The Building Control Performance Standards had been launched on 22 July 1999. The Local Government Association (LGA) and the Department of Environment, Transport and the Regions (DETR) viewed the development of the performance standards for Building Control as being an integral part of the Best Value approach.

The report outlined the areas covered in the Building Control Performance Standards document and the implications for Warwick District in the adoption of those standards.

The Building Control service at Warwick District was quality assured under ISO9002 and operated profitably in relation to fee related works. Many of the standards proposed were already undertaken or exceeded by the standards in place in the operation of the present service. However, in certain areas, the standards proposed required a frequency of inspection greater than the resources presently available would allow. In order to undertake the necessary additional work required to meet the new standards, it was anticipated that additional Building Control Officer time would be required at a gross cost of £17,800. It was anticipated that this cost could be met from the surplus income generated from fees and for this reason, the additional staff resources could only be committed for a single year and on a temporary contract basis.

RECOMMENDED that

- (1) the policy and standards proposed by LGA/DETR for the operation of the Building Control service be adopted;
- (2) Strategy Committee be requested to approve additional resources of £17,800 in order to fund the provision, such resources to be for 2000/2001 only with future years' provision subject to sufficient fee income being earned; and
- (3) a further report be submitted to the relevant Committee on the targets, income and the implications for further years.

PART II

(Matters delegated to the Committee by the Council)

678. WARWICKSHIRE STRUCTURE PLAN

The Committee considered a report from Planning on the proposed modifications to the Structure Plan, which had been placed on deposit by Warwickshire County Council, and seeking the Committee's approval for any objections which this Council wished to make.

In September 1999, an Independent Panel of Inspectors published their report into the Examination in Public (EIP) and made a number of recommendations to Warwickshire County Council on how they believed the structure plan should be amended in the light of the representations made to them. These recommendations had been reported to the Committee in November 1999.

Warwickshire County Council had now considered these recommendations and had published a series of proposed modifications to the Structure Plan. These had been placed on deposit for comment and the views of all interested parties were invited by 29 March 2000.

Thirty-two modifications had been proposed by Warwickshire County Council and the Development Plan Working Party had met to consider them all. Their deliberations had formed the basis of the proposed response by this Council which were set out in the appendix to the report.

RESOLVED that

- (1) the Council supports the proposed modifications made to the Structure Plan, however wishes to object to the proposed modifications to policy I.3, contained in appendix 1 to the report;
- (2) these representations be forwarded to Warwickshire County Council; and
- (3) the County Council be informed that this Council would still wish to maintain its original objection to policy RA.3, made during the deposit period of the Structure Plan in 1998.

679. ENVIRONMENTAL HIGHWAY IMPROVEMENT SCHEMES

(A) OLD MILVERTON ROAD, LEAMINGTON SPA

The Committee considered a report from Engineering on the consultations which had been carried out with respect to the revised outline scheme proposals for Old Milverton Road.

Consultations with the local residents on the revised scheme proposals had been carried out in accordance with the framework for consultations which had been approved by the Committee on 10 January 2000.

The area of consultation was shown on a plan attached to the report, together with a summary of the consultation responses.

Warwickshire County Council had confirmed their support for the scheme proposals, subject to the proposals meeting the objectives of their Local Transport Plan. Warwickshire Constabulary, the Warwickshire Emergency Fire and Rescue Service and the Warwickshire Ambulance Service had all expressed support for the scheme proposals.

RESOLVED that the proposed scheme for Old Milverton Road be progressed to detail design and formal public consultation.

(B) GUYS CLIFFE AVENUE, LEAMINGTON SPA

Reference was made to a letter which was circulated to the Committee raising concerns about the consultation process in relation to the Environmental Highway Improvement Schemes for Guys Cliffe Avenue and Beverley Road. Officers responded to each of the concerns raised in the letter, at the meeting.

The Committee considered the report from Engineering on the consultations which had been carried out on the revised outline scheme proposals for Guys Cliffe Avenue.

Consultation with local residents on the revised scheme proposals had been undertaken in accordance with the framework for consultations approved by the Committee on 10 January 2000.

The area of consultation and consultee category designations were shown in the plan appended to the report, together with the results of the consultations.

Warwickshire County Council had confirmed their support for the scheme proposals, subject to the proposals meeting the objectives of their Local Transport Plan. Warwickshire Constabulary and Warwickshire Emergency Fire and Rescue Service had expressed support for the scheme proposals and Warwickshire Ambulance Service had expressed support with a request that consideration be given to the replacement of the round top road humps with speed cushions.

In the development of the revised scheme proposals and its links with the Government's safer route to schools initiative, Warwickshire County Council had agreed to provide £12,000 funding for the provision of two 75mm raised pedestrian zebra crossings. Details of the positioning of these zebra crossings were set out in the report.

Warwickshire County Council, the Emergency Services and both local schools had expressed their support for the proposals.

RESOLVED that the proposed scheme for Guys Cliffe Avenue be progressed to detailed design and formal public consultation, subject to the deletion of two of the road humps which are to be replaced with pedestrian refuges if possible.

(C) BEVERLEY ROAD, LEAMINGTON SPA

The Committee considered a report from Engineering on the consultations carried out with respect to the outline scheme proposals for Beverley Road and on the progressing of the scheme to detail design stage and subject to Highway Authority approval to advertising and formal public consultations.

Two traffic calming schemes had been developed for consultation, and that consultation had been carried out in accordance with the framework for consultation approved by the Committee on 10 January 2000.

The area of consultation and consultee category designations, together with the results of the consultations, were appended to the report.

Warwickshire County Council had confirmed their support for the scheme proposals subject to the proposals meeting the objectives of their Local Transport Plan. Warwickshire Constabulary, the Warwickshire Emergency Fire and Rescue Service and the Warwickshire Ambulance Service had expressed support for the scheme proposals.

The report set out the budgetary and design considerations of the scheme options. It was considered that the principles of the scheme favoured by residents, Option A (humps), would not be compromised if the raised speed table at the Windermere Drive junction was replaced by a road hump.

RESOLVED that the proposals as set out in option A for Beverley Road be progressed to detail design and formal public consultation, subject to details on the raised junction table being replaced by a road hump.

680. CAR PARKS ORDER 2000/2001

The Committee considered a report from Engineering on the objections that had been received to the car parking order and seeking authority to make the order as published.

The car parking order had been published in draft on 21 January 2000 in the London Gazette, in local papers and displayed at individual car parks and Council offices. The closing date for objections to the order had been 16 February 2000.

Consent to the making of the order had been sought from Warwickshire County Council and the report on this Council's increasing parking charges had been approved at their Executive Committee meeting on 2 March 2000.

A total of nine letters had been received objecting to the increase in charges as proposed and details of the objections were set out in the report.

The report confirmed the current position in relation to other issues, which were the use of the orange disabled badge, use of passes and season tickets on limited stay car parks, restrictions on use of Linen Street, Marks and Spencer car park, and Barrack Street car park.

RESOLVED that

- (1) the charges be agreed and the order be made as published, subject to a decision on the lease on Marks and Spencer car park; and
- (2) the other issues detailed in the report be noted.

681. WARWICK DISTRICT DRAFT CAR PARKING PLAN

The Committee considered a report from Engineering on a draft car parking plan for consultation with those organisations involved in the initial process, together with the wider community.

To encourage wider involvement from the public, the draft plan would be available at various public locations such as offices of the Council, Kenilworth Connection, libraries, the Town Hall and would be available on written request.

It was envisaged that the final document would be presented to the Executive Committee of this Council in May/June 2000, which would allow for any agreed car parking plan to be included in Warwickshire County Council's Local Transport Plan submission for July 2000.

The draft car parking plan was appended to the report.

RESOLVED that the draft car parking plan be approved as a document for further consultation.

682. DECRIMINALISATION OF PARKING

The Committee considered a report from Engineering and the Commissioning Team seeking approval to utilise financial resources from key issue budgets to pursue the investigation of decriminalisation of parking in Warwick District.

In September 1999, the Committee received a presentation on the principles of a decriminalisation of parking scheme and the need to undertake a financial assessment to establish the viability of such a proposal.

To pursue this initiative, quotations had been sought from three companies experienced in producing financial viability modelling for projects of this type.

The financial resources for this initiative could be provided within key issue budgets. This year's budget for transport related initiatives is £31,300 of which £25,300 had already been committed. This left a balance of £6,000 which would be sufficient for the undertaking of a financial assessment by RTA Associates (the lowest quotation received).

RESOLVED that the funding of this project from key issue resources and the appointment of RTA Associates to allow the pursuance of decriminalisation of parking be approved.

683. TACHBROOK ROAD, LEAMINGTON SPA AND WHITNASH - PROPOSED PROHIBITION OF WAITING RESTRICTIONS

The Committee considered a report from Engineering on Warwickshire County Council's proposals for the prohibition of waiting restriction in Tachbrook Road, Leamington Spa and Whitnash, and also the revocation of waiting restrictions in the service road parallel to Tachbrook Road, and also in Culworth Close, Leamington Spa.

The report set out details of the proposal. Warwickshire County Council had requested formal comments on the proposal from this Committee.

RESOLVED that Warwickshire County Council be informed that the no waiting restrictions should continue in these locations until a residents parking scheme is in place.

684. A452 KENILWORTH ROAD/SANDY LANE - PROPOSED LOCAL SAFETY SCHEME

The Committee considered a report from Engineering on Warwickshire County Council's proposed local safety scheme for the A452 Kenilworth Road/Sandy Lane junction. The District Council's formal comments were being sought on the proposals.

These proposals had been considered and approved in principle by the Development Committee in September 1995, as part of a package of proposals prepared by Warwickshire County Council for the A452 between Leamington Spa and Kenilworth.

RESOLVED that the Director of Planning, Transport and Economic Strategy for Warwickshire County Council be advised that the District Council continues to support this proposed local safety scheme subject to the following:-

1. Adequate signage should be provided at Sandy Lane Crossroads to make it clear that this section of Sandy Lane can no longer be used for access to Kenilworth; and

2. Physical measures such as a central reservation in Kenilworth Road should be provided to prevent right turning traffic, otherwise some drivers will still endeavour to attempt this manoeuvre.

685. "A" FRAMES AND TRADE DISPLAYS ON THE HIGHWAY - REVIEW OF LICENCE FEES

The Committee considered a report from Engineering on the level of licence fees for "A" frames and trade displays on the highway.

The level of fees to be charged for "A" frames and trade displays as agreed as part of the Engineering Service plan were as follows:-

1. "A" frames - £45 per annum.
2. Trade displays - £300 per annum.

All shop keepers with an "A" frame or a trade display had received a letter informing them of the new licence procedure, together with a copy of the application form in December 1999 requesting them to apply for a licence if they wished to continue to keep their merchandise, equipment, chattels on the highway. Many shop keepers had queried the level of fees for trade displays.

The report set out the kinds of display that would be classed as trade displays and the legalisation which allowed the Council to impose a fee for the licence.

As part of a review of the level of fees for "A" frames and trade displays, the Chambers of Trade for Warwick, Leamington and Kenilworth had been consulted and commented that they would like to see the level of fees reduced as much as possible. It was proposed that the fee for trade displays could be reduced to £90.00

RESOLVED that, subject to approval by Strategy Committee, the level of fee for an "A" Frame remain at £45 and that the level of fee for a Trade Display be reduced to £90 with immediate effect.

686. GENERAL REPORT

(A) CAPITAL PROGRAMME MONITORING

The Committee considered reports from Planning and Engineering on the current progress being made on the capital programme schemes for the year 1999/2000.

RESOLVED that the reports be noted.

(B) PETITION - THE SPINNEY, MILVERTON, ROYAL LEAMINGTON SPA

RESOLVED that the report setting out the Engineer's response and action taken in relation to a petition which had been received from residents of The Spinney, off Rugby Road, Milverton, Royal Leamington Spa be noted.

(C) CHANDOS STREET PUBLIC CAR PARK, LEAMINGTON SPA

RESOLVED that the resolution under Regulation 3 of the Town and Country Planning General Regulations 1992 to apply for deemed planning permission for the removal of the northern and southern boundary planting at Chandos Street car park to be replaced with iron railings and block paving, and for the erection of railings along the western boundary, be approved.

(D) STREET NAMING

RESOLVED that the names submitted for the development at South Sydenham and the standing list of names for Leamington Spa as set out in Appendix "C" be approved.

(E) USE OF COMPUTER AIDED DESIGN SOFTWARE IN ENGINEERING

RESOLVED that the benefits of the use of "AutoCad" software in the Engineering Business Unit, as set out in the report, be noted.

(F) PLANNING FORUM - 17 FEBRUARY 2000

RESOLVED that the minutes of the Planning Forum held on 17 February 2000 be noted. (See Appendix "D").

687. PUBLIC AND PRESS

DEVELOPMENT COMMITTEE (Continued)

RESOLVED that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within paragraphs 7 and 9 of Part I of Schedule 12A of the Local Government Act 1972.

688. MARKS AND SPENCER CAR PARK, LEAMINGTON SPA

The Committee considered a report from Engineering on a request from Marks and Spencers to terminate the agreement with the Council in respect of their car park in Bedford Street, Leamington Spa.

In 1991, Marks and Spencer had approached the Council requesting that consideration be given to the inclusion of their car park at the rear of their store in Bedford Street, into the Council's pay and display scheme.

Marks and Spencer granted the Council the use of the land for a nominal consideration of £1.00 per annum. The car park was to be used for the benefit of shoppers with parking limited to a maximum of two hours. All the equipment, subsequent maintenance and upkeep of the car park was to be met by the Council. The formal agreement had been signed in April 1995 and had been for an initial period of three years continuing until determined by either party giving no less than six months notice.

A formal notification to terminate the lease had been received on 11 January 2000 with the request that the full notice period be waived and an early release date of 1 April 2000 be considered. Marks and Spencer now required the car park to accommodate a parking scheme to reward customers loyalty.

The report set out the financial implications for the Council in the potential loss of net income due to the shortening of the notice period, the costs involved in removing the Council's signs and equipment and making good the surface of the car park, and the savings on maintenance costs.

The Council had no option but to accept the termination of the agreement and the consequential loss of income. However, the request to shorten the notice period would mean a loss of approximately three months possible income and Members were requested to consider whether compensation should be sought in respect of this loss and the costs incurred in removing its equipment.

It was suggested that Marks and Spencer should be requested not to allow the car park to be used free of charge by the public until they had their alternative scheme in place, so as to alleviate the potential problem of severe traffic and congestion in Bedford Street.

RESOLVED that

- (1) Marks and Spencer's decision to terminate the agreement be noted;
- (2) the early release of the car park from 1 April 2000, with the proviso that charges should be applicable on a continuous basis be agreed;
- (3) the Council seek compensation for the loss of income in terminating the agreement early; and
- (4) Marks and Spencer undertake full publicity for the change in the management of the car park provision.

689. STRUCTURAL AND WINTER MAINTENANCE TERM TENDER

The Committee considered a report from Engineering on the outcome of the tendering process for the structural maintenance contract and seeking the Committee's views on the appointment of a suitable contractor.

This Council through an agency agreement, undertook structural and winter maintenance functions for Warwickshire County Council. This work was carried out through a three year highways term contract. The Council also carried out a small amount of its own functional highway work through this contract.

The current contract was due to expire on 31 March 2000 and, therefore, officers had retendered the contract inviting six contractors to submit prices. Unlike previous contracts, where one contractor had been appointed, it had been decided that two contractors should be selected. One as Primary Contractor being responsible for the major element of the contract including winter maintenance, and the other as Secondary Contractor who would receive approximately 25% of the available footway work.

The report set out the tender sums from the six contractors for each part of the contract. The contractor with the most economical and advantageous tender for the primary contractor had been interviewed to obtain further information as part of the evaluation process, especially in relation to the locating of their depot as the contract required that the contractor's depot must be located in the Warwick District area.

The Committee were informed of the information that had been received, including a letter from Warwickshire County Council dated 1 March 2000.

Officers reported, that following discussions with the other contractors, two of the contractors had withdrawn their tenders and explained the effect this had on the granting of the contract.

RESOLVED that

- (1) for the reasons set out in the report, the tenderer with the most economical and advantageous tender not be appointed as Primary Contractor; and
- (2) in view of 1 above, ServiceTeam and WARCO be appointed as Primary and Secondary Contractors respectively.

(Although this item was not on the agenda the Chair agreed it should be considered as a matter of urgency due to the commencement of the contract on 1 April 2000).

(The meeting ended at 10.15 pm)

MINS/DEV6-3

APPENDIX "C"

STREET NAMING

Development at South Sydenham

Horsepool Hollow Mill Pond Meadows

Hastang Fields Peeble Island Way

St. Fremund Way Withy Bank

Redhill Furrows Otters Rest

Kingfishers Reach Badgers Retreat

Parish End Beavers Brook Close

Littleworth Croft

Additions to the standing list of names for Leamington Spa

ROBBINS

HIGGINS

HARRISON