

# EXECUTIVE

Minutes of the meeting held on Wednesday 20 June 2012 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Michael Doody (Chairman), Councillors Caborn, Coker, Mobbs, Shilton and Vincett.

**ALSO PRESENT:** Councillor Gifford (Chair of Overview & Scrutiny Committee) and Councillor Mrs Knight (Chair of Finance & Audit Scrutiny Committee).

Apologies for absence were received from Councillors Barrott, Mrs Gallagher, Mrs Grainger and Kirton.

## 16. **DECLARATIONS OF INTEREST**

### Minute Number 25 - Army Forces Community Covenant

Councillor Coker declared a personal interest because his son was a serving officer in the armed forces.

### **PART 1**

(Items which a decision by Council is required)

## 17. **FINAL ACCOUNTS 2011/12**

The Executive considered a report from Finance which provided details of the Council's final position for the year ending 31 March 2012.

The Accounts and Audit Regulations 2011 required that the responsible financial officer must, no later than 30 June immediately following the end of a year, sign and date the Statement of Accounts. The recommendations in the report would allow the accounts for the financial year 2011/12 to be closed on time and had been used as the basis for drafting the Statement of Accounts.

The highlights from the report were that the Capital Programme was underspent, the General Fund revenue account had surplus funds and the Housing Revenue Account had surplus funds over the latest estimates.

Appendix 'C' to the report identified £1,434,800 in respect of Housing Investment Programme schemes not completed in 2011/12 and £231,200 for Other Services Capital schemes. Slippage of these budgets to 2012/13 was requested together with the bringing forward of £29,900 from the 2012/13 Other Services Capital Programme in respect of the re-phasing of Jubilee House capital expenditure. The 2012/13 Programmes needed to be varied accordingly to accommodate these changes together with the associated financing.

The 2012/13 Other Services Capital Programme contained £98,900 in respect of the Agile Working project which was to be discontinued and was unlikely to be resurrected in its current form. However, £30,000 of this budget was still required in order to update the Council's VDI

## **EXECUTIVE MINUTES (Continued)**

infrastructure so that the number of Home and Mobile Workers can be expanded and it was recommended that £30,000 be vired from the Agile Working project budget to this new project with the resultant £68,900 saving being returned to the Council's unallocated capital resources.

The Council's £15,000 contribution towards the RIBA D aspect of the Jubilee House project was originally to be funded from the Contingency budget but, due to slippage on this scheme, the £15,000 had been transferred to the General Fund. It was, therefore, recommended that a similar amount be transferred from the General Fund to the Capital Investment Reserve in order to provide the necessary funding in 2012/13 when the expenditure was expected to be incurred.

Requests comprising items of slippage earmarked for 2012/13 totalling £467,100 had been submitted. These requests related to revenue expenditure that has been unavoidably delayed, and for which finance was still required. More details were attached in Appendix 'F' to the report.

The Car Parks Repairs and Maintenance Budget was underspent by £50,000. Transferring this to the Car Parks Repair and Maintenance Reserve would preserve this funding to allow it to be drawn down at a future date when required.

The changes proposed to the 2012/13 budget, and the financial projections, presented a deficit of £160,000 for 2012/13, with a projected surplus of £244,000 by 2016/17, based on the savings identified to be pursued as part of the April 2012 Fit For the Future report. The main change was to remove the procurement savings target but the Council would still be endeavouring to follow best practice in terms of procurement activity, and savings should still accrue.

The report was a statement of fact so there were no alternative options specifically. However, how the outcomes were treated could be dealt with in a variety of ways. Mainly the alternatives were not to allow any, or only some, of the earmarked reserve requests and to allow the General Fund balance to vary from the £1.5m level, along with how the 2011/12 surplus was allocated.

The Finance & Audit Scrutiny Committee was surprised that so large a surplus could appear in such a short time and felt that there was, therefore, a need to improve the budgetary process, to include establishing whether budget managers actually required the amount of money in their budgets in the first place. Members also expressed concern that one saving which had been made had promptly been spent without consultation with, or approval by, the Portfolio Holder. There was a general feeling among Members that budget setting and monitoring needed to be improved. Managers were reminded that if emergencies crop-up, there was a fast tracking process to deal with them.

The Finance & Audit Scrutiny Committee supported the recommendations in the report and made an additional recommendation that procurement savings (devolved down to each budget holder) was still set in the budget as a separate item, to assist in monitoring budgets and maintaining disciplined contract management.

## **EXECUTIVE MINUTES (Continued)**

The Finance & Audit Scrutiny Committee congratulated officers on their excellent rate of collection of Council Tax and officers agreed to investigate whether the golf course should be responsible for paying for its own gas.

The Chair of Finance and Audit Scrutiny Committee, Councillor Mrs Knight, introduced the Committee's comments and reminded members to be mindful of the amount of dedication and hard work delivered by the Council's officers in Council Tax, Treasury Management, Procurement department and all those involved in the Enterprise Projects. She advised that congratulations had been passed to these officers, through the Finance & Audit minutes but felt that the Executive may also like to express their gratitude.

Councillor Mrs Knight expressed concerns regarding budget monitoring and highlighted the large jump detailed in the General Fund Surplus although Councillor Vincett had provided a satisfactory explanation at their meeting the previous evening.

She also reiterated the Committee's request that procurement savings remain as a separate item in the budget.

The Leader of the Council, Councillor Doody, addressed members and answered a number of the queries raised by Finance & Audit. He stated that officers were investigating whose responsibility it was to be paying for the gas supply at Newbold Comyn and he would keep members informed about progress.

He also thanked Councillor Mrs Knight for her positive comments about the excellent work the Council's officers had been doing with regard to Council Tax and Budget Monitoring and wholeheartedly agreed that the Executive's gratitude should also be passed on to them.

In response to the remaining queries, the Portfolio Holder for Finance, Councillor Mobbs did not feel that he was able to alter the recommendations from those printed for a number of reasons. Firstly, he felt that the existing monitoring processes were sound and during his frequent meetings with the Head of Finance, the budgets were monitored very tightly.

He reminded members, that the Council had a savings target to head towards and procurement was only a portion of this figure. Monitoring of all finances had become much tighter in recent years and processes were in place to ensure more disciplined contract management. In addition, he stated that the Council's Budget Managers were doing what was being asked of them to help the Council reach its target.

The Head of Finance, Mike Snow, addressed members and reiterated the comments made by Councillor Mobbs. He stated that significant savings had already been made and under the new monitoring system, budgets could be instantly reviewed. However, he reminded members that this process had only been in place since April 2012 and it would be prudent to allow more time to pass, to show the results more clearly.

## **EXECUTIVE MINUTES (Continued)**

Councillor Vincett addressed the concerns raised regarding HRA money being spent without his authorisation. He explained that money had been saved on a painting contract, through procurement, and consequently used to pay for rendering work with the same company. He felt that the decision taken had been the correct one and applauded the much needed work being allocated to a company who had a proven track record with us. He felt that it was a decision he would have supported.

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendations as printed and were mindful that of the need to maintain budget monitoring and contract management.

### **RECOMMENDED** that;

- (1) the outturn positions summarised below, be noted:
  - The Capital Programme was underspent by £1.94m, of which £1.67m is due to slippage to 2012/13;
  - The General Fund revenue account shows a surplus of £328,000 over the Latest Estimates after allowing for a further £0.47m of planned expenditure to be carried forward to 2012/13;
  - The Housing Revenue Account shows a surplus of £4.6m over the Latest Estimates mainly due to reduced capital programme funding required (-£4m);
  - The Council Tax collection rate was 98.9% and 98.5% for Business Rates, both of which are excellent;
- (2) the 2012/13 Capital Programme be increased by £1,636,100 comprising the following elements:
  - +£1,434,800 for Housing Investment Programme slippage;
  - +£231,200 for Other Services Capital Programme slippage;
  - - £29,900 in respect of resources brought forward from the Other Services Capital Programme for 2012/13 to cover expenditure on Agile Working, Jubilee House Phase 1 and the Chase Meadow Community Centre;
- (3) the £98,900 budget for the Agile Working project in the 2012/13 Other Services Capital Programme be deleted with £30,000 being vired to a new project to update the Council's Virtual Desktop Interface (VDI) infrastructure

## **EXECUTIVE MINUTES (Continued)**

so that the number of Home and Mobile Workers can be expanded with the resultant £68,900 saving being returned to the Council's unallocated capital resources;

- (4) £15,000 be transferred from the General Fund to the Capital Investment Reserve in order to provide the finance for the Council's contribution to the RIBA D capital expenditure to be incurred on Jubilee House Phase 2 in 2012/13;
- (5) the requests to carry £472,200 earmarked balances forward in respect of revenue slippage to 2012/13 be approved;
- (6) that £50,000 be transferred to the Car Parks Repair and Maintenance Reserve for future works at Covent Garden Multi-storey Car Park;
- (7) the resulting surplus of the above decisions, amounting to £333,000 be appropriated:
  - £140,000 to the General Fund Early Retirement Reserve;
  - £110,000 to the Equipment renewal Reserve;
  - £83,000 to the Services Transformation Reserve;
- (8) the schedule of Budget Amendments for the year 2012/13 presented at Appendix 'L', be approved, totalling a £267,300 increase to the General Fund and a reduction of £7,200 to the Housing Revenue Account.
- (9) the estimated deficit of £160,000 for 2012/13, be noted, with the planned savings giving an annual surplus of £244,000 by 2016/17.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 379)

### **18. AMENDMENTS TO THE OFFICER SCHEME OF DELEGATION**

The Executive considered a report from Civic and Committee Services that advised of minor changes to the officer Scheme of Delegation for Community Protection & Neighbourhood Services.

The Policing Reform and Social Responsibility Act 2011 brought about changes to the Licensing Act 2003. One of the changes made was to make the Licensing Authority itself a Responsible Authority under the Licensing Act 2003, in addition to the existing seven other Responsible

## **EXECUTIVE MINUTES (Continued)**

Authorities. The Home Office advised that the person nominated to act for the Licensing Authority should be an officer.

This would result in separate officers being involved in the representation process, one to act as the Responsible Authority and make the representation and one to write and present the report. However, officers did not feel that this statutory function would be exercised on many occasions because guidance stated that the Licensing Authority's function in this respect *must not* be triggered by requests to do so by the public, councilors or other Responsible Authorities as they were able to make representations independently in their own right.

To avoid the perception that the Local Authority is acting unfairly the scheme of delegation would allow the Head of Community Protection to delegate one officer to act as the Responsible Authority.

With regard to the Neighbourhood Services Aspect, a recent review of the Scheme of Delegation highlighted a number of issues which needed tightening up to enable continued effective service delivery.

One of these was to delegate authority to the Head of Neighbourhood Services to publish new orders in order to change off-street parking charges. At present, authority for this had to be sought through a decision a Council.

There were no alternative options available because these were statutory duties.

The Portfolio Holder for Neighbourhood Services, Councillor Coker, endorsed the report and stated that this was a tidying up exercise which would enable officers to work more efficiently than at present.

Having read the report, the Executive decided to agree the recommendations as printed.

**RECOMMENDED** the amendments to the scheme of delegation as attached at Appendix 1 to the report.

(The Portfolio Holders for this item were Councillors Coker and Shilton)

### **19. EXPANSION OF BIOMASS HEATING PROGRAMME**

The Executive considered a report from Housing and Property Services requesting approval to install a biomass heating system at Tannery Court Sheltered Housing Complex. This was an additional site to the original proposal and followed the successful operation of a pilot installation at Oakley Woods Crematorium.

It had been recognised some time ago that the heating plant serving all five of the Sheltered Housing complexes was nearing the end of its useful working life, becoming increasingly difficult and expensive to maintain and had inherently poor energy-efficiency compared to modern alternatives.

## **EXECUTIVE MINUTES (Continued)**

This led to a rolling programme of boiler replacement that had seen two of the sites (Acorn Court and Chandos Court) re-fitted with modern, gas burning plant.

These heating systems were designed to capitalise on government incentives to encourage use of green energy and assisted in reducing bills, improving health and reducing the District's carbon footprint.

The recently announced Renewable Heat Incentive (RHI) offered grant funding to support the installation of renewable technology in place of conventional, and the Tannery Court site offered an ideal opportunity to realise the considerable financial and environmental benefits inherent in such a change. The annual grant would provide income for the first 20 years of operation and this should repay the initial investment in approximately 12 years.

The report requested that the Head of Housing and Property Services be permitted to seek tenders for the work and authorise the installation of the winning bidder's scheme assuming the financial benefits met or exceeded those offered by the draft design. In addition, members were asked to agree the inclusion of £176,000 in the Housing Investment Programme for the installation of the system, funded from the HRA Capital Investment Reserve.

There were a number of alternative options available including re-fitting the building with modern gas-burning plant, or indeed to continue with the existing system. However, this was not favoured due to concerns over the performance of the existing equipment and there was the benefit of long-term grant funding which offered defined benefit beyond repayment of investment.

The Finance & Audit Scrutiny Committee supported the recommendations in the report.

Officers agreed to email Councillor Syson in response to queries about gas boiler savings at Chandos Court and the level of chips available should there be a particularly hard winter.

In response, the Portfolio Holder, Councillor Vincett felt this was a difficult amount to quantify in the same way that supplies of any fuel were not within the Council's control.

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendations as printed.

### **RECOMMENDED** that;

- (a) the Head of Housing & Property Services be approved to seek tenders for the installation of the proposed Biomass Heating system at Tannery Court, in full accordance with the Council's Code of Procurement Practice requirements, and to authorise the installation

## **EXECUTIVE MINUTES (Continued)**

of the winning bidder's scheme assuming the financial benefits meet or exceed those offered by the draft design; and

- (b) up to £176,000 be included in the Housing Investment Programme for the installation of the system, funded from the HRA Capital Investment Reserve.

(The Portfolio Holder for this item was Councillor Vincett)  
(Forward Plan reference 412)

### **20. CONCESSIONS AND INCOME GENERATION**

The Executive considered a report from Finance that informed members of the work undertaken to date by the Income Maximisation Working Group and sought approval of the Concessions Policy.

The Income Maximisation Working Group, which comprised of Members (Councillors Knight, Syson, Pratt, Edwards and Williams) and Officers, met periodically over the last 2 years. The group's remit was to find ways of increasing income from existing fees and charges as well as prompting service areas to find new areas of income

The Council did not have a policy regarding how it applied its concessions for its services to the public and the group felt that a policy was needed to ensure that the Council treated customers fairly and consistently. The proposed policy was attached at Appendix A and an Equality Impact Assessment had been carried out, as detailed at Appendix B to the report.

The group also highlighted the issues of 'labelling' the Council's customers and felt that there should be more consistency, to avoid ambiguity as to who qualified for these concessions.

There were a number of alternative options detailed in section 6 of the report, including not having a policy, maintaining the status quo and not having a Concessions Register. However, officers felt that this was against best practice, would leave the issue unclear and open to challenges of favouritism and inconsistency.

The Finance & Audit Scrutiny Committee noted that the policy-setting element of the review was complete and that further proposals on income maximisation would be included in the Fees and Charges report due to be presented to members in October 2012.

Members noted that the Policy should be amended to refer to "60+" rather than "pensioners" and supported the recommendations in the report, noting that recommendation 2.5 should read "delegate", not "delete".

Following discussions, officers agreed to investigate whether Military Fitness were paying for their use of the District's parks.



## **EXECUTIVE MINUTES (Continued)**

The Overview and Scrutiny Committee wanted to know what the Executive was agreeing to; were they agreeing to concessions for people aged 60 plus, or people of pensionable age.

The Committee also hoped that the Income Maximisation Working Group was going to continue and would meet soon to monitor progress, but if not, the Overview and Scrutiny Committee might want to have a report back.

In response, the Portfolio Holder for Finance, Councillor Mobbs, reiterated that the Policy would apply to individuals aged 60+ and assured members that the Income Maximisation Working Group met regularly. He advised that the Policy and Register would provide transparency and clarity and ensure that all groups were being provided for, fairly.

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendations in the report with an amendment to the wording in recommendation 2.5.

### **RECOMMENDED** that;

- (1) the work undertaken by the Income Maximisation Working Group, be noted;
- (2) the Senior Citizen concession (for any service) should be consistently labelled as such and be for people who are aged 60 and over;
- (3) the 'Concessions Policy' attached at Appendix A to the report, that has been produced by the Income Maximisation Working Group, be agreed;
- (4) a Register of Concessions is created and maintained by the Head of Finance and that this Register should be reviewed periodically by the Income Maximisation Working Group;
- (5) specific proposals be brought forward within the Fees & Charges Report, in October to Executive for where further pricing flexibility may be appropriate to delegate to Heads of Service; and
- (6) the use of Concessions continues to encourage usage of Council facilities by people who would not normally do so, in turn creating positive health benefits for them and the District, as well as having a beneficial effect on income at these locations.

(The Portfolio Holder for this item was Councillor Mobbs)

**PART 2**

(Items which a decision by Council is not required)

**21. RETENTION OF ADDITIONAL RIGHT TO BUY RECEIPTS**

The Executive considered a report from Housing and Property Services which proposed that the Council enter into a standard agreement with the Department of Communities and Local Government (CLG) to retain additional Right to Buy (RTB) receipts received as a result of the recent increase in the maximum RTB discount, to help fund the provision of replacement rented affordable homes in the District.

The Government had introduced a number of measures to 'reinvigorate' the Right to Buy scheme, including increasing the maximum discount to a flat rate of £75,000, compared to a previous maximum discount of £26,000.

Following a consultation exercise by the Department of Communities and Local Government (CLG) on the detail of the arrangements, the CLG announced that the favoured option for delivering these new homes would be through local authorities retaining receipts from their 75% share to spend in their areas, subject to individual local authorities entering into an agreement with the CLG on their use.

Stock-retained local authorities were being invited to enter into agreements with the CLG to retain these additional RTB receipts for use to replace affordable rented homes in their District. The retained receipts from RTB sales could be used to build new council homes, purchase properties previously sold under RTB or purchase affordable housing within private developments, amongst other options.

The Council was required to enter into the agreement with the CLG by 27 June 2012; otherwise it would not be able to retain any additional RTB receipts generated from 1 April 2012 until the Agreement was signed.

One alternative option was to not enter into the agreement but this would result in 100% of the Council's RTB receipts being passed over to the Government. In addition, it would prevent the Council accessing potential additional resources for stock replacement.

The Overview and Scrutiny Committee supported the recommendations in the report. Councillor Gifford advised members that a suggestion had been made that the Council could set up a company to purchase properties so that new dwellings would not be owned by the Council, resulting in the Right to Buy being invalid. Some members felt that this would avoid local authorities with their diminishing housing stocks.

The Portfolio Holder thanked the Overview & Scrutiny committee for their suggestions on services that could be included in the tendering process. He stated that this was a good decision to sign up to the agreement and would assist with a contribution returning back to the Council.

## **EXECUTIVE MINUTES (Continued)**

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendations.

### **RESOLVED** that;

- (1) the terms of the Standard Agreement produced by the Department of Communities and Local Government (CLG) under Section 11(6) of the Local Government Act 2003, be noted, to enable local authorities to retain any additional Right to Buy (RTB) receipts generated as a result of the increased maximum RTB discount in order to fund the provision of replacement Council homes in their District;
- (2) authority be delegated to the Head of Housing and Property Services to enter into the Standard Agreement with the CLG on behalf of the Council to retain the receipts of additional RTB sales of council dwellings for investment in replacement affordable housing; and
- (3) authority be delegated to the Head of Finance to determine the Right to Buy receipts to be reclaimed.

(The Portfolio Holder for this item was Councillor Vincett)

## **22. CORPORATE PROPERTY REPAIR AND IMPROVEMENT PROGRAMME 2012-2013**

The Executive considered a report from Housing and Property Services that provided an update on the Corporate Property Repairs and Improvements Programme Report approved by the Executive on 15 February 2012, and sought approval of the updated budget allocation.

The report requested that the updated allocation be approved as set out at Appendix A to the report and included eleven areas of proposed works. In addition, members were asked to note that the Head of Housing & Property Services would report back on the agreed projects and the proposed projects for the unallocated budget of £35,800.

The Executive had previously agreed an exception to the Code of Procurement Practice relating to remedial works needed on the flume at Newbold Comyn Leisure Centre. However, following a more detailed survey and analysis, it was realised that it was a more viable option to replace the flume rather than repair it. This would result in increased costs but would offer better value over the life of the installations and would reduce both Health and Safety risks and ongoing repair liability.

The Executive were asked to uphold the previous exception decision and a quoted cost of the component elements of work were detailed in paragraph 3.2.8 of the report.

## **EXECUTIVE MINUTES (Continued)**

One alternative was to not apply the previously agreed budget setting criteria and/or not to manage the budget centrally and letting service areas decide priorities and allocation. These options were rejected when the review was carried out in 2008.

A second alternative was to not proceed with the current proposed programme of works as set out in Appendix A and ask the CIPB group to defer or reprioritise projects to future years.

The Finance & Audit Scrutiny Committee supported the recommendations, noting that an additional £51,000 was being sought because it had been established that flume repairs were not viable and replacement was necessary. Officers were confident that the budget would now include all unforeseen works and pointed out that a 10% contingency was built into the budget to accommodate this.

Officers agreed to confirm when the Castle Farm Sports Centre, in Kenilworth, was likely to get its new roof and Councillor Mrs Knight highlighted the issue of careful monitoring of all the Council's buildings to ensure major repairs were responded to quickly.

In response, the Portfolio Holder, Councillor Vincett, agreed that it was important to continue close monitoring of the situation at Castle Farm and explained the reasons for the increased expenditure of the repairs to the flume at Newbold Comyn.

Having read the report, and having taken the Scrutiny Committee's comments into account, the Executive decided to agree the recommendations.

### **RESOLVED** that;

- (1) the updated 2012/13 Corporate Property Repairs and Improvements Budget allocation (including the Earmarked reserves and proposed revenue contributions capital projects), be approved as set out in Appendix A to the report. The proposed works are as follows:
  - use of the Earmarked reserve of £12,000 for the replacement roofing works to the Abbey Fields Gate House Kenilworth;
  - use of £30,000 to make good and construct dwarf boundary walls including feature seating at Christchurch Gardens Leamington Spa;
  - use of £50,000 to complete the phased resurfacing of the Jephson Gardens footpaths Leamington Spa;

## **EXECUTIVE MINUTES (Continued)**

- use of £5,000 to replace the staircase carpets at Pageant House Warwick;
  - use of the Earmarked reserve of £30,000 for the resurfacing and drainage improvements of the footpaths at St Nicholas Park Warwick;
  - use of the Earmarked reserve of £43,000 for the resurfacing of the footpaths at Warwick Cemetery;
  - use of the Earmarked reserve of £15,900 and £19,500 from this year's budget for the resurfacing of the footpaths at Leamington Cemetery;
  - use of the Earmarked reserve of £81,000 and £51,000 from this year's budget to undertake major repairs and renew the flume at Newbold Leisure Centre Leamington;
  - use of the Earmarked reserve of £25,000 for the installation of air curtain in the entrance foyer at the Royal Spa Centre;
  - use of £70,000 to carry out major repairs to the Boat House in St Nicholas Park Warwick;
  - use of £180,000 (including a contingency of £60,000) to replace the roof covering on Castle Farm Sports Centre, Kenilworth;
- (2) the Head of Housing & Property Services will present a further update report on the agreed projects and any proposed projects for the unallocated budget of £35,800 to the Executive Committee in December 2012;
- (3) the previously approved exception from the code of contract practice, be upheld to deliver the flume replacement at Newbold Comyn, in light of the new budgetary requirement; and
- (4) the Head of Housing & Property Services, in consultation with the Council's Procurement Manager, be authorised to procure the works as per the Code of Procurement Practice.

(The Portfolio Holder for this item was Councillor Vincett)  
(Forward Plan reference 411)

## **EXECUTIVE MINUTES (Continued)**

### **23. MANAGING EVENTS IN THE DISTRICT - EXPERIMENT**

The Executive considered a report from Cultural Services that outlined a proposal for a twelve month experiment to manage events in the District in a more effective and efficient way.

The proposal would see the operational responsibility for managing events move to Cultural Services, with the appointment of an Events Management Officer for twelve months, subject to agreement at Employment Committee on 14 June 2012.

It was explained that the experiment would allow officers to assess the new arrangements with a view to removing the duplication of work which occurred at present. In addition, it was felt that a successful experiment would improve customer satisfaction and increase resilience during the delivery of well organised events.

The report also considered how the outcomes of the experiment, alongside new approaches to Town Centre Development being trialled in Development Services, could be used to deliver the Town Centre Management and Events Management functions going forward. Following a recent intervention, it was noted that some of the Town Centre Managers' time was taken up with the coordination of events and this proposal would help them to focus their attentions on other projects and strategic themes that their roles required.

An alternative option was to continue as at present but it had been highlighted that this often resulted in unnecessary cross departmental working and duplication of work. Officers felt that this would result in a less dynamic District in terms of activities and events with fewer opportunities for local people and visitors to enjoy the area and bring significant economic benefits to the area.

Another alternative was to use seconded resources by moving one of the Town Centre Managers (TCM) to the events intervention. However, this was rejected because of the external demand from each of the towns and also because one TCM would need to cover two towns.

The Finance & Audit Scrutiny Committee supported the standardisation of arrangements up to a point, but felt that there should be some room for movement as every event was unique. The Committee therefore resolved to review the situation in 6 months time. Members supported recommendations 2.1 and 2.2 and put forward an amendment to recommendation 2.3 to include the phrase "the experiment is overseen by the Portfolio Holders for Culture and Development Services" before "officers will bring a further report".

It was agreed that the Finance & Audit Scrutiny Committee, the relevant Portfolio Holders and CMT would receive an update report in six months time to assist with the monitoring of the experiment and any pertinent issues would be forwarded to Executive, if necessary.

Otherwise, the Executive were happy to receive an update on the experiment in 12 months time.

## **EXECUTIVE MINUTES (Continued)**

It was also agreed that recommendation 2.3 be re-worded to read:

"...the experiment is overseen by the Portfolio Holders for Cultural and Development Services and officers will bring a further report to the Executive in May 2013 detailing the outcomes of the experiment....."

In response, the Portfolio Holder for Development Services, Councillor Hammon, stated that this proposal was the best course of action because the increased workload that District events brought needed to be managed effectively.

As Portfolio Holder for Neighbourhood Services, Councillor Shilton stated that his Service Area had a big part to play in arranging events and highlighted the 'One Council' approach to working.

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendations.

### **RESOLVED** that;

- (1) the ongoing work being undertaken by officers to improve the way "Events" are managed by the District Council, be noted and the proposed experiment which seeks to improve the efficiency and effectiveness of service delivery, be endorsed;
- (2) subject to Employment Committee of 14<sup>th</sup> June 2012 agreeing a 12 month Events Management Officer post being added to the Council's staffing establishment, the release of a maximum of £32,000 from the Service Transformation Reserve, be agreed to cover the anticipated employee costs (including on-costs) of the post; and
- (3) officers will bring a further report to the Executive in May 2013 detailing the outcomes of the experiment and consequent implications for the delivery of Events Management and Town Centre Management.

(The Portfolio Holder for this item was Councillor Mrs Gallagher)  
(Forward Plan reference 408)

## **24. RURAL/URBAN CAPITAL IMPROVEMENT APPLICATION**

The Executive considered a report from Finance that provided details of a Rural/Urban Capital Improvement application by Barford, Sherbourne and Wasperton Joint Parish Council for the installation of roof insulation in the Memorial Hall, Barford, to improve the building's efficiency qualities and to save costs on heating bills.

## **EXECUTIVE MINUTES (Continued)**

Barford, Sherbourne and Wasperton Joint Parish Council had £38,156 in reserves, of which £2,438 would be provided to help fund this project. Appendix 1 to the report included further details of this.

The reserves had been ear-marked for future projects such as replacing the hot water system, replacement seating and possible replacement of the central heating system with or without the addition of air conditioning.

Barford, Sherbourne and Wasperton Joint Parish Council's last successful application from the Rural Initiative Scheme was in June 2008 for £1,135.

The report recommended that the Executive approve the award of an Improvement Grant of 50% of the total cost of the project exclusive of VAT subject to a maximum payment of £2,439.

The Council only had a specific capital budget to provide grants of this nature and, therefore, there were no alternatives if the Council was to provide funding for Rural/Urban Capital Improvement Schemes. However, Members could choose not to approve the grant funding, or to vary the amount awarded as discussed in paragraph 7 of the report.

The Overview and Scrutiny Committee had concerns that this scheme was not being accessed by urban areas or smaller parish councils and wondered if the scheme could be publicised to reach these areas.

In response, The Head of Finance advised that a review of the scheme was due in August or September of this year which would investigate the potential to tighten up on the amounts awarded compared to the relevant authorities existing reserves. The level of awareness of the scheme would also be looked into with a possibility of reviewing the way it was publicised.

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendation.

**RESOLVED** that a Rural/Urban Capital Improvement Grant of £2,439 be awarded to Barford, Sherbourne and Wasperton Joint Parish Council for the replacement of roof lining insulation to improve the thermal efficiency of the Memorial Hall which equates to 50% of the cost as detailed in paragraph 7.1 and supported by appendix 1 of the report.

(The Portfolio Holder for this item was Councillor Mobbs)

### **25. ARMED FORCES COMMUNITY COVENANT**

The Executive considered a report from the Chief Executive's office which informed Members of the proposal for the Council to enter into an Armed Forces Community Covenant for the wider Warwickshire area.



## **EXECUTIVE MINUTES (Continued)**

In 2011, the Secretary of State for Defence issued the Armed Forces Covenant; an expression of the moral obligation the Government and the nation owe to those who serve or have served in our Armed Forces and their families. In tandem with this, the Ministry of Defence proposed that on a local level, local authorities and the local Armed Forces Communities enter into an Armed Forces Community Covenant; a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

It was hoped that this would promote understanding and awareness amongst the public of issues affecting the Armed Forces Community, which was made up of not only Armed Forces Personnel but their wider families as well.

In support of the Community Covenant scheme, the Ministry of Defence had established the Community Covenant Grant Scheme which would deliver financial support to local projects that strengthened ties or the mutual understanding between members of the Armed Forces Community and the wider community in which they live. Entering into a Community Covenant was a pre-requisite for accessing the Community Covenant Grant Scheme.

Under the Grant Scheme, £30 million would be made available over the next four years and applications were invited for sums between £100 to £250,000 per project (although bids for larger amounts may be considered in exceptional circumstances).

Gaining access to the Grant Scheme would provide a real opportunity for the Warwickshire Veterans Partnership, and other local authorities and community groups in the wider area, to bid for funding to support complementary projects.

The report advised that to date only a few local authorities had entered into the Community Covenants and officers felt it was pertinent to join those authorities at the forefront by joining forces with Warwickshire County Council. A copy of the covenant was attached as an appendix to the report.

Members could decide not to enter into the Community Covenant but this could infer that that Council was not supportive of the Armed Forces Community working and residing in the sub-region. It could suggest that Warwick District Council was not proactively recognising the sacrifices made by members of the Armed Forces Community in contravention of the Government's first duty to defend the realm.

In response, the Portfolio Holder for Development Services, Councillor Vincett fully endorsed the report and felt that officers had explained their reasons well in paragraphs 3.5 and 3.6 of the report. He also felt this was a further opportunity for the District Council to work in partnership with the County Council.

The Leader of the Council, Councillor Doody, fully supported the recommendations and advised that it had been proposed that Councillor Caborn would sign the Covenant on behalf of the District Council.

## **EXECUTIVE MINUTES (Continued)**

Having read the report, and having taken the Scrutiny Committees' comments into account, the Executive decided to agree the recommendation.

**RESOLVED** that the Council become a partner with Warwickshire County Council and others by entering into an Armed Forces Community Covenant for the benefit of the wider sub region (Coventry, Solihull and Warwickshire).

(The Portfolio Holder for this item was Councillor Vincett)

(The meeting ended at 18.52 pm)

## **EXECUTIVE MINUTES (Continued)**

### **APPENDIX 1**

#### **Community Protection**

The following two additional delegations be made to the Head of Community Protection:

- (1) Authority to act as a responsible authority as designated under the Licensing Act 2003 as amended by the Policing Reform and Social Responsibility Act 2010;
- (2) Authority to suspend a premises licence on non receipt of the Premises Licence Annual Fee within 3 days after the due day.

The following amendments have also been made:

*Removal of CP(7) which was incorrectly listed as a licensing function and renumbering of CP(8)-(14) to become CP(7)-(13)*

- CP (14) issue sex encounter licences under the 1982 Act where no objections are received.

*Previously CP(15). The following is deleted and now becomes CP(18):*

~~Serve notices under the Land Drainage Act 1991 and any amendments thereof:~~

- ~~(i) S24 Contraventions of prohibition on obstructions~~
- ~~(ii) S25 Powers to require works for maintaining the flow of a watercourse~~
- ~~(iii) S64 Powers of entry onto land~~

- CP (15) determine applications for minor variations of premises licenses under sections 41A-41C of the Licensing Act 2003.

*The following is deleted:*

~~Following consultation with the appropriate Parish or Town Council, approve the naming of streets~~

- CP (16) issue closure notices under Section 19 of the Criminal Justice and Police Act 2001

- CP(18) serve notices under the Land Drainage Act 1991 and any amendments thereof:
- (i) S 24 – Contraventions of prohibition on obstructions
  - (ii) S 25 – Powers to require works for maintaining the flow of a watercourse
  - (iii) S 64 – Powers of entry onto land

*The following is deleted and now listed separately as CP(14):*

~~Issue sex encounter licenses under the 1982 Act where no objections are received.~~

- CP (19) invite tenders or allocation of work, in accordance with Standing Orders, for the carrying out of works in default of Statutory Notices

*The following is deleted and becomes CP(15):*

## **EXECUTIVE MINUTES (Continued)**

~~Determine applications for minor variations of premises licenses under sections 41A-41C of the Licensing Act 2003~~

- CP (20) issue notices of entry on land and sewers under S.159, 161(2) and 168 of the Water Industry Act 1991
- CP (21) serve notices under Local Government (Miscellaneous Provisions) Act 1976:-  
(i) Section 16 requiring information  
(iii) Obstructions in private sewers S35  
(iv) Requiring payment of expenses of removal S35(3)
- CP (22) Serve notices under Public Health Act 1936:-  
(i) Notice to repair, maintain or cleanse a culvert S264  
(ii) Notice to occupier of intended entry S287  
(iii) appl\fto a Magistrate's Court for a warrant to enter premises for the purpose of:  
a) ascertaining whether there is, or has been, on or in connection with the premises any contravention of the provisions of the Public Health Act 1936, or any byelaws or building regulations made thereunder, being provisions which it is the duty of the council to enforce;  
b) ascertaining whether or not circumstances exist which would authorise or require the council to take any action or execute any work, under the provisions of the Public Health Act 1936, or any byelaws or building regulations;  
c) taking any action or executing any work authorised or required by provisions of the Public Health Act 1936, or any byelaws or building regulations, or any order made under this Act, to be taken, or executed, by the Council;  
d) generally, for the performance by the council of their functions under the provisions of the Public Health Act 1936, or any byelaws or building regulations.
- CP (23) serve notices under Public Health Act 1961:-  
(i) Notice to remedy or renew stopped up drain or private sewer etc S17
- CP (24) serve notices under sections 59, 60, 62 and 76 of the Building Act 1984
- CP (25) enter any premises at all reasonable hours for the purposes of the Building Act 1984 and/or the Public Health Act 1961
- CP (26) Authority to carry out the necessary procedure and make orders under the Town Polices Clauses Act 1847 for the temporary closure of roads
- CP (27) (i) deal with the numbering and re-numbering of properties under the Town Improvement Clauses Act 1847  
(ii) following consultation with the appropriate Parish or Town Council, approve the naming of streets

## **EXECUTIVE MINUTES (Continued)**

CP (28)      Exercise all powers of local authorities under sections 19 to 28 of the Criminal Justice and Police Act 2001 including:

- Serving and cancelling closure notices;
- Making applications for closure orders;
- Issuing certificates of termination of closure orders;
- Defending applications for the discharge of closure orders;
- Recommending appealing against the refusal to make closure orders;
- Enforcing closure orders;
- Recommending prosecuting for obstruction of authorised officers or for offences in connection with closure orders;
- and authorising officers to exercise all or any of these powers

### **Neighbourhood Services**

The following additional delegation be made to the Head of Neighbourhood Services.

- (1)      authority to the Head of Neighbourhood Services to implement any necessary changes in parking charges as specified by Council.