

## **Cabinet**

### **Wednesday 7 December 2022**

A meeting of the Cabinet will be held in the Town Hall, Royal Leamington Spa on Wednesday 7 December 2022, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor A Day (Chairman)

Councillor L Bartlett  
Councillor J Cooke  
Councillor J Falp  
Councillor M-A Grainger

Councillor R Hales  
Councillor J Matecki  
Councillor A Rhead  
Councillor J Tracey

#### **Also attending (but not members of the Cabinet):**

Chair of the Overview & Scrutiny Committee  
Green Group Observer  
Liberal Democrat Group Observer  
Labour Group Observer

Councillor A Milton  
Councillor I Davison  
Councillor A Boad  
Councillor M Mangat

#### **Emergency Procedure**

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

#### **Agenda**

- 1. Apologies for Absence**
- 2. Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

### 3. Minutes

- (a) To confirm the minutes of the 3 November 2022 meeting **(Pages 1 to 16)**
- (b) To add the following paragraph to Minute Number 36 of the 29 September 2022 Cabinet meeting:

“and the Cabinet confirmed that the minutes of the meetings for this municipal year should be sequentially numbered from Minute 1 at its meeting on 25 May 2022”.

#### **Part 1**

(Items upon which a decision by Council is required)

### 4. Minor Amendments to the Scheme of Delegation

To consider a report from Democratic Services **(Pages 1 to 11)**

### 5. Quarter 2 Budget Report

To consider a report from Finance **(Pages 1 to 14)**

#### **Part 2**

(Items upon which a decision by Council is not required)

### 6. Local Development Scheme (LDS)

To consider a report from Place, Arts & Economy **(Pages 1 to 24)**

### 7. Business Improvement District (BID) Leamington – Update on BID Renewal Process and Progress

To consider a report from Place, Arts & Economy **(Pages 1 to 10)**

### 8. Draft Local Transport Plan – Consultation Response

To consider a report from the Programme Director for Climate Change  
**(Pages 1 to 12)**

### 9. HEART Shared Service Partnership

To consider a report from Housing **(Pages 1 to 39)**

### 10. Proposal to adopt an Additional Licensing Scheme

To consider a report from Housing **(Pages 1 to 64)**

### 11. Future Funding of Warwick Visitor Information Centre

To consider a report from Place, Arts & Economy  
**(Pages 1 to 8 and Appendices 1 to 3)**

### 12. Extension to the Voluntary and Community Sector Contracts

To consider a report from Housing **(Pages 1 to 7)**

### 13. **Asylum Seeker Dispersal Scheme**

To consider a report from Housing

**(Pages 1 to 9)**

### 14. **Public and Press**

To consider resolving 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 paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Item Numbers	Paragraph Numbers	Reason
15, 16, 17	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

#### **Part 1**

(Items upon which a decision by Council is required)

### 15. **Acquisition of land and buildings, Local Plan H45 Site (Juniper Way, Whitnash)**

To consider a report from Housing

**(Pages 1 to 12)  
(Not for publication)**

### 16. **Country Park Phase 2 Enabling Development**

To consider a report from Place, Arts & Economy

**(Pages 1 to 28)  
(Not for publication)**

#### **Part 2**

(Items upon which a decision by Council is not required)

### 17. **Confidential Appendices to Item 13 – Asylum Seeker Dispersal Scheme**

To note the confidential appendices

**(Not for publication)**

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# Cabinet

Minutes of the meeting held on Thursday 3 November 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillors Day (Leader), Bartlett, Cooke, Falp, Hales, Matecki, Rhead, and Tracey.

**Also Present:** Councillors: Boad (Liberal Democrat Group Observer), Davison (Green Group Observer), Mangat (Labour Group Observer), and Milton (Chair of Overview & Scrutiny Committee).

## 50. **Apologies for Absence**

Apologies for absence were received from Councillor Grainger.

## 51. **Declarations of Interest**

There were no declarations of interest made.

## 52. **Minutes**

The minutes of the meeting held on 29 September 2022 were taken as read and signed by the Chairman as a correct record.

### **Part 1**

(Items upon which a decision by the Council was required)

## 53. **Fees and Charges 2023/24**

The Cabinet considered a report from Finance which detailed the proposals for discretionary Fees and Charges in respect of the 2023 calendar year. It also showed the latest Fees and Charges 2022/23 income budgets, initial 2023/24 budgets and the actual out-turn for 2021/22.

The recommendations would enable the Council to continue to offer and deliver services while reducing and eliminating deficits on specific service provisions, supporting the overall financial position of the Council going forward.

The Council was required to update its Fees and Charges in order that the impact of any changes could be fed into the setting of the budget for 2023/24. Discretionary Fees and Charges for the forthcoming calendar year had to be approved by Council.

In accordance with the Financial Strategy and Code of Financial Practice, it was appropriate to consider certain other factors when deciding what the Council's Fees and Charges should be:

- The impact of the Fees and Charges levels on the Council's Business Plan.
- The level of prices the market could bear including comparisons with neighbouring and other local authorities.

- The level of prices to be sufficient to recover the cost of the service and the impact on Council finances, where this was not the case.
- The impact of prices on level of usage.
- The impact on the Council's future financial projections.
- Ensuring that fees, in particular those relating to licensing, reflected the current legislation. The regulatory manager had to ensure that the fees charged should only reflect the amount of officer time and associated costs needed to administer them.
- Whether a service was subject to competition from the private sector, such as Building Control. This service had to ensure that charges set remained competitive within the market.
- Income generated from services including Building Control, land charges and licensing was excluded from the Medium Term Financial Strategy and was managed through ring-fenced accounts, due to the legislation and criteria under which they operated.
- Management of the Council's Leisure Centres was by Everyone Active. The contract definition stated that 'The Contractor shall review the core products and prices in September of each year and submit any proposed changes to the Authority for approval (the "Fees and Charges Report")'. Appendix C to the report outlined the core fees.

Managers had been challenged on ensuring income maximisation and cost recovery where appropriate, and had provided commentary on the rationale behind some of the charges highlighted below.

Within the savings proposals agreed by Council in December 2020, a target of 15% was agreed in respect of additional income generated from discretionary fees and charges. Consequently, Budget Managers had been tasked with seeking to achieve this increase, with the exception for some fees and charges, where legislation and other factors might have made it unviable. These had been set in accordance with such legislation and service knowledge provided by the managers. This was intended to make a contribution towards the savings that the Council needed to make in its overall Financial Strategy.

As a result, the fees and charges outlined in Appendix A to the report presented an overall forecast increase in General Fund income of £2,300,500, or 33.29%. Amounts totalling £1,798,000 had already been factored into the MTFS. This included the increase in forecast income from green waste permits as outlined in the Q1 Budget Review Report approved by Members in September. The additional income to be incorporated into the Medium Term Financial Strategy totalled £502,500. This excluded the additional income from certain ring-fenced charges (Building Control, Licensing and Land Charges).

Appendix A to the report also outlined an increase in income within the Housing Revenue Account of £18,000, or 3.2%. This would be factored into the HRA budgets and Business Plan.

The revenue effects of the proposed Fees and Charges were summarised in the following table (ring fenced accounts had been removed):

(Please note this table would be updated through the draft process to reflect the new organisational structure).

<b>General Fund Services</b>	<b>Actual 2021/22 £ '000</b>	<b>Original Budget 2022/23 £ '000</b>	<b>Forecast 2022/23 £ '000</b>	<b>Forecast 2023/24 £ '000</b>	<b>Change Original 2022/23 - 2023/24 %</b>
Community, Environment & Leisure Services	78	102	86	121	
Customer & Digital Services	40	45	45	55	
Housing – GF	63	28	29	30	
Neighbourhood & Assets	5,510	6,171	7,293	8,381	
Place, Arts & Economy	471	565	568	625	
<b>Total General Fund Services</b>	<b>6,161</b>	<b>6,912</b>	<b>8,021</b>	<b>9,212</b>	<b>33.29%</b>
<b>Housing Revenue Account</b>	<b>560</b>	<b>557</b>	<b>557</b>	<b>575</b>	<b>3.23%</b>

A breakdown of the key drivers of the 2022/23 Fees and Charges was provided in Appendix B to the report.

Increased income from Fees and Charges would seek to ensure where possible the costs of the provision of respective services were covered. Any increases would reduce the ongoing savings target within the Financial Strategy.

The current forecasts for 2022/23 and 2023/24 would be reviewed within both the Base Budget Report (December) and Budget setting Report (February 2023). Managers would also continue to review their projections on a monthly basis.

In terms of alternative options, one was to leave all fees and charges at 2022 levels or increase at a reduced level. This would increase the savings to be found over the next five years unless additional activity could be generated to offset this.

Another option was to increase at a level higher than proposed in the report. Excessive increases could deter usage where the take up was discretionary. Customers might choose to use the service less frequently or use an alternative supplier where one was available.

Both of the above were not realistic options given the increased cost of delivering some services, the current position of the Financial Strategy, and the level of savings required.

An addendum circulated prior to the meeting advised of the following amendments to the report:

"To remove the following from Appendix B, Section 6.2.6 'Free parking for electric vehicles in council car parks can be obtained through a season pass'.

The free EV parking trial permit was withdrawn earlier this year. Usage information was not possible to track, it was a trial and with nearly 1,000 permits subscribed, clearly indicating it was popular as free parking was allowed in all car parks. The scheme was for 12 months from August 2020 but extended to the end of April 2022.

To amend and replace the proposed car park charges in Appendix A with the following single charge:

Car parks: Station Approach, Bath Place, Court Street and Packington Place:

Proposed charge: £3 all day from 2<sup>nd</sup> January 2023".

The fees and charges review meeting:

1. Thanked officers for their work on the report and responses to the volume of questions that came through.
2. Recognised that the Council was dependent on the professional judgement of Officers and Portfolio Holders on Fees & Charges and that there was no perfect solution.
3. Recognised the potential financial challenges faced by the community over the next 12 months and it was keen that services remained accessible to them.
4. Recognised the overall financial challenge for the Council and this was one of three strands of the budget, the others being the government and Council Tax setting.
5. Recognised the challenges faced with elasticity of demand in that if fees were reduced in one area it may (or may not) result in increased demand that equated to extra income (above that anticipated from the proposed higher fee) from increased usage.
6. Asked that Officers looked at opportunities to reduce the impact of the increases in sports facilities by keeping any increase below 15% to increase demand, especially being mindful of the legacy of the Commonwealth Games.
7. Asked Officers and Portfolio Holders to look for additional sources of income around potential sponsorship of works or assets or their maintenance.

The Leader stated that the Council had declared a Climate Emergency, and there work had been done to bring policies in alignment to that overall strategic objective. One of the proposals if he was still in the next Council, was to enable carbon-based parking charges to provide discounts to those that contributed less carbon and air pollution to the area. The Council was

also going to be called upon to invest in improving facilities that enabled people to cycle in and park their bikes. Finally, the business model needed to work because the Council could not end up in the same place where there were car parks that could not be replaced because there was a lack of sufficient income to put into reserves to maintain them, specifically Covent Garden and Linen Street car parks. The legacy of not charging the right amount for parking was the inability to have the capital to invest in those car parks.

Councillor Hales thanked the Resources Programme Advisory Board (PAB), and the Leadership Co-ordinating Group for their support, and highlighted the benefit of cross party working. In response to a question from Councillor Davison regarding promoting Electric Vehicles, he had been speaking to officers and this was something that would go through the PABs. He proposed an additional recommendation that there should be free car parking across all WDC car parks for every Sunday in December 2022. This was with a view to supporting businesses within the Town Centres in Warwick District by encouraging people into the Town Centres. When this would come to Council, it would include:

- (a) Details of the anticipated loss of income over this period as a result
- (b) Detail of any proposal to fill that funding gap within the Council.
- (c) If a reserve is used to fund the gap this would create, the Council should also be provided detail of the risk associated with using that reserve (i.e. how it would be replenished, what chance there was to need that funding before it being replenished and the constraints imposed on that reserve).
- (d) Details of any monitoring that would be put in place to look at usage of the scheme.

Councillor Hales also proposed to open Riverside House Car Park to the public at weekends (without charge) in December 2022 to help increase capacity in the Town over this busy period and encourage more people to shop in Royal Leamington Spa Town Centre.

Councillor Hales proposed the report as laid out, subject to the addendum and along with the additional recommendations above.

**Recommended to Council that**

- (1) the Fees and Charges proposals set out in Appendix A, as revised in the addendum, to operate from 2nd January 2023 unless stated otherwise, be approved;
- (2) provided the changes proposed by Everyone Active to the core products and prices from January 2023 are within the September RPI, the Heads of Community, Environment & Leisure Services and Finance, in consultation with the relevant Portfolio Holders (Councillors Bartlett and Hales), can accept the changes; and

- (3) there is free car parking across all WDC car parks for every Sunday in December 2022. This is with a view to support businesses within the Town Centres in Warwick District by encouraging people into the Town Centres. When this comes to Council it will include:
- (a) details of the anticipated loss of income over this period as a result;
  - (b) detail of any proposal to fill that funding gap within the Council;
  - (c) if a reserve is used to fund the gap this creates, the Council should also be provided detail of the risk associated with using that reserve (i.e. how will it be replenished, what chance there was to need that funding before it being replenished and the constraints imposed on that reserve); and
  - (d) details of any monitoring that will be put in place to look at usage of the scheme.

**Resolved** that Riverside House Car Park be open to the public at weekends (without charge) in December 2022 to help increase capacity in the Town over this busy period and encourage more people to shop in Royal Leamington Spa Town Centre.

(The Portfolio Holders for this item was Councillor Hales)  
Forward Plan Reference 1,311

## **Part 2**

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

### **54. Significant Business Risk Register**

The Cabinet considered a report from Finance presenting the Council's Significant Business Risk Register (SBRR). This recorded all significant risks to the Council's operations, key priorities, and major projects. Individual services also had their own service risk registers as did the major projects.

The report sought to assist Members fulfil their role in overseeing the organisation's risk management framework. A very useful source of guidance on the responsibilities of Members and officers regarding risk management came from the Audit Commission in its management paper, "Worth the risk: improving risk management in local government".

Although the Audit Commission had since been abolished, the guidance detailed in section 2.1 in the report remained relevant.

Last quarter, officers reported the macro-economic issues that were presenting significant financial challenges to the organisation. These included inflation, skills shortages and supply chain issues. Since then, the country had seen the introduction and dismantling of the “fiscal event” and its consequent effects on the Government’s financial plans. The Chancellor had now indicated that there were some difficult spending decisions to be made and, if history was anything to go by, this could be bad news for Local Government finance. Officers had therefore felt it prudent to reflect this landscape in the risk rating of risks 7 & 8.

To address this situation, officers were developing a draft change programme for a future Cabinet’s consideration. This programme would seek to put actions and initiatives in place to tackle the anticipated financial challenge ahead.

In terms of alternative options, Members might have taken a differing view on the risks identified, on the ratings attributed, or the mitigations and might have felt that they wished to indicate changes to be made.

The Overview & Scrutiny Committee noted the report and thanked officers for their detailed work on it and the responses to the questions that had been asked before the meeting. The Committee asked that:

1. in future reports, the future actions should be dated so as to avoid checking back when it became an action; and
2. in future reports, a short summary should be included to provide a general overall of risk to the Council, i.e., generally was the risk increasing or decreasing.

Councillor Day accepted the comments from the Overview & Scrutiny Committee and felt they would lead to an even better report. He then proposed the report as laid out.

**Resolved** that

- (1) the Significant Business Risk Register, set out as Appendix 1 to the report and summarised as Appendix 2 to the report, be noted; and
- (2) the content of section 1.3 of the report and emerging risks as identified in section 1.4 of the report, together with additional risks in the SBRR, be noted.

(The Portfolio Holder for this item was Councillor Day)  
Forward Plan Reference 1,302

## **55. Discretionary Housing Payments**

The Cabinet considered a report from Customer and Digital Services which requested additional funding of £50,000 to top up the Discretionary Housing Payment (DHP) fund.

Discretionary Housing Payments were payments made to residents who received either Housing Benefit or the housing element of Universal Credit to help them pay their rent. Whilst the scheme was discretionary, the fund needed to be administered in accordance with The Discretionary Financial Assistance Regulations 2001 and the Department for Work and Pensions (DWP) Discretionary Housing Payments guidance manual.

The main criteria for eligibility was that the customer needed to have a shortfall between the benefit paid to help with their rent and the actual rent they had to pay. There were also a few exceptions where DHP could be considered in other circumstances.

Funding was provided twice yearly by the DWP and once the grant had been spent, no further DHPs could be awarded. Local Authorities could also top up the DHP fund if deemed necessary by a maximum of two and a half times their original DWP allocation.

In previous years, topping up had not been necessary and the budget had been managed well. However, DWP funding had been significantly reduced for all Local Authorities this year, with WDC's allocation decreasing from £165,057 last financial year to £116,985 this year.

The Council's caseload had not decreased and to date had spent £75,166.30 with a further £14,791.56 committed in ongoing payments. This left a balance of £27,027.14. Appendix 1 to the report showed a summary of payments made during the 2021/22 financial year. Based on this information and previous experience, it was not expected that the DHP budget would be sufficient to reach the end of the financial year.

In terms of alternative options, the Council could simply stop providing further DHP support once the existing budget was exhausted. However, doing this could have significant negative consequences, including increased homelessness or forcing more people to choose between paying their rent or paying for heat and food.

The reduction in DHP funding could not have come at a worse time for both those who needed assistance or the Council which faced its own financial challenges. However, with the cost of living increasing massively and entering the winter period, simply stopping support was not considered an appropriate response.

Councillor Tracey stated that this money was made available to the most vulnerable residents in the District. At this time, any reduction in the DHP payments would have significant negative consequences so this was a prudent approach. He then proposed the report as laid out.

**Resolved that**

- (1) the funding of £50,000 be released for the Discretionary Housing Payments made by the Council, to be met from the General Fund Reserve, be agreed; and



- (2) the current scheme be reviewed, and authority be delegated to the Head of Customer and Digital Services, in consultation with the Portfolio Holder, to agree a revised scheme.

(The Portfolio Holder for this item was Councillor Tracey)  
Forward Plan Reference 1,321

## 56. **Future Delivery of the Domestic Pest Control Service**

The Cabinet considered a report from Safer Communities, Leisure and Environment which proposed that the domestic pest control service as provided by Safer Communities, Leisure and Environment should be changed to an advice and regulatory intervention only service following a three-year review of the service and available options for alternative service delivery.

Warwick District Council (WDC) Safer Communities, Leisure and Environment provided a pest control service for domestic properties that were of public health significance (rats, mice, fleas, bedbugs, and cockroaches). The service occasionally treated WDC owned assets, but assets were more routinely treated by an engaged contractor through Assets and Neighbourhood Services or as a separate independent contractor in accordance with insurance requirements.

Table 1 in the report identified the number of service requests received by the Health and Community Protection, Pest Control Service in the last four years (including the current year). Not all of these requests moved on to a treatment phase.

In response to the covid pandemic, the service moved to a telephone advice service and then was only able to respond to emergencies, for example, an identifiable extreme rat infestation. From October 2020. the service began treating rats in the external environment. This increased to treating rat infestations in internal environments over 2021 and into 2022. Unfortunately, and principally due to the Council not being able to recruit to a vacant post, the service had never fully recovered. At the time of the report, the Council was still unable to offer a full pest control service and could only respond to requests for advice regarding pests.

Table 2 in the report demonstrated the 2020 & 2021 fees which were charged for Warwick District Council Pest Control Services and table 3, the fees introduced in 2022. Before 2022, there were agreed reduced charges for those customers identified as receiving a state pension, income support, job seekers allowance or those disabled. This was a common concession provided by Councils pre-Covid. The 2022 fees for charged services were aligned with Stratford-on-Avon District Council (SDC) as a first step in merging of the teams.

With the introduction of the 2022 fees, the service had moved to an online payment method which ensured payments were taken in advance of treatments and had negated the need for cash handling by staff.

According to the establishment, there were 1.55FTE Pest Control Officers who delivered the service with support for call handling provided by 2FTE

Service Support Officers and a managerial support from the Systems and Support Team Leader. The Pest Control Officers were managed by the Environmental Protection Team Leader. However, the service was being delivered by 0.95FTE pest control officer due to vacancies. There was also a reduction in the Service Support Officers resource available.

Requests for the service could be made online and the target timescale for responses was three working days with a completion target of 35 days. This completion date allowed for humane eradication, minimising the risk of harm to other animals in accordance with legislative requirements for the use of poisons and phased treatment good practice (housekeeping, proofing, non-toxic, toxic baits). The service performance measure in 2021/22 showed this area of work averaging at 33 days resolution period for service requests. On average, each service request received a first response on the day of receipt and in July were resolved within 25 days.

Table 4 in the report outlined the allocated budget and actual spend in 2021/22 for pest control. Table 5 identified the 22/23 budget. This did not include the costs of the support officers or the team leaders as pest control was only a small portion of their function.

The income generated from the pest control service over the last five years was described in table 6 below. The income had failed to meet the annual income target set. The 2022/23 had income amounts to £347.47+Vat with the reduced service being operated (two rat treatments and six advice requests).

The current MTFs assumed a recurrent saving of £50,000 by April 2023. This would not be possible with the current service delivery, and it remained unlikely in the event that the service would become fully staffed in the next few months.

Table 6

	<u>Total Income</u>	<u>Full fee</u>	<u>Reduced fee</u>	<u>Internal Recharge</u>
2022/23 (part year)	£526	£347.47	n/a	£0
2021/22 (reduced service)	£1,978	£0	£0	£1,978
2020/21 (reduced service)	£1,368.75	£0	£0	£1,368.75
2019/2020	£1,338.35	£135	£165.85	£1,037.50
2018/2019	£1,102.25	£390.82	£157.49	£553.94
2017/2018	£1,302.15	£449.19	£92.08	£760.88

Conversion rates from enquiries to requested treatment was currently 11%; before the introduction of fees pre-Covid it was 26%. Whilst this was less than pre-Covid for the reduced service that was being operated, the reduced resources and the delay in service delivery meant this was thought to be good.

If the service was to continue with similar conversation rates for treatment and with similar numbers of requests for service, full cost recovery for each treatment would be approx. £5,925+ vat for an advice visit and £17,775+ vat per treatment. Cost such as these would price the Council out of the pest control market.

Local authorities were not legally required to provide a pest control service. They had a statutory duty under the Prevention of Damage by Pests Act 1949 to:

- Take such steps as might be necessary to secure as far as practicable that their District was kept free from rats and mice.
- In particular, keep the local authority's own land, and other land that the local authority occupies, free from rats and mice.
- Ensure that other owners and occupiers of land complied with their similar duties under the Act.

Regardless of who was at fault for the infestation, the Council had no obligation to provide pest control services to its tenants, tenants of private landlords, registered social landlords or housing associations, or those receiving benefits. The law only required the treatment of Council owned land for rodents.

The law provided for the service of enforcement notices for any landowner who did not keep their land free from rodents.

The pest control service review began in 2019 and had continued throughout the last three years. The initial piece of work identified seven service delivery options. These were further explained in Appendix A to the report.

- Option 1 Existing Service: Continue to run the pest control service as it was, serving domestic public enquiries only with cost recovery review of the fees charged.
- Option 2 Existing Service plus additional treatments offered: Continue to run the pest control service as it was, serving domestic public enquiries only with cost recovery review of the fees charged and consideration of add on services i.e., wasp treatment introduction.
- Option 3 Commercial Service: Run a full commercial service alongside an increased domestic service. A suitable model for Warwick District Council would need to be developed.
- Option 4 Outsourced Pest Control Operation – Private Company. This option ensured that another qualified pest control service delivered the statutory functions as part of a wider contract to assist in the pest control service the Council needed as an organisation.
- Option 5 Outsourced Pest Control Operation - Another Local Authority. This option ensured that another qualified pest control service within another local authority delivered statutory functions as part of a wider contract to assist in the pest control service the Council needed as an organisation under a service level agreement.

- Option 6 Shared Pest Control operation – Local Authority. This option provides for a shared service delivery with another local authority i.e., Stratford upon Avon District Council to deliver the statutory functions and wider contract commitments as a Council to assist in the pest control service needed as an organisation.
- Option 7 No domestic pest Control Service This option provided only for treatment of the Council's own assets as required and would require enforcement for landowners failing to treat their land for rodents.

Appendix B to the report sought to compare and contrast the financial and quality benefits and drawbacks of the options in summary. The appendix made a number of assumptions:

- Service support costs removed from all options as assumed would remain with the Council.
- Estimated income was outlined as per the 2019 report.
- Internal organisations spend as per 2019 report
- Estimated costs for new staff member based on current employment costs, leasing of van over four years period, repair costs to existing vans, additional equipment, and training costs.

The appendix demonstrated which option provided the MTFS saving or income and the risk of the option to deliver as outlined the service described with the financial options. There was one option which provided the Council with the required level of financial savings without the risk. However, the Council would be providing a advice only pest service and would need to look at how local businesses could be promoted to deliver pest services to customers.

The Safer Communities, Leisure & Environment Programme Advisory Board(PAB) advised that officers should progress a movement to an advice-only pest control service.

The Overview & Scrutiny Committee had concerns about the removal of the service and asked that:

1. the service would continue to monitor, to record and report the number of complaints received; and
2. that non-co-operation by HMO Landlords with enforcement activity would be reported to private sector housing so they were aware when licenses were being considered for renewal.

Councillor Falp accepted the comments from the Overview & Scrutiny Committee and highlighted the difficulty in recruiting pest control officers. She also reassured Members that the service was not being removed, what was being removed was the actual treatment. There was still the opportunity to ring the Council to report pests, and staff would be sent out to investigate. She then proposed the report as laid out.

**Resolved** that the change of the domestic pest control service as provided by Safer Communities,

Leisure, and Environment to advice and regulatory intervention only, be agreed.

(The Portfolio Holder for this item was Councillor Falp)  
Forward Plan Reference 1,324

**57. Election Count Venue – Code of Procurement Practice Exemption**

The Cabinet considered a report from Democratic Services which requested an exemption from the Code of Procurement Practice to enter a contract with Grandstand – Stoneleigh Events Limited for the provision of an election count venue (in May 2023, May 2024 and up to one other occasion) along with associated ancillary services for the venue hire.

The Council's Code of procurement Practice required a competitive process for all contracted spend above £25,000. However, Common Procurement Vocabulary (CPV) code 75111200.9 for Legislative services within the Light Touch Regime of the Public Contract Regulations 2015 (PCR2015) provided flexibility procuring contracts with a total spend below £552,950 +VAT, giving discretion to the Council to award without going out to competition if it was deemed not beneficial to do so, as long as the decision-making process was fair, open and transparent.

The provision of the Count venue was the responsibility of the returning officer for each election. The elections project board had considered options for the delivery of the election count in both 2023 and 2024 and the potential venues for this.

The Returning Officer established a principle that they wished for the Count to be held in a single venue, that had significant experience in handling large events, good internet and power supplies and well-lit hard standing car parking, ideally supported by safe traffic routes for the delivery of ballot boxes (i.e. no impact on the highway from queues as previously experienced when at the Town Hall).

In 2023, the Returning Officer would have District Council and Parish /Town Council elections. These were the elections with the most candidates, agents and guests involved and equally, the ones where most space was required.

The Chief Executive had also agreed to be the Police Area Returning Officer in May 2024. This was the anticipated time for a General Election to be held as well. This required additional space, but also a greater logistical challenge with one count expected overnight and the other to be combined across Warwickshire.

To secure such space as was necessary, advanced booking and discussions were required. This was because while elections were significant events for the District Council, other events at the same time provided significantly more income for the venue. An assessment of venues had been undertaken, based on working space for previous elections and the points requested by the Returning Officer. There was only one venue within or close to Warwick District which was capable of hosting the Count. Whilst there were limited travel options to the venue (other than by car/taxi), there were very limited options available with the

absence of an alternative suitable venue. In respect of journey time, it was also noted that the average journey time from polling stations within Warwick District to the Count was just over 13 minutes and the longest was 23 minutes. Therefore, while it was set to one side of the District, overall the connections to it by car were relatively good.

In addition, the contract would make provision for a third election between its start and 2025 at the same basic rate. This was in allowance for the general election to be held on an alternative date. Unlike the contract for 2023 and 2024, the Council would not be bound to pay this unless a date and hall booking were required.

In terms of alternative options, the Returning Officer had considered alternative venues and methods of operation, but these were not deemed appropriate for the delivery of this significant event for the Council.

Councillor Day proposed the report as laid out.

**Resolved** that an exemption to the code of procurement practice of up to £150,000 for the Council to enter into a contract with Grandstand Stoneleigh events for the provision of an election count venue (in May 2023, May 2024 and up to one other occasion) along with associated ancillary services for the venue hire, be approved.

(The Portfolio Holder for this item was Councillor Day)  
Forward Plan Reference 1,289

#### 58. **Election Printing – Code of Procurement Practice Exemption**

The Cabinet considered a report from Democratic Services which requested an exemption to the Code of Procurement practice to extend the contract with Civica Electoral Services up to 30 June 2023 (and for any elections called by that date which may take place after 30 June 2023).

The Council's Code of procurement Practice required a competitive process for all contracted spend above £25,000. The Council had a contract in place for delivery of both elections and electoral registration printing. This was a multi-year contract on a three plus two-year format which ended on 30 September 2022 (but covered the delivery of the Annual Canvass up to 1 December 2022).

Prior to the contract concluding, officers were preparing a new joint procurement exercise with Stratford-on-Avon District Council (SDC). When the merger with SDC ceased in April 2022, a decision was taken to no longer progress this single tender, due to a number of complexities within it and long-term management of the contract.

Despite this change, a contract was still required to replace the contract that was ending, so the intention was still to produce and issue an Invitation To Tender (ITT) which would see the new contract deployed in time. However, delays arising from discussions on the final specification, followed by the need to include requirements of the Election Act 2022

(some of which were unknown at this time) took longer than expected. Although the final ITT was now ready to issue, it had been proposed to delay its publication until the expected final secondary regulations for the Elections Act 2022 in early November 2022. This delay was also to accommodate the fact that the Electoral Services Manager was leaving the Council at the end of December 2022 (of which Councillors were aware), and to enable the new Electoral Services Manager, starting in January 2023, to input into the ITT and understand the new contract.

To accommodate the above, it had been proposed that the replacement contract for the elections and electoral printing contract that had expired would not be awarded until June 2023, with a start date of 1 July 2023.

With the delay to the replacement contract, options were considered with the procurement team on how best to procure work in the interim between the formal contracts. Rather than implementing a short-term contractual arrangement to cover the interim and the May 2023 election requirements, the lowest risk proposal was to provide a short-term extension to the contract that had just ended, until 30 June 2023, in accordance with the Public Contract Regulations 2015 using the justifications as outlined above. Informal discussions with the current supplier had indicated this would be acceptable to them.

While exploring the ability to apply the extension, it was also identified that the Council had already exceeded the value of the original contract. This was quickly justified due to the number of additional elections that had been called during the contract term that had not been anticipated at the time of letting the contract.

The original contract value was for £800,434, but to accommodate both the extension to the contract term and the original contract overspend, an exemption to extend and increase the contract value to £1,150,000 was required. This would be an increase of 43.6% which was lawful, subject to 72.1(b) (PCR2015). This allowance would also provide for a £50k contingency just in case any other unforeseen requirements (for example, a General Election was called in this time).

In terms of alternative options, the Returning Officer had considered the potential for initiating the procurement for a replacement earlier, however, the new contract would not begin until the end of February 2023 at the earliest, by which time printers would already have booked in slots for election printing and undertaken a number of other pre-delivery project work.

Councillor Day proposed the report as laid out.

**Resolved** that an exemption to the code of procurement practice for extending the current elections and electoral registration printing contract for up to a value of £1,150,000 and up to 30 June 2023 (and for any elections called by that date which may take place after 30 June 2023), be approved.

(The Portfolio Holder for this item was Councillor Day)

This item was a key decision but was not included on the Forward Plan, so a Notice of Exemption was published on 19 October 2022.

59. **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 item 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.

Minutes Numbers	Paragraph Numbers	Reason
60	1	Information relating to an Individual
60	2	Information which is likely to reveal the identity of an individual
60	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

60. **Confidential Appendices to Item 7 – Minute Number 190 – Future Delivery of the Domestic Pest Control Service**

The Cabinet noted the confidential appendices.

(The meeting ended at 6.57pm)

CHAIRMAN  
7 December 2022



Title: Minor Amendments to the Scheme of Delegation  
Lead Officer: Graham Leach, Democratic Services Manager & Deputy  
Monitoring Officer (01926 456114)  
Portfolio Holder: Councillors Bartlett, Cooke, Day, Falp, Matecki  
Wards of the District directly affected: None

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## **Summary**

The report brings forward changes to the scheme of delegation for consideration by the Cabinet and also reports an urgent decision taken by the Chief Executive under delegated authority.

## **Recommendation(s)**

- (1) That Cabinet notes the urgent decision of the Chief Executive under delegation CE(4) to confirm the appointment of Mark Lee as Independent Chair of the Leamington Transformation Board and the application for a Banning Order in respect of a landlord.
  - (2) That the amendments to the scheme of delegation as set out at Appendix 1 be recommended to Council for approval and the Constitution be updated accordingly.
  - (3) That the amendments to the Executive functions within the scheme of delegation as set out at Appendix 2 be approved and Cabinet asks the Council to update the Constitution to reflect this change.
  - (4) That the Protocol for the operation of the Warwick District Council Proposed Development Review Forum be amended to enable meetings to take place online in a meeting hosted by Warwick District Council.
- 

## **1 Background/Information**

### **1.1 Leamington Transformation Board**

- 1.1.1 When reviewing the decision of the Cabinet on 9 September 2021 to establish the Leamington Transformation Board it was identified that the decisions, below, were not sufficiently clear.
- 1.1.2 "(6) the Composition of Councillors who will serve on the Transformation Board, as set out in paragraph 3.15 in the report, in consultation with WCC and LTC, be determined by the Cabinet.
- 1.1.3 (7) the remit of the Transformation Board, as set out in paragraph 3.16 and 3.17 in the report (subject to discussions with WCC and LTC) and that authority be delegated to a designated Cabinet member to take decisions on this remit".
- 1.1.4 The Transformation Board remit was agreed by all parties in April 2022, however, it was not intended to be a decision-making body. The remit of the Transformation Board, while in spirit is the same as that set out in the report,

was more detailed and there were points that had not been considered by the Cabinet.

- 1.1.5 The appointment of its Independent Chair is a formal decision, especially as they will be receiving payment from Warwick District Council. Therefore, the final decision on this and the remit need to be formally taken within this Council. The proposed delegations at Appendix 2 in relationship to the Leamington Transformation Board formalise this approach.
- 1.1.6 When these were identified, the Chief Executive sought agreement of Group Leaders to use his emergency powers to confirm the appointment. The Cabinet should also be aware the Leamington Transformation Board will need to have its terms of reference amended to reflect that the final decision on the Independent Chair will need to be taken by WDC but based on the recommendation of the Board.
- 1.1.7 The proposed delegations are Executive functions which can only be delegated by Cabinet to Officers. However, only Council has the authority to update the Constitution to reflect the changes, hence the wording for recommendation (3).

## **1.2 Planning Delegations**

- 1.2.1 Officers have been reflecting on experiences in working with other Councils and believe that there are some cases where s106 agreements do not need to come before Planning Committee. An example is variations to S106 agreements already approved by Committee or where the application would otherwise be determined by Officers.
- 1.2.2 In relation to variations to s106 agreements, there is currently no delegated authority for the Head of Service to vary s106 agreements. Sometimes these variations can be very minor in nature e.g. in October, a variation to amend a definition had to go to Planning Committee. It is proposed to delegate such changes to the Head of Place, Arts and Economy in consultation with Chairman of Planning Committee and relevant Ward Councillor(s).
- 1.2.3 Another issue has arisen in the case of s106 agreements required in connection with delegated planning decisions. The scheme of delegation does not currently cover this, which leads to the odd situation of the Head of Place, Arts and Economy having delegated power to determine planning applications but not enter into connected s106 agreements.
- 1.2.4 Following the Planning Committee of 9 November officers have also reflected on the current delegation in respect of Council Planning applications that reads "Applications submitted by Warwick District Council or Warwickshire County Council, other than for approval of routine minor developments". Officers are of the view that this should be amended to be more specific in relation to Warwick District Council to include reference to Milverton Homes (or any partnership it is in). While officers consider this would happen anyway, they feel it is appropriate to remove any ambiguity.
- 1.2.5 If Cabinet and Council are minded to support these delegations, as set out in Appendix 1, it would also bring changes to the responsibility of functions for Planning Committee. This would see the removal of delegation (vi) as it is covered by (i) due to the revisions to officer delegation DS(70).

## **1.3 Licensing Panel Delegations**

- 1.3.1 In reviewing the delegations in respect of Planning Committee, officers also took time to consider those in respect of matters that come to Licensing Panels. Councillors involved in those Panels will be aware that the final wording of their

decision is often formulated after the meeting. Therefore, officers feel it is appropriate to have a delegation in place to confirm this arrangement.

- 1.3.2 Secondly, in this area, there is potential for decisions of a Panel to be challenged. At times, this can be over a minor point and mitigate the need for an appeal to be heard. This proposal allows for these changes to be made, after appropriate consultation and for transparency to be reported back to Committee.

#### **1.4 Statements of Common Ground**

- 1.4.1 Section 33A of the Planning and Compulsory Purchase Act requires Local Planning Authorities “to engage constructively, actively and on an ongoing basis” with other local authorities and with prescribed bodies in respect of their plan-making activities. This Duty to Co-operate requirement is expanded on in the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG). The Duty to Co-operate is a legal test that needs to be satisfied as part of the local plan examination process for a local plan to be found sound and adopted.
- 1.4.2 Importantly, the Duty to Co-operate is not a duty to agree per se, but the LPA must demonstrate that they have engaged constructively in respect of progress to addressing strategic cross-boundary matters. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.
- 1.4.3 This constructive engagement is demonstrated through the publication of an audit trail showing early and ongoing discussions culminating in the publication of signed Statements of Common Ground (SoCG).
- 1.4.4 Responsibility for the day-to-day operation of Duty to Co-operate (e.g. content of SoCGs) is undertaken by the Council’s planning policy service and falls within the Planning & Place Portfolio. However, formal processes need to be established to allow for the signing of any SoCGs on behalf of the Council given that the content could have a significant bearing on how WDC prepares its own local planning documents.
- 1.4.5 This matter is particularly relevant at the moment given that the Council is in the process of preparing a new Local Plan. The delegation of Executive functions set out in appendix 2 (section 1.4) allows for authority to be delegated to the Head of Place, Arts & Economy in consultation with the Leader and Portfolio Holder for Planning & Place, to sign Statements of Common Ground in respect of plan-making activities.
- 1.4.6 There is another dimension to this given that the Council is currently preparing a joint Local Plan with Stratford-on-Avon District Council. There will be issues where other authorities will need to engage with both WDC and SDC in respect of Duty to Cooperate issues and SoCGs will need to be agreed. Equally, there will be some issues where authorities will need to engage with one Council through Duty to Cooperate, however that Council will need to consult with the other because the issues relate to matters pertaining to the whole South Warwickshire Local Plan area covering both council areas. An example of this would be in relation to housing and employment land distribution in the Greater Birmingham and Black Country Housing Market Area (HMA). Warwick District Council is not within this HMA and so would not normally be included in any Duty to Cooperate discussions or need to agree any SoCGs. SDC is, however, in that HMA and the implications of any SoCGs could have an impact on the

whole South Warwickshire Local Plan area. It is appropriate and necessary therefore, for SDC to consult with WDC before agreeing any SoCG relating to this HMA.

- 1.4.7 The requested delegation therefore also proposes that this delegated authority is extended to situations where adjacent authorities consult with WDC on SoCGs that are of common interest. Furthermore, in an opposite situation where WDC only is asked to sign a SoCG, recommendation (3) proposes that before such a SoCG is signed, WDC would consult with that authority. In practice, this will only happen in respect of SDC and the South Warwickshire Local Plan. (Members are asked to note that SDC is currently putting reciprocal arrangements in place to ensure that WDC is consulted in respect of SoCGs that it is asked to agree and which impacts on joint planning work.)
- 1.4.8 Many SoCGs deal with procedural matter and set out ways of working to address common challenges. Others may be more significant, the most obvious example being the creation of new Memoranda of Understanding relating to strategic matters such as housing or employment land distribution. Such matters are likely to have strategic implications and should, properly, be agreed formally by the Council. The proposed delegation therefore provides that the delegated powers will not be exercised where, in the judgement of the Leader, Portfolio Holder for Planning & Place and the Head of Place Arts & Economy, the issues arising from the consultation are such that they have important strategic implications for Warwick District.
- 1.4.9 The proposed delegation is an Executive function which can only be delegated by Cabinet to Officers. However, only Council has the authority to update the Constitution to reflect the changes, hence the wording for recommendation (3).

## **1.5 Banning Order**

- 1.5.1 Banning orders are made under Housing and Planning Act 2016 and came into force in 2018.
- 1.5.2 They are intended to be used on landlords and property agents for those who have been convicted of the most serious housing-related offences. They have the effect of preventing landlords from letting housing or managing property in England.
- 1.5.3 Local authorities have the power to apply for Banning Orders from the First Tier Tribunal. The Council must first serve on the landlord a notice of intention to apply for a Banning Order and offer an opportunity for representations to be made. If they are satisfied, they can then apply to the First Tier Tribunal.
- 1.5.4 Councils are expected to develop and document their own policy on when to pursue a Banning Order. This is likely to include:-
- Seriousness of the offence
  - Previous convictions/entry on rogue landlord database
  - Harm caused to the occupying tenants
  - Punishment of the offender
  - Deter the offender from repeating the offence
  - Deter others from committing similar offences
- 1.5.5 The individual, the Council will be seeking a Banning Order for, is well known to Private Sector Housing. They have been associated with sub-letting property over several years and their practices caused the Council concern.
- 1.5.6 The Private Sector Housing team successfully prosecuted them in September,

which resulted in a significant fine. They were operating an HMO in Leamington Spa and was convicted of:-

- Failing to provide information required under Section 16 of the Local Government Miscellaneous Provisions Act 1976.
- Failing to comply with an Improvement Notice under Section 30 of the Housing Act 2004.
- Failing to licence a House in Multiple Occupation under Section 72 of the Housing Act 2004.
- Failing to comply with The Houses in Multiple Occupation Regulations 2006 under Section 234 of the Housing Act 2004.

1.5.7 The Council served a notice of intention to apply for a Banning Order on 3rd October giving until 31 October for representations. No response has been received.

1.5.8 Therefore, following consultation with the Group Leaders the Chief Executive exercised his delegated authority CE(4) to proceed with an application to the First Tier Tribunal for a Banning Order.

1.5.9 Officers consider delegated authority for such cases in future would be an appropriate route as this will enable swifter action to be taken for the most serious of matters. In addition officers recognise the need to have a Policy in place for such matters and a draft is already being produced as a priority with a view to it being completed before Christmas 2022. The delegations to approve the Policy are considered reasonable to ensure it is robust and once complete it will be published on the Council website and Councillors notified of this.

## **1.6 Proposed Development Review Forums**

1.6.1 The protocol for the for the operation of the Warwick District Council Proposed Development Review Forum currently prescribes that all meetings should be held in person at the Town Hall, Leamington Spa. Since the protocol was produced the Council has been able to make use of technology for holding meetings and briefing sessions. Therefore as the Proposed Development Review Forums will involve external development agents (potentially from across the UK) see all 44 District Councillors invited, along with relevant Parish/Town Council, CAF and other statutory consultees (as considered appropriate) hosting the meetings online would make them more easily accessible. This is not to say all meetings of the forum would be online but provides the option if it is considered reasonable.

## **2 Alternative Options available to Cabinet**

2.1 The proposed recommendations are minor changes to provide more robust decision making within the Council. The Cabinet could reject the proposals if it so wished but this is advised against for the reasons set out in section 1 of the report.

## **3 Consultation and Member's comments**

3.1 The Chairmen of Licensing & Regulatory and Planning Committees have no objections to the proposals in respect of the delegations in relation to their respective Committees.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 The legal aspects are covered within section 1 of the report.

## **4.2 Financial**

- 4.2.1 There are no direct budgetary implications from the proposals, there may be some minor savings realised from fewer items coming to Committee.

## **4.3 Council Plan**

- 4.3.1 In respect of Warwick District Council Business Plan the proposals that come forward align with the aspiration with the People theme of effective staffing. This theme features on enabling both Councillors and Officers having appropriate authority and responsibility.

## **4.4 Environmental/Climate Change Implications**

- 4.4.1 The recommendations in the report have no direct environmental implications, however the ability for the revision to the operation of the Warwick District Council Proposed Development Review Forum provides an opportunity for reducing journeys to the Town Hall in Leamington.

## **4.5 Analysis of the effects on Equality**

- 4.5.1 An Equality Impact Assessment has not been considered necessary for the recommendations in report.

## **4.6 Data Protection**

- 4.6.1 There is no change in the way the personal data will be handled from present. Therefore there is no need for a Data Protection Impact Assessment.

## **4.7 Health and Wellbeing**

- 4.7.1 There are no health and wellbeing implications of the proposal.

## **5 Risk Assessment**

- 5.1 The Main risks of the report relate to not adopting the proposals in relationship to the Leamington Transformation Board and Licensing decisions. This is because these are common working practices at present that do not have the necessary permissions in place. Therefore failure to amend this could lead to the decisions being challenged.
- 5.2 In respect of the other matters they are a matter of judgement for Cabinet and Council to consider. Officers are of the view that appropriate controls are offered to ensure that the decisions are taken appropriately in an open manner.
- 5.3 There is an associated risk in respect of the decision, under delegated authority, to pursue the banning order at first tier tribunal, because at present the Council does not have a Policy in place, which is normally expected and there will always be a risk associated with enforcement action. While it will clearly be helpful for the Council to have a policy to assist in decision making, in respect of the specific case, it is considered so long as the Council has had regard to the criteria in the guidance, which it has in the details above, then the Council are well placed to defend its position.

## **6 Conclusion**

- 6.1 The report provides a number of recommendations which are considered reasonable to either conform current working practices or make efficient use of Council resources.

**Background papers:** None

**Supporting documents:**

Constitution for Warwick District Council  
Leamington Transformation Board remit.

### Report Information Sheet

Please complete and submit to Democratic Services with report

<b>Committee / Date</b>	Cabinet 2 December 2022	
<b>Title of report</b>	Minor Amendments to the Scheme of Delegation	
<b>Officer / Councillor Approval *required</b>	<b>Date</b>	<b>Name</b>
<b>Ward Members(s)</b>		
<b>Portfolio Holder</b>	21/11/22	Bartlett, Cooke, Day, Falp and Matecki
<b>Financial Services *</b>		Lorraine Henson
<b>Legal Services</b>	18/11/22	Ross Chambers & Sue Mullins
<b>Other Services</b>		
<b>Chief Executive</b>	17/11/22	Chris Elliott
<b>Head of Services(s)*</b>	17/11/22	Marianne Rolfe Phil Clarke Lisa Barker
<b>Section 151 Officer</b>	21/11/22	Andrew Rollins
<b>Monitoring Officer</b>	17/11/22	Andrew Jones
<b>Leadership Co-ordination Group (WDC)</b>	21/11/22	
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctee / Council?</b>	No Recommendation to: Council	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	Yes, Forward Plan item – 1337	
<b>Accessibility Checked?</b>	Yes/No	



## **Section 1.2 Planning Delegations**

### Officer Scheme of Delegation amendments

Additions in italics

The Head of Place, Arts and Economy be authorised to:

- DS (70) Determine all applications submitted to Warwick District Council as required by the Town and Country Planning Act 1990 (as amended), Town and Country Planning (Control of Advertisement) Regulations 1992, and Planning (Listed Buildings and Conservation Areas) Regulations 1990, with the exception of the following:
- (i) Applications where a written request is received from a member of Warwick District Council within the specified consultation period i.e. 21 days that Committee referral is required. Such requests should clearly state the reasons why a Committee referral is required.
  - (ii) Applications where 5 or more valid representations are received where these are contrary to the officers' recommendation unless the Head of Development is satisfied that the plans have been amended to address the concerns raised so that there are no more than four contrary representations.
  - (iii) Applications where the recommendation of the Head of Place, Arts and Economy i.e. Grant/Refuse is contrary to the representations made by a Parish/Town Council, i.e. Object/Support, except in the following circumstances:
    - a. the Head of Place, Arts and Economy is satisfied that the plans have been amended to address the concerns of the Parish/Town Council;
    - b. where the representations made by the Parish/Town Council do not raise any issues which are material to the planning assessment of the particular application; or
    - c. where the concerns of the Parish/Town Council have been previously considered as part of the assessment of an extant permission on the site and there has been no change in circumstances
  - (iv) Applications where the principle of development would represent a material departure from any policy within the Development Plan.
  - (v) Applications known to be submitted by or on behalf of a Warwick District Councillor, Warwick District Council employee or former employee of the Council, or the spouse/partner of any such person.
  - (vi) Applications submitted by Warwick District Council, *Milverton Homes (either solely or as part of another Joint Venture), any Joint Venture (or similar) the Council is part of or Warwickshire County Council*, other than for approval of routine minor developments.
  - (vii) Where applications are to be refused and enforcement action is being recommended, following consultation with the Chairman and Vice-Chairman of the Committee and the relevant ward member(s) except in the circumstances where the Head of Place, Arts and Economy considers it appropriate for that matter to be determined by Planning Committee.
  - (viii) Applications where an Environmental Impact Assessment has been provided.

- (ix) Any application which raises significant issues such that in the opinion of the Head of Place, Arts and Economy, it would be prudent to refer the application to Planning Committee for decision.
- DS (70a) In consultation with the Portfolio Holder for Place and relevant Ward Councillors, to
- (i) determine minor variations to S106 agreements
  - (ii) to enter into section 106 agreements when the application has been determined by the Head of Place, Arts and Economy under delegated authority DS(70)

### **Planning Committee Responsibility For functions**

- i. To determine planning applications and applications for listed building consent, which are not delegated to the Head of Place, Arts and Economy Development Services as set out in the Scheme of Delegation.
- V. To enter into Planning Agreements under S106 of the Town and Country Planning Act and to modify or discharge obligations contained in such agreements *which are not delegated to the Head of Place, Arts and Economy.*
- ~~vi. To determine applications for planning permission made on behalf of the District Council which are not delegated to the Head of Development Services.~~

### **Section 1.3 Licensing Panel Delegations**

#### **The Head of Safer Communities, Leisure & Environment:**

- |                        |  |
|------------------------|--|
| Number to be confirmed | Formulate and issue decision notices following consideration by the Licensing & Regulatory Committee or one of its Sub-Committees in accordance with the resolution of the Committee or Sub-Committee after consultation with the Chair of that meeting.   |
| Number to be confirmed | After consultation with the solicitor representing the Council and the Licensing Sub-Committee Members that took the decision (or in their absence, the Chair of the Licensing Committee), make minor changes to any proposed licence to mitigate the need for an appeal hearing following an appeal against a Licensing Sub-Committee decision. |

NB: where such a change is made this will be reported back to the next meeting of the Licensing & Regulatory Committee

**Delegation of Executive Functions**

**Section 1.1**

That authority be delegated to the Chief Executive, in consultation with the Leader, to agree the terms of reference for the Leamington Transformation Board.

That authority be delegated to the Chief Executive, following recommendation from the Leamington Transformation Board, to appoint the Independent Chair of the Transformation Board and agree their fee (so long as it is within the agreed budget), and conditions of appointment.

**Section 1.4**

That authority be delegated to the Head of Place, Arts & Economy in consultation with the Leader and Portfolio Holder for Planning & Place, to sign Statements of Common Ground in respect of plan-making activities, or to respond to consultations from adjacent authorities in relation to Statements of Common Ground on which the Council are consulted, except where, in the judgement of the Leader, Portfolio Holder for Planning & Place and the Head of Place Arts & Economy, the issues arising from the consultation are such that they have important strategic implications for Warwick District. Where they relate to joint plan-making work that Stratford-on-Avon District Council will be consulted prior to signing such Statements.

**Section 1.5**

The Head of Housing be delegated authority to produce, adopt and revise a Banning Order Policy, after consultation with the Housing PAB, Legal services and Housing Portfolio Holder.

The Head of Housing be delegated authority, after consultation with the Portfolio Holder for Housing, to apply for a Banning Order under the Housing and Planning Act 2016, where the criteria of the Council Banning Order Policy has been met.

Title: Q2 Budget Report

Lead Officer: Andrew Rollins (01926 456013)

Portfolio Holder: Councillor Hales

Wards of the District directly affected: All

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### **Summary**

The report provides an update on the current financial position as at 30th September 2022, both for the current year 2022/23 at the end of Quarter 2, and for the medium term through the Financial Strategy. Key variances and changes are highlighted to inform members, with some recommendations also being put forward for their consideration.

The Medium-Term Financial Strategy shows that the Council needs to make further decisions to continue addressing the deficit position presented in the report. Decisions made to date have helped offset adverse implications of the current economic environment, which is seeing costs increase and demand for services being impacted. The Financial Strategy reflects initial implications arising from the recent Autumn Statement but is still awaiting critical funding information typically received as part of the Local Finance Settlement in late December.

Noting the significant risks facing the Council's finances in future years, it is important that officers and members take all actions to ensure that new efficiency, income generating, or savings schemes are brought forward, as well as delivering on those as agreed as part of the 22/23 budget setting process.

### **Recommendation(s)**

- (1)** That Cabinet notes the latest current year financial position for both Quarter 2 (General Fund £1,292k Favourable and Housing Revenue Account £1,208k Favourable) and forecast for the year (General Fund £482k Adverse and Housing Revenue Account £150k Favourable), with the key variations that drive these positions.
- (2)** That Cabinet notes the impact on the Medium Term Financial Strategy (MTFS) due to changes detailed within the report, and how these changes are expected to be accommodated.
- (3)** That the Council agrees the ongoing forecast deficit outlined in the MTFS is reviewed further as part of a later report to Cabinet once proposals for tackling the deficit have been developed.
- (5)** To note the current capital variations for schemes originally approved in February 2022.
- (6)** That the Cabinet recommend to Council that the members basic allowance & special responsibility allowances, along with the allowance for the Chairman and Vice Chairman of the Council up rating for 2022/23 be 6.6%.

# 1 Background/Information

## 1.1 Current year variances – General Fund

### 1.1.1 General Fund Financial Position as at 30th September (Q2)

Variations have been identified by the Accountancy Team and reviewed in conjunction with the relevant budget managers, and where necessary, narrative provided in the below paragraphs. As at 30<sup>th</sup> September (end of Q2) there is a favorable variance of £1,292k, with a forecast adverse variance for 2022/23 of £482k. A summary is provided below:

<b>2022-23</b>				
<b>Service (General Fund)</b>	<b>Variation Description</b>	<b>Q1 Variation £'000</b>	<b>Q2 Variation</b>	<b>Forecast Full Year Variation £'000</b>
Employee Costs	Staffing	£385 F	£410 F	£500 F
	Pay Award (funded by Vacancy budget) including member allowances	-	-	-
Neighbourhood & Assets	Delays to PPM works	£315 F	£402 F	-
	Utility Charges – Electricity	-	£54 A	£250 A
	Previous waste contract income	£111 F	£238 F	£200 F
	Green Waste Permits	£200 F	£486 F	£486 F
Place, Arts & Economy	Arts activity increased	£326 F	£269 F	-
	Leisure Concession	-	£84 F	£200 A
	Planning Income	£189 F	£57 A	-
Housing Services	B&B Accommodation	£100 A	£13 A	-
Customer & Digital Services	Benefits subsidy and payments		£396 A	£396 A
Strategic Leadership	Warwickshire Place Partnership (Health & Wellbeing)	£100 F	-	-
	De-Carbonisation Grant	£20 F	-	-
	Members Allowance	£10 A	£20 A	£40 A
	Contingency Budget	£135 F	£53 F	-
	Crewe Lane LLP Interest	-	-	£62 A
	Removal of EMR	-	£500 F	£500 F
	Budget Savings proposals linked to merger	£128 A	£256 A	£512 A
	Budget saving proposal – digital transformation	£52 A	£104 A	£208 A
	Budget Savings in-year underspend	£125 A	£250 A	£500 A
<b>TOTAL</b>		<b>£1,366 F</b>	<b>£1,292 F</b>	<b>£482 A</b>

## 1.1.2 Salaries (General Fund)

1.1.2.1 Continuing with the Salary Vacancy Factor process established during 2021-22, the table below reflects the underspends on salaries within service areas during periods 1-6 (April-September). These are offset against a pre-determined value agreed at budget setting of expected levels of savings driven by gaps in establishments throughout the year, which was set at 3.6%.

1.1.2.2 As part of the Vacancy Factor process for Q2, £257,000 (GF) and £90,000 (HRA) was appropriated from staffing budgets.

<b>Portfolio</b>	<b>Vacancy Factor Budget 22/23</b>	<b>Budget Released Q1</b>	<b>Budget Released Q2</b>
Assets	-£41,200	£40,000	£40,000
Community Protection	-£68,700	£40,400	-
Cultural Services	-£62,400	£62,400	£30,000
Development Services	-£76,800	£76,800	£60,000
Environment & Operations	-£68,100	£68,100	£40,000
Financial Services	-£107,200	£67,400	£35,000
Housing Services - GF	-£48,200	£48,200	£25,000
ICT	-£37,400	£19,500	£2,000
People & Communication	-£31,400	£22,300	-
Strategic Leadership	-£111,300	£23,700	£25,000
<b>Total General Fund</b>	<b>-£652,700</b>	<b>£469,700</b>	<b>£257,000</b>
HRA	-£115,700	£107,300	£90,000
<b>Total</b>	<b>-£768,400</b>	<b>£577,000</b>	<b>£347,000</b>

1.1.2.3 Both the General Fund and HRA vacancy factors have now been met for the year.

1.1.2.4 In conjunction to meeting the vacancy factor budgets, as part of the Q1 report it was outlined that budget released would be used to support the pay award once agreed. This has now been agreed, with the pay award amounting to an average 6% increase in staffing costs (circa £900k). Budget released to date takes into consideration the need to back-date the pay award. Any further budget released will then be returned to GF and HRA reserves and be available to use as necessary to meet other emerging challenges and opportunities.

1.1.2.5 After the Vacancy Factor Adjustment and departmental service reviews have been taken into consideration, General Fund salaries are £420k favourable against budget at the end of Q2. However, following the vacancy factor process and discussions with the relevant managers, some of the remaining underspent budget will be required to backfill where work has fallen behind due to staffing, establishment, and recruitment issues. This can take the form of additional fixed term staffing, agreed overtime and in some instances the use of agency staffing, which can carry a cost premium. These assumptions will continue to be reviewed and challenged into quarter 3, and forecasts updated, as necessary.

1.1.2.6 The value that the vacancy factor is set at (currently 3.6%) will also

continue to be reviewed. Given the high levels of underspend reported in Q1 and Q2, proposals to increase this value are currently being assessed as part of Budget setting process to increase this provision to better reflect the ongoing staffing challenges within service areas. It should be noted that within the revised Medium Term Financial Strategy presented in this report, it is assumed that a pay award for 23/24 of similar value to the 22/23 pay award would also be funded through underspends in existing establishments.

- 1.1.2.7 The recruitment and retention issues currently being faced by the Council are subject to review, with work ongoing on how this is tackled going forward.

### 1.1.3 Neighbourhood & Assets

- 1.1.3.1 Delays to the commencement of Planned Preventative Maintenance (PPM) programmed works has continued in 2022/23. The Assets team are continuing to face resourcing challenges, driven by high levels of sickness and difficulties in recruiting to the substantive establishment. It is expected that the full allocation of budget will be used to meet the cost of repairs necessary to maintain the corporate stock. However it is likely that up to a third of the £1.5m programme will have to be slipped into the following financial year and so not present a real saving.
- 1.1.3.2 Centralisation work is ongoing between finance and the assets teams to ensure resources are available and to enable programmed works to be more effectively managed, supported by timely, accurate and available information in the Financial Management System. This work was supported by the agreement made as part of recommendation 9 within the Q1 report and is being incorporated into the budget setting process for 23/24.
- 1.1.3.3 As reported in Q1, the number of residents who have signed up to the new green waste collection service has significantly exceeded expectations for 22/23, given that the service launched mid-season in August.
- 1.1.3.4 Current forecasts are for permit income to exceed £700k (35,000 permits), this despite the reduced cost of the permit due to the part year effect of a mid-year introduction.
- 1.1.3.5 The overall projection for the service in 22/23 has been forecast at £550k, increased by £486k over the original forecast of £64k, once additional costs that will be incurred in supporting the service have been factored in.
- 1.1.3.6 Previously agreed budget proposals forecast that from 23/24, £1m per annum would be generated from the service. Given the current performance and take up by residents of the service, the forecast from 23/24 has been increased to 40,000 permits, generating income of £1.6m (£1.4m once additional service costs are factored in) at the fee of £40, as agreed through the fees and charges report in November.

### 1.1.4 Place, Arts & Economy

- 1.1.4.1 The Royal Spa Centre has received increased income during the first half of the year driven in part by a number of rescheduled events having now taken place.

1.1.4.2 Income and Expenditure will continue to be monitored as we head into the peak season, including the return of the Christmas Pantomime following previous years cancellations due to COVID-19. Despite a positive first half of the year, the full year forecast remains prudent as there is still uncertainty as to how our sites will perform going forward.

1.1.4.3 The leisure contract continues to out perform forecasts provided by the concession provider as part of the open book process agreed following the revision to the 22/23 contract (An 80/20 split on surpluses in place of the originally agreed 90/10 split). The forecast for the year is still expecting to a significant reduction in income from that agreed as part of the original concession contract given that increases in delivering the services will be most felt in the second half of the year due to continuing rises in costs. The financial strategy has already been adjusted for this as part of the Q1 update.

#### 1.1.5 Housing Services – General Fund

1.1.5.1 Increased levels of temporary B&B accommodation have been used since the start of the pandemic. The effects of the current cost of living conditions are also having an impact, resulting in costs of £240k year to date. However, the Council has received Flexible Homelessness Support Grant to fund this additional expenditure. This will continue to be monitored over winter, when the challenges presented by the cost of living crisis will be at heightened levels as we enter a period of colder weather and reduced daylight hours, necessitating increased use of now more expensive utilities.

#### 1.1.6 Customer & Digital Services

1.1.6.1 Benefits subsidy and payments are reducing as new claimants transfer over to Universal Credit. The figures are based on the latest mid-year claim submission.

#### 1.1.7 Strategic Leadership

1.1.7.1 Within the 2022/23 Budget agreed by Council in February there was a Contingency Budget of £200k for any unplanned unavoidable expenditure. To date £147k has been committed from this budget.

1.1.7.2 Earmarked Reserves which were approved within the Final Accounts 21/22 Report in September are currently being reviewed. As part of initial work completed £500k can be released, as it is no longer required. The main element of this release relates to funding earmarked to support the Planned Preventative Maintenance (PPM) Programme. However, ongoing delays to the programme (as discussed in section 1.1.3.1) and the use of the Corporate Asset Reserve allow this money to be used to support the base position in year.

### **1.2 Current year variances - Housing Revenue Account**

1.2.1 Variations have been identified by the Accountancy Team in conjunction with the relevant budget managers, giving a favourable variance of £1,028k as at 30<sup>th</sup> September, with a forecast favourable variance for 2022/23 of £150k. A summary is provided below:



<b>2022/23</b>				
<b>Service</b>	<b>Variation Description</b>	<b>Q1 Variation £'000</b>	<b>Q2 Variation £ '000</b>	<b>Forecast Full Year Variation £ '000</b>
<b>HRA</b>	Staffing (after Vacancy Factor Adjustment)	£78 F	£95 F	£150 F
	Housing Repairs	£950 F	£810 F	-
<b>TOTAL</b>		<b>£1,028 F</b>	<b>£150 F</b>	<b>£150 F</b>

- 1.2.2 Staffing resources across the Housing Revenue Account have seen similar issues to those impacting the Assets teams. Sickness and recruitment challenges have been present and are likely to continue going forwards in the immediate future. The Q2 value takes into consideration the recently agreed pay award, which is why the favourable variation has not grown at similar levels to that seen in Q1 despite many of the staffing challenges remaining.
- 1.2.3 Continued delays in receiving invoices from contractors for housing repairs, both major and responsive, is leading to the favourable variance YTD. A process is currently in development to ensure order data from the Housing Management System (Active H) appears in the new Finance Management System (FMS) as orders are raised, ensuring expenditure reporting is more robust and timelier than it is through the existing FMS. Currently expenditure is passed through to the FMS when paid.
- 1.2.4 This project to bring active orders into the FMS when approved, and the centralisation of all R&M budgets will allow more timely financial management of these budgets. It should be noted that major and responsive works are ongoing, with the expectation that the full budget allocation for the year will be utilised.

### **1.3 Recommendations 2 and 3 – Medium Term Financial Strategy (MTFS)**

- 1.3.1 The MTFS was last formally reported to members in September as part of the Q1 Budget Review report. At that stage the profile of revenue savings to be found was as follows: -

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Deficit-Savings Req(+)/Surplus(-) future years	586	2,933	2,424	2,467	2,706
Change on previous year	0	2,347	-509	43	239

As well as the in-year changes detailed in sections 1.1 and 1.3, there have been key changes to the MTFS for future years made during Q2, as outlined below:

### 1.3.2 Inflation

- 1.3.2.1 Major contracts will be subject to their own agreed cost profile and inflation levels, which will have been / will be factored in to the MTFS as appropriate. These are being reviewed as part of the budget setting process in conjunction with the service areas, and ensuring the contract register is up to date and reflects the latest positions.

### 1.3.3 Salary Contingency

- 1.3.3.1 In addition to the treatment of the agreed pay award as outlined in section 1.1.2.4, it has been assumed that any 23/24 pay award will also be able to be accommodated by underspends against the existing establishment driven by the recruitment and retention challenges currently faced. However from 24/25, it has been assumed that we will not be able to rely on high levels of vacancy to offset the cost of recent and future pay awards, and so the impact of this is reflected within the latest MTFS.
- 1.3.3.2 This will continue to be reviewed based on the latest information from ongoing pay award discussions. The vacancy factor target will also be reviewed alongside this, to ensure that this is set at a level reflecting the continued establishment gaps (see 1.1.2.6).

### 1.3.4 Fees and Charges

- 1.3.4.1 Given the increased levels of inflation, the cost of delivering many of our services is expected to continue rising over the duration of the MTFS. To support the cost of delivering current services, future fees and charges levels have been set at 5% in the latest update.
- 1.3.4.2 In conjunction with the fees and charges as agreed by members in November, further recurrent income of £360-410k per annum has been included in the MTFS from 24/25.

### 1.3.5 Utility Contracts

- 1.3.5.1 Within the Q1 Budget Report utility forecasts were significantly increased based on indicative estimates provided by ESPOs Energy Trading/ Risk Management team.
- 1.3.5.2 The Council contracts to buy electricity through ESPO for the period October – September, but for gas, the period is April - March.
- 1.3.5.3 We have now received further updates from ESPO. For context, the rates provided for the current year are below the levels set as part of the current business energy price guarantee levels.
- 1.3.5.4 The forecast for electricity has been updated to reflect further expected increases in cost for 24/25, and the forecast for gas has significantly changed from April 2023 when our current contract ends.
- 1.3.5.5 In the Q1 Budget Report the following recurrent changes were reported:

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Increase (Decrease) in Electricity charges	250	250	0	-150	0
Increase (Decrease) in Gas charges	0	150	0	-50	0

1.3.5.6 In light of the more recent information, the MTFS has been updated with the changes outlined below:

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Further Increase (Decrease) in Electricity charges	0	-62	272	50	0
Further Increase (Decrease) in Gas charges	0	190	136	0	0

1.3.5.7 Work is underway to mitigate the impact of these increases, with our Building Management System operator, SERTEC being instructed to carry out an urgent review of our key sites to see if any changes to heating / lighting / cooling etc. can be introduced and if these may cause any loss of amenity at a building. There is limited scope at Pump Rooms as the art and museum collections require regulated air and temperature to prevent artifact deterioration.

1.3.5.8 We will also look at whether there are options to install PIR sensors in any corridors, kitchens, toilets etc at any locations, The costs are likely to be small in comparison with the energy cost increase and any marginal energy savings are worthwhile.

### 1.3.6 Autumn Statement

1.3.6.1 As part of the Governments Autumn Statement, it was confirmed that the cap on Council Tax had been increased from 2% / £5 (whichever was higher) to 3% / £5. For Warwick District Council, this would equate to an additional 30p per Band D property. Based upon current tax base levels, there would be a £17,700 increase in Council Tax received in 23/24.

1.3.6.2 However, this has not been included in the MTFS at this stage, as work is ongoing as part of the budget setting process reviewing the tax base for 23/24. Any changes relating to Council Tax will be included as part of the Budget Setting report due to be presented to members in February.

### 1.3.7 Updated Medium Term Financial Strategy

1.3.7.1 Taking into account the changes highlighted in the report, the Medium Term Financial Strategy now presents the following deficit position:

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Deficit-Savings Req(+)/Surplus(-) future years	482	2,558	3,012	2,688	2,545
Change on previous year	0	2,076	454	-324	-143

1.3.7.2 Recurrent savings of £2.6m need to be secured to enable the Council to be able to set a balanced budget from 2023/24 onwards. Officers are continuing to review ways of reducing the deficit, including income generation, service efficiency and cost saving schemes, with the expectation that schemes will be factored into the budget setting process and reported to members in February.

## **1.4 Recommendation 5 – Capital Variations**

1.4.1 The following proposed changes to the Capital Budget have been identified:-

- 1) Castle Farm Sports Pitch Drainage - £73k slippage into 2023/24
- 2) Commonwealth Games Cycle Improvements at Leamington Station -£60k vired from main project in 2022/23.
- 3) Car Park Pay & Display Machines - £12,600 additional budget in 2022/23 funded from repairs and maintenance budget.
- 4) Recycling & Refuse Containers - £6k additional budget in 2022/23 funded from income.
- 5) Skate Park in St. Nicholas Park - £38.8k slippage into 2023/24.

## **1.5 Recommendation 6 – Member Allowances**

1.5.1 The members allowances scheme defines that "[...] shall be increased by the annual local government pay percentage increase as agreed each April (linked to spinal column point 38 of the NJC scheme) to be implemented the following May in that year from the date of the Council Annual Meeting".

1.5.2 This year the pay award for all scale points was £1925. Following consultation with the Leadership Coordination Group, it was proposed that 6.6% be the increase for this year. This was based on the basic allowance and how that equated to salaries for officers. The Independent Remuneration Panel for the Council were consulted on this proposal and raised no objections. This will have an adverse effect on the budget of over £24,000 before any on costs (national insurance contributions) are included.

1.5.3 In 2022/23, this will be funded through underspends against existing staffing budgets due to the recruitment and retention challenges currently faced by the Council, and will be built into future budgets as baseline growth.

## **2 Alternative Options available to (name of Committee/Cabinet etc.)**

**2.1** No alternative options are presented.

## **3 Consultation and Member's comments**

**3.1** Report discussed at Finance PAB and updated as necessary.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 The proposals are in line with current legislation where applicable.

### **4.2 Financial**

4.2.1 Officers review current year budgets against outturn on a monthly basis at the same time as considering their implications for the medium term. Members are updated on a quarterly basis. As part of this process budget managers are asked to review both their salary position and revenue position through returns with Accountancy, and update / comment as necessary. This process has been strengthened over the last few years through increased formalisation. Further reviews and changes to this process will be implemented through utilisation of the new Financial Management System (FMS), which went live in November 2021.

4.2.2 The Budget Review Process provides a planning tool to ensure resources are directed to the Council's priorities. Alongside the Council's own activities, external factors influencing its finances are also taken into consideration, for example Central Government Financing, the Business Rates Retention scheme, changes in legislation and the economy.

4.2.3 The Council maintains its Reserves to deliver Capital and other projects, and to ensure that there are sufficient resources available to manage unforeseen demands and continue to deliver its services. Close monitoring of these Reserve balances and Capital Programme, together with plans to replenish them will preserve the financial stability of the organisation for future years.

4.2.4 Members will note the significant change in the profile of the Medium Term Financial Strategy as a result of developments within Q2. Therefore, it is essential that the Council continues to work towards delivering new proposals in addition to the proposals agreed in December 2020, and updated as part of the Q2 Budget Report. This will ensure the Council is not being run at a deficit on the provision of services, and can continue to deliver a balanced budget.

### **4.3 Council Plan**

4.3.1 In respect of Warwick District Council's Business Plan this proposal will have the following relevance and impact as set out below.

#### **External:**

4.3.2 People - Health, Homes, Communities

4.3.3 Services - Green, Clean, Safe

4.3.4 Money - Infrastructure, Enterprise, Employment

#### **Internal:**

#### 4.3.5 People – Effective Staff

4.3.6 Services – Maintain or Improve Services. The Council's Budget seeks to allocate the Council's financial resources to ensure the Council's services continue to be provided in accordance with Council policies and priorities, and resources for projects are similarly prioritised.

4.3.7 Money - Firm Financial Footing over the Longer Term. The Council's Medium Term Financial Strategy seeks to allocate the Council's financial resources to ensure the Council's services continue to be provided in accordance with Council policies and priorities, and resources for projects are similarly prioritised.

### **4.4 Environmental/Climate Change Implications**

4.4.1 WDC has a budget of £500,000 per annum for Climate Change. It is proposed to utilise this for 2022/23 and 2023/24 to support a number of priorities within the Climate Change Action programme.

4.4.2 Proposals for the use of this budget were outlined in the Climate Change Action Programme report presented to Cabinet on 4 November 2021 (Item 11).

### **4.5 Analysis of the effects on Equality**

4.5.1 Not relevant.

### **4.6 Data Protection**

4.6.1 Not relevant.

### **4.7 Health and Wellbeing**

4.7.1 Not relevant.

## **5 Risk Assessment**

**5.1** The February Budget report detailed the main financial risks facing the Council. Many of these related to local authority funding, notably Business Rate Retention.

**5.2** The COVID-19 pandemic has brought many risks to the Council's finances since March 2020 relating to income and expenditure. Whilst it is believed the figures within this report present prudent yet reasonable estimates, it is possible that the financial position for the current year and future years could be significantly different to that forecast. Furthermore, the situation with the national and international environment could lead to further unknowns, particularly relating to the cost of living, inflation and to the recovery, and the effects these will have on medium term service provision and financial position of the Council and its residents / visitors.

**5.3** Many controls and mitigations are in place to help manage the financial risks facing the Council. These include: -

5.3.1 The comprehensive Budget Review process. This entails all budget managers reviewing their budgets on at least a monthly basis, considering previous, current, and future years, along with any possible issues that may impact upon their budgets. As part of this process, regular Budget Review reports are issued to Cabinet and the Senior Management Team.

- 5.3.2 Financial Planning with the MTFS / financial projections, bringing together all issues that will impact on the Council's finances in the medium term.
- 5.3.3 Financial controls, including the Codes of Financial and Procurement Practice, system controls, reconciliations, audit (internal and external).
- 5.3.4 Project Management and associated controls.
- 5.3.5 Trained staff and access to appropriate professional advice (e.g. Legal).
- 5.3.6 Implementation and continued development of the new Financial Management System.
- 5.3.7 Risk Management process across the Council, including the on-going review and maintenance of risk registers.
- 5.3.8 Scrutiny by members of the Council's finances, including Budget Reports, and the financial implications of all proposals.
- 5.3.9 Within the 2022/23 Budget there is a Contingency Budget, originally of £200k for any unplanned unavoidable expenditure. Additionally, separate provisions for leisure services (£500k), and inflation (£100k) had been included. The use of these balances has been discussed within this report.
- 5.3.10 Reserves – The Council holds a number of reserves, with each being allocated for specific purposes. Whilst much of these reserves have already been earmarked for agreed projects, it is important that reserves are held for any unforeseen demands. The use of the Business Rate Retention Volatility Reserve does reduce the forecast balance on this reserve to around £1m. This balance should not be allowed to go below this level.
- 5.3.11 The General Fund Balance is available to accommodate any unplanned expenditure, or to make up any shortfall in income. However, the Council should seek to maintain the balance of at least £1.5m.
- 5.3.12 The specific causes of reductions to income or increased expenditure should continue to be managed by the relevant Service Area as part of managing the risks within each Service Risk Register. Each Service Area's Risk Register is presented to Finance and Audit Scrutiny Committee annually on a rolling basis.

## **6 Conclusion/Reasons for the Recommendation**

- 6.1** The recommendations and updates will enable the Council to ensure members and other stakeholders continue to be informed on the most up to date financial position of the Council, both in year and for the medium term. It will enable decisions to be made based upon these positions to ensure that the Council can continue to operate within a balanced budget.

### **Background papers:**

Budget setting 22-23 Report (Cabinet 10 February 2022 – Item 6)  
Climate Change Action Programme (Cabinet 4 November 2021 – Item 11)  
Q1 Budget Review Report (Cabinet 29 September 2022 – Item 4)  
Fees and Charges 23/24 (Cabinet 3 November 2022 – Item 4)

### **Supporting documents:**

Appendix 1 – Financial Strategy Q2 Update

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	Cabinet – 10 August 2022	
<b>Title of report</b>	Quarter 1 Budget Report 2022-23	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder WDC</b>		Councillor Hales
<b>Financial Services *</b>		Steven Leathley
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>		Chris Elliot
<b>Head of Service(s)</b>		Andrew Rollins
<b>Section 151 Officer</b>		Andrew Rollins
<b>Monitoring Officer</b>		Andrew Jones
<b>CMT (WDC)</b>		
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to :Cabinet / Council F&A Committee
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		No
<b>Accessibility Checked?</b>		Yes



# Medium Term Financial Strategy

## Appendix 2

	2022/23	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	latest £'000	£'000	£'000	£'000	£'000
Net Cost Of General Fund Services	26,801	27,971	22,979	23,154	23,269	22,939
Savings from Recurring Dev's CUMULATIVE	-17,535	-17,535	-2,557,855	-3,011,787	-2,688,410	-2,545,140
Savings from Recurring Dev's (£'000's)	-18		-2,558	-3,012	-2,688	-2,545
Net Cost Of General Fund Services	26,801	27,971	25,537	26,166	25,957	25,484
Investment Interest	-2,464	-2,401	-2,197	-2,144	-1,797	-1,160
Other Financing Adjustments	-3,685	-4,436	-6,884	-6,589	-6,575	-6,398
<b>Net Expenditure after adjustments</b>	<b>20,652</b>	<b>21,134</b>	<b>16,456</b>	<b>17,433</b>	<b>17,585</b>	<b>17,926</b>
NNDR (Business Rate Retention, including SBR grant)	-7,627	-7,627	-3,586	-3,658	-3,731	-3,806
Collection Fund Balance 20/21 Deficit spread ove 3 years	54	54	54			
Collection Fund Balance 22-23	-31	-31				
New Homes Bonus	-2,681	-2,681				
Lower Tier Services Grant	-155	-155				
Services Grant	-238	-238				
<b>Amount being from Council Tax</b>	<b>-9,975</b>	<b>-9,975</b>	<b>-10,366</b>	<b>-10,763</b>	<b>-11,166</b>	<b>-11,576</b>
Band D Equivalent	176.86	176.86	181.86	186.86	191.86	196.86
% increase on previous year	-	-	2.83%	2.75%	2.67%	2.61%
Net Expenditure after adjustments	20,652	21,134	16,456	17,433	17,585	17,926
Total Grant and Council Tax Income	-20,652	-20,652	-13,898	-14,421	-14,897	-15,381
Deficit-Savings Required(+)/Surplus(-) future years	0	482	2,558	3,012	2,688	2,545
Change on previous year	0	0	2,076	454	-324	-143
Current Year Surplus(-) Deficit (+)		482				
Additional savings (+) / surplus (-) from agreed MTFS Feb 2022	0	482	1,181	2,437	1,934	1,359

Title: Local Development Scheme (LDS)  
Lead Officer: Andrew Cornfoot (01926 456203)  
Portfolio Holder: Councillor Cooke  
Wards of the District directly affected: All wards

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## **Summary**

This report seeks approval for a refreshed Local Development Scheme (LDS) to the version published in May 2021. The LDS is a requirement of the Planning and Compulsory Purchase Act 2004 and sets out the work of the Planning Policy team over the next 3 years in terms of the production of planning documents.

## **Recommendation(s)**

- (1) That Cabinet notes the content of the Local Development Scheme (LDS) (Appendix 1) and agrees to adopt the LDS and its proposals for delivery of planning documents over the forthcoming 3 years.
  - (2) That Cabinet notes that officers are utilising existing resources within the planning service to ensure there is officer capacity to deliver the LDS.
  - (3) That Cabinet notes the decision taken by The Chief Executive in September 2022 under emergency powers to authorise a procurement exemption to support work on the South Warwickshire Local Plan.
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## **1 Background/Information**

- 1.1 Adoption and publication of a Local Development Scheme is a statutory requirement of the Planning and Compulsory Purchase Act 2004, which lays out the coverage and duration of the document required. This includes a provision for an annual review of the Scheme to ensure it remains relevant and up to date.
- 1.2 The Warwick District Local Plan (2011-2029) was adopted in September 2017. This comprehensive Plan sets out additional Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that are required to support the Local Plan and add further detail for applicants, decision makers and other relevant stakeholders in the planning process. planning documents which form the basis of the Local Development Scheme (LDS).
- 1.3 Much of the programme of work in the LDS is driven by commitments in the Local Plan. As well as these commitments, additional work will arise in response to either local planning issues, changes in Council priorities or changes in national legislation. Where possible these are factored into the LDS, to ensure that it both provides an update on progress made and identifies new areas of policy being worked on.

- 1.4 Since the adoption of the Local Plan in September 2017, the Planning Policy team has delivered 8 Supplementary Planning Documents, set out below:
- Parking Standards
  - Residential Design Guide
  - Air Quality and Planning
  - Land East of Kenilworth Development Brief
  - Public Open Space
  - Custom and Self-Build
  - Developer Contributions
  - Affordable Housing.
- 1.5 In addition, the team has also produced supplementary planning guidance on the mix of housing for large scale developments; guidance relating to Policy H6 (Houses in Multiple Occupation and Student Accommodation) of the Local Plan; and has updated the Council's Statement of Community Involvement during the Covid-19 pandemic to enable planning consultations to continue in previously unforeseen circumstances.
- 1.6 Furthermore, the Planning Policy team has worked closely with relevant qualifying bodies (usually parish or town councils) to assist in the adoption of Neighbourhood Development Plans with 10 having been adopted since 2016, 8 of which were 'made' following the adoption of the Local Plan. The team has also offered support to other qualifying bodies that are preparing Neighbourhood Development Plans that have yet to be adopted, with one actively progressing their Plan (Cubbington).
- 1.7 Whilst not required to be set out in the LDS, it is important context to understand other important work undertaken by the Planning Policy & Site Delivery team that supports the Council and impacts upon resources available to developer DPDs and SPDs. This includes (list not exhaustive):
- Production of an Authority Monitoring Report – produced annually to monitor progress against Local Plan objectives
  - Production of an Infrastructure Funding Statement – produced annually to report on contributions sought and received from developments for the provision of infrastructure and the subsequent use of those contributions
  - Publication of a housing trajectory – updated annually
  - Preparation of an Infrastructure Delivery Plan
  - Maintenance of a Brownfield Land Register
  - Maintenance of a Custom & Self-Build Register and associated progress reporting
  - Government monitoring returns
  - Quarterly and annual monitoring of development
  - Consultees on planning applications
  - Advice provided to Development Management and additional consultancy support procured where appropriate (e.g., for the Gigafactory application), other Council departments, WDC members, Parish Councils and other stakeholders in the planning process
  - Management of the Community Infrastructure Levy – including its day-to-day administration, supporting parish and town councils and distributing funds to them, allocating funds to infrastructure projects and annually updating the CIL Charging Schedule
  - Active engagement in a sub-regional planning group (Coventry, Solihull and Warwickshire Association of Planning Officers – CSWAPO) including the joint

commissioning of key technical information to underpin policy, e.g., the Housing and Economic Development Needs Assessment (HEDNA)

- Procuring and managing consultants to provide updated evidence on various planning policy matters
- Significant role in the delivery of major development sites through supporting Development Management and working with developers, members and other stakeholders.

1.8 The adoption of so many SPDs and Neighbourhood Development Plans since the adoption of the Local Plan can be considered a success and has assisted Development Management in their decision-making processes. However, the production of Local Plans/DPDs require substantially more work than SPDs and therefore in the coming three years, the LDS will focus on the delivery of a lesser number of documents, reflecting the work required to adopt them. For Local Plans/DPDs there are more statutory required stages for public consultation and an examination in public with a Planning Inspector, in addition to the early preparation and consultation stages required for an SPD. This takes a considerable amount of additional time and stretches resources. The additional stages for adoption also introduces more variables in terms of certainty of delivery within timescales that may be set at the outset of a workstream.

#### 1.9 **Policy team resources**

1.10 The Policy & Site Delivery team comprises of 3 main components: planning policy, site delivery and managing the Community Infrastructure Levy. Focusing solely on the first of these components, the policy team currently comprises:

- Principal Planning Officer x 1
- Senior Planning Officers x 2 (1.1 FTE)
- Planning Assistants x2 (1 studying at university one day a week; 1 on a fixed term contract being seconded on work on the South Warwickshire Local Plan)
- Development Monitoring Officer x 1

1.11 It should be noted that within this, 1.5 FTE posts are working full-time with colleagues from Stratford-on-Avon District Council to deliver the South Warwickshire Local Plan.

1.12 This level of resources is not sufficient to deliver the programme of planning policy work outlined in the proposed LDS, particularly noting the range of other related tasks that the team needs to deliver outlined in paragraph 1.7 above. An opportunity has been created, however, through the recent wider management restructure which saw the deletion of the Policy & Projects Manager role (which previously gave support to planning policy work). This has given the opportunity to review the resources, capacity and skills needed to deliver the LDS, and this funding will be redeployed to increase the capacity and capability of the planning policy team.

1.13 It should also be noted that staffing resourcing challenges since the publication of the current LDS in May 2021 have impacted on the team's ability to deliver all the elements of the current LDS. The deploying of resources as outlined above, together with recruitment to any currently vacant posts, will provide the resources to deliver the proposed LDS.

**1.14 Progress on LDS items since May 2021**

- 1.15 Two key workstreams have dominated planning policy work since the production of the most recent LDS in May 2021. These are the preparation of a joint South Warwickshire Local Plan (SWLP) with Stratford-on-Avon District Council and the production of a Net Zero Carbon DPD. As highlighted in relevant paragraphs below, significant positive progress has been made in relation to these two Plans.
- 1.16 Owing to staff resource challenges and the amount of work associated with the two workstreams referred to above, there has been limited progress on developing other documents set out in the 2021 LDS delivery plan.
- 1.17 The following sub-sections highlight progress on stated priorities in the previous LDS. They also provide explanatory information that supports the updated LDS now proposed, as set out in Appendix 1.

**1.18 South Warwickshire Local Plan (SWLP)**

- 1.19 The National Planning Policy Framework (NPPF) requires Local Plans to be reviewed every 5 years to ensure that they remain relevant and continue to deliver the growth laid out in the Plans. This Council has previously agreed that work on the Local Plan Review will be undertaken jointly with Stratford District Council, whose Core Strategy is also in need of review and the authorities are now working collaboratively to produce a South Warwickshire Local Plan.
- 1.20 The two councils undertook a Scoping and Call for Sites consultation, which ran from 10<sup>th</sup> May until 21<sup>st</sup> June 2021. Following this, the team has collated representations from the consultations, developed and commissioned further evidence to support the Plan. Officers have regularly met with a SWLP Advisory Group comprising members across the two councils to secure support and seek direction, where appropriate.
- 1.21 The publication of an Issues and Options consultation is expected to commence in January 2023, subject to approval by members of the Joint Cabinet at its meeting in December. This consultation will refine the initial growth options explored in the Scoping Consultation and sets out greater detail on the scope of the Plan and the issues that it seeks to address. It was initially hoped this consultation could take place earlier in 2022. However, it was delayed ensuring that a key piece of evidence to inform the Plan, the Housing and Economic Development Needs Assessment (HEDNA) took into account key findings of the 2021 Census, published earlier this year.
- 1.22 A joint team of officers across the two councils has successfully worked collaboratively to progress the Plan. A distinct team has been formed to allow certainty around resources available to support the preparation of the Local Plan, although this has impacted upon available resources to deliver other items on the LDS. It must be noted that whilst Warwick District are supporting the joint team both through providing officers and a financial contribution to ensure a balance in costs between Warwick and Stratford, the Local Plan does require notable involvement from other members of the team and service area.
- 1.23 Previous iterations of the LDS have identified the production of a Gypsy and Traveller DPD. Rather than produce a separate DPD on this matter, policy

relating to Gypsy and Traveller accommodation will be developed through the SWLP.

- 1.24 Along with the Net Zero Carbon DPD, officers consider the SWLP to be one of the two top priorities for the Council in terms of policy production.
- 1.25 Recommendation 3 asks Cabinet to note a procurement exemption from the Code of Procurement Practice authorised on 13<sup>th</sup> September 2022 by the Chief Executive using his emergency powers. The procurement exemption relates to work on the SWLP and specifically work being undertaken by Lepus Consulting to provide Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) work. Following initiation of the procured contract, it was identified that additional work beyond that initially identified with the tendered contract, to a value in excess of that allowable under the public contract regulations 2015. The additional cost to undertake the more detailed work is £56,362, bringing the total contract award to £93,690.
- 1.26 The production of SEA/SA reports is a legal requirement as part of the production of the Local Plan. Officers considered it appropriate to ask the consultants to undertake more detailed analysis and to ensure a consistency of approach to how SEA/SA is undertaken for the Plan as a whole, it was not considered to be in the best interests of the Council to award the contract for this additional work to a different supplier.
- 1.27 ***Net Zero Carbon (NZC) DPD***
- 1.28 Significant progress has been made on the preparation of this document since the LDS was last published in 2021. At that point in time, it was known as the 'Climate Change and Sustainable Buildings DPD'. Officers considered that a more appropriate title to reflect the content of the document that was being produced was the updated title.
- 1.29 Since the last LDS was published, a draft DPD has been produced, 2 public consultations have taken place, 3 reports have been brought to Cabinet and 1 report considered by Full Council relating to the Plan. The Plan has now also been submitted to the Secretary of State for formal Examination in Public and an Inspector has been appointed.
- 1.30 A high-level timeline of key milestones is set out below:
  - 8<sup>th</sup> July 2021: Cabinet report seeking approval to commence a Regulation 18 (of the Town and Country Planning (Local Planning) (England) Regulations 2012) consultation on the draft DPD
  - 26<sup>th</sup> July 2021 - 13<sup>th</sup> September 2021: Regulation 18 public consultation
  - September 2021: Appointment of external consultants to support with the production and examination of the DPD
  - 10<sup>th</sup> February 2022: Cabinet report providing feedback from the Regulation 18 public consultation and detailing changes made to the DPD in response to that consultation; Inclusion of a revised draft DPD and seeking approval to commence a Regulation 19 public consultation
  - 27<sup>th</sup> April 2022 – 8<sup>th</sup> June 2022: Regulation 19 public consultation
  - 10<sup>th</sup> August 2022: Cabinet report presenting feedback and responses from the Regulation 19 consultation, seeking approval to recommend to Council that the DPD is submitted to the Planning Inspectorate (PINS) for Examination under Regulation 22 and that setting out a schedule of

proposed minor revisions arising from the public consultation to submit to PINS

- 7<sup>th</sup> September 2022: Full Council approval for submission of the DPD for examination
- September 2022: Appointment of Programme Officer to provide administrative support to the Planning Inspector for the examination
- 17<sup>th</sup> October 2022: Submission of DPD to PINS for examination
- 7<sup>th</sup> November 2022: Inspector appointed for examination.

1.31 The DPD is one of the first to be produce by local authorities on this issue in England and attempts to deliver on the Council's Climate Change Action Programme and respond to the Council's climate emergency declaration. Therefore, initially it proved difficult to obtain the assistance of external expertise for what is an emerging and very technical area of policy. However, consultants with relevant technical expertise were appointed in September 2021 and this has allowed the Council to refine the DPD and has given officers the confidence that the DPD is robust and stands up to scrutiny.

1.32 The 2021 LDS indicated a slightly earlier deliver profile than has been realised. However, staff resource challenges have had a significant impact. Furthermore, the DPD has proven to be challenging given its very technical nature, the need to satisfy the Council's stated climate change ambitions, to ensure that the policies will not result in development being unviable and to ensure that it is practical to implement on a daily basis by planning officers determining planning applications. Whilst the DPD has been largely supported and well received, there has been criticism that the policies do not go far enough and also the polar opposite, that the policies go too far and would impact upon the delivery of development.

### 1.33 **Canalside DPD**

1.34 A Regulation 19 consultation was undertaken on the Canalside DPD between 9<sup>th</sup> November and 21<sup>st</sup> December 2020.

1.35 Through the consultation, the Canal and River Trust raised some fundamental concerns in terms of the tests for soundness that need to be met in order for a DPD to be successful at Examination.

1.36 Owing to resource challenges within the team, along with the need to prioritise the SWLP and NZC DPD, officers have not been able to progress this DPD. It is recognised that as the Canal and River Trust are a key consultee relating to a DPD on canals that it would not be sensible to progress to submit the DPD for examination without seeking to address their fundamental concerns.

1.37 With the benefit of the recent addition of a member of staff to fill an existing vacancy, it is proposed to commence work on this DPD again. Therefore, the team has recently re-established communication with the Canal and River Trust and have met to better understand their concerns and how they might be addressed.

1.38 Having recently reviewed the DPD, officers also wish to re-visit the purposes of the DPD and benefits of its adoption and also will need to update its content given time elapsed.

- 1.39 It is likely that a further Regulation 19 consultation, if not a further Regulation 18 consultation will be required if the Council are to proceed to adoption. The LDS set out in Appendix 1 assumes just a further Regulation 19 consultation, although will review this when it is clearer what changes may need to be made.
- 1.40 Whilst the policy team wishes to move this document forward, in light of the political and public interest in the adoption of policy on purpose-built student accommodation and the priority of progressing other documents within the LDS, it is proposed to give priority to the other workstreams. The Canalside DPD will remain in the LDS demonstrating the commitment to producing the document, although will not have a timetable against it. Should sufficient capacity mean that this can be progressed alongside other documents, then officers will endeavour to do this. As the LDS is reviewed every year, priorities will be reviewed next year.
- 1.41 ***Purpose Built Student Accommodation (PBSA) DPD***
- 1.42 In the 2021 LDS a public consultation on a PBSA DPD was indicated for Quarter 4 of 2022. The PBSA DPD had previously slipped due to priority being given to the SWLP and the NZC DPD. Furthermore, the impact of the Covid-19 pandemic on the numbers of overseas students had made it difficult to predict what the accommodation needs for Warwick University students may be. These challenges in predicting student numbers would make it very difficult to have a reliable evidence base on which to prepare a PBSA DPD and on which its soundness would depend.
- 1.43 Since the publication of the LDS in 2021, the team has experience significant staff resource challenges and therefore with the limited capacity available in the team, the decision has been taken to focus on the SWLP and NZC DPD. As noted above, both these Plans continue to require significant input from officers within the team and therefore little has changed in terms of resources available.
- 1.44 The team has previously explored with the University how it might be able to support the Council in bringing forward this document at the earliest opportunity. Officers propose to resume these discussions to see what tangible support might be available to expedite this piece of work.
- 1.45 Officers have had useful discussions with elected members about bringing forward policy on student accommodation and a clear steer has been given by those members and the Place & Economy PAB that looking to adopt policy relating to purpose-built student accommodation and houses in multiple occupation quickly, in the form of an SPD, would be preferable to the development of a DPD that will take longer to adopt.
- 1.46 Notwithstanding this helpful steer, the LDS continues to propose the production of a DPD on this topic. This is for two reasons: 1. An initial piece of work is needed to be undertaken to understand what it is officers and members are trying to achieve and the scope of an SPD and how this might differ from a more detailed DPD; and whether an SPD will achieve the objectives that the Council is seeking. 2. Previously the Council has sought to produce an SPD on this topic and owing to the desire to develop detailed guidance, strayed into the development of new policy resulting in a legal challenge as new policy would have to be delivered through a DPD mechanism. To avoid a similar situation, the scope of the guidance/policy needs to be carefully considered before taking a decision to move away from the production of a DPD.



- 1.47 Officers, therefore, propose to undertake this initial piece of work at the earliest opportunity, likely to be in Q1 of 2023.
- 1.48 If it is possible to produce a policy document that adds sufficient value to support existing policies without the need to create new policies through a DPD, then officers will be happy to recommend progressing along this route, that will enable the adoption of an SPD earlier than a DPD. If an SPD were to be progressed, it would look to add further guidance relating to Local Plan policy H6 (Houses in Multiple Occupation and Student Accommodation) to update and strengthen existing guidance already published.
- 1.49 **Statement of Community Involvement (SCI)**
- 1.50 Whilst not a DPD or SPD, the 2021 LDS indicated that the Statement of Community Involvement would be reviewed, updated and adopted by the end of 2021. For reasons explored above relating to limited resources and other priorities this proved to not be possible.
- 1.51 The policy team has recently started to review the SCI and consider that it is achievable to bring a report to Cabinet in Quarter 2 of 2023 to seek approval for either consulting on an updated SCI (not a requirement but perhaps appropriate) or the adoption of an updated SCI without formal consultation.
- 1.52 Whilst officers will approach the review with an open mind, it is unlikely that the SCI review will arrive at a position that suggests a radical alternative approach to community involvement, given that the current arrangements largely follow statutory guidance. There will be a need to consider our commitments relating to public consultation and engagement in line with those of Stratford-on-Avon District Council in respect of the SWLP.
- 1.53 **Additional Workstreams for inclusion in the LDS**
- 1.54 In light of the resources available to the team and the ongoing extensive work on the SWLP and other DPDs as set out above along with the other tasks of the team (see paragraph 1.7), there is unlikely to be capacity to undertake much further work in the coming 3 years.
- 1.55 However, three further workstreams are proposed in this LDS:
- SPD/SPG to supplement Net Zero Carbon DPD
  - University of Warwick Masterplan SPD
  - Old Town (Royal Leamington Spa) Regeneration SPD.
- 1.56 **Net Zero Carbon DPD – Supplementary Guidance (SPD)**
- 1.57 Through the preparation of the Net Zero Carbon DPD and responding to consultation representations, it was considered beneficial to prepare supplementary guidance to support the implementation of the DPD (in the form of a Supplementary Planning Document or Supplementary Planning Guidance, the latter having less status). Precise details of what this may cover are to be determined but the following matters will initially be considered for inclusion:
- Content of energy statements to assist developers and planning officers and possibly include an energy statement proforma
  - Advice on the types of technology best suited to broad locations

- How contributions to the carbon offset fund will be utilised and how the Council will exercise its discretion regarding the acceptability of alternative offsite offsetting solutions
- Guidance on embodied carbon assessments
- Guidance on retrofitting existing buildings.

- 1.58 The production of this additional guidance was recommended by our consultants that have supported the Council in producing the DPD. It was deemed more appropriate to be included in a supplementary document to avoid delays in the adoption of the DPD and also to clearly differentiate between the core policies of the DPD and guidance that assists in the implementation of the policies.
- 1.59 The guidance will make the policies easier to implement and seek to minimise the potential for confusion or challenge. It will assist officers in Development Management with the assessment of documentation required to support planning applications resulting from the adoption of the DPD. It will also provide clarification and certainty to applicants about what is required and guidance to support them in designing schemes to meet the requirements of the DPD.
- 1.60 The updated LDS therefore includes the document above as an SPD. However, the timing of its delivery will depend on multiple factors including: whether the DPD is found sound (if the DPD is not adopted then there will be no requirement for the supplementary guidance); the time it takes for the DPD to be examined and found sound; availability of technical expertise from external consultants; and the proposed content of the SPD. As an alternative to an SPD, it may be considered appropriate to adopt guidance that does not have SPD status, and that would reduce publication time. However, this decision can only be taken once the scope of the additional guidance has been determined.
- 1.61 Notwithstanding the uncertainty around the adoption of the DPD, officers and consultants supporting this work, consider it prudent to progress this supporting guidance prior to the adoption of the DPD. Whilst the work is therefore undertaken at some risk, we would want to be in a situation where the guidance can be adopted shortly after adoption of the DPD to ensure clarity is provided to applicants and decision makers.
- 1.62 ***University of Warwick Masterplan SPD***
- 1.63 The University of Warwick Masterplan SPD is something that has been driven to date by the University and is expected to provide a masterplan framework for growth until 2030. The 2009 University Masterplan created a framework for growth between 2009-2019 and The Hybrid Plan, approved in 2018 guides the development of the campus from 2019-2023. Both are now out of date or in need of updating and there is a need to develop a new masterplan to reflect the University's vision to 2030 and beyond. Officers at Warwick District and Coventry City Council have agreed with the University that the preparation and adoption of an SPD would be sensible to guide development proposals that may come forward and ensure that development comes forward under a comprehensive vision for the University and crucially that key matters such as transport, biodiversity, flood risk/drainage and sustainability/energy are properly considered and a framework for planning obligations is agreed.

- 1.64 Whilst officers will be involved in the preparation of the Masterplan, much of the work to prepare the masterplan will be undertaken by the University and their appointed consultants thus reducing the burden on officers. There will however be a need for some officer involvement and discussions are currently underway with the University about how that might be resourced with a Planning Performance Agreement being considered as an option. Notable involvement from officers will also be required before, during and after a public consultation on the SPD.
- 1.65 The timetable in the LDS reflects the ambitious timetable that the University hope to achieve. However, it should be recognised that discussions are ongoing with the University, Warwick District and Coventry City Council officers about resourcing the work and the timetable and therefore this may be subject to change. It should also be noted that the SPD would cover the University's estate in both Warwick District and Coventry, and whilst this Council would only consider matters relevant to Warwick district, the SPD would need to be approved by both Councils in order to come into effect.
- 1.66 ***Old Town (Royal Leamington Spa) Regeneration SPD***
- 1.67 Leamington's Creative Quarter is a long-established regeneration partnership initiative which has recently made significant progress with its first development on the ground at Spencer Yard, supported the by Future High Street Fund (FHSF). The second development, also supported by the FHSF, is utilising WDC building assets at Stoneleigh Arms on Clemens Street and Old School on Court Street. To maximise the catalyst for further regeneration in the surrounding area of the Old Town, a Supplementary Planning Document (SPD) is proposed covering Althorpe Street, Court Street, Wise Street, Bath Place Car Park and linking up to Spencer Yard and the Old Post Office / Sorting Office.
- 1.68 Architects have been appointed by the Council to progress this work and liaise with Council officers, and the LDS proposes that this work on developing a regeneration framework will continue from the end of 2022 through to Spring 2023. In Summer 2023 it is proposed to consult on the SPD with a view to assessing the responses and amending the document where appropriate and then seeking adoption of the document by the end of 2023.
- 1.69 A significant amount of the preparatory work to produce this SPD will be undertaken by council staff outside of the Policy team, with support from their appointed consultants.
- 1.70 **Summary of documents to be included in updated LDS**
- 1.71 The updated LDS will continue to place a priority on the progression of the SWLP towards adoption and also on the Net Zero Carbon DPD. The development of policy on purpose-built student accommodation / houses in multiple occupation will be prioritised above the Canalside DPD. The Canalside DPD remains within the LDS as policy that the team would like to adopt but owing to other priorities is not timetabled for delivery in the LDS.
- 1.72 The LDS also proposes the adoption of an updated Statement of Community Involvement, the production of a University of Warwick SPD, an Old Town Regeneration SPD, and supporting guidance to supplement the Net Zero Carbon DPD.

- 1.73 It must be noted that the delivery of the LDS as per the timetable in Appendix 1 is dependent on a number of variables, not least the capacity available within the team. The LDS developed assumes a full complement of staff as identified in Recommendation 2 and in paragraphs 1.12 – 1.13.

## **2 Alternative Options available to Cabinet**

- 2.1 Adopt an alternative LDS - The Council could choose not to adopt this Local Development Scheme, and instead suggest a different range of priorities and timetable for the delivery of the identified documents. However, the attached LDS has been developed to bring forward the right documents as swiftly and efficiently as possible in a realistic timeframe and given the resources available. Therefore, this option has been discounted.
- 2.2 The preparation and maintenance of a LDS is a requirement of the Planning and Compulsory Purchase Act 2004 and therefore it is not an option to not publish an updated LDS.

## **3 Consultation and Member's comments**

- 3.1 Officers have discussed the LDS with the Planning & Place Programme Advisory Board (PAB). At its meeting on 3<sup>rd</sup> November 2022 the PAB considered a presentation by the Business Manager for Policy & Site Delivery on the Local Development Scheme. The presentation was well received, and a helpful discussion followed with PAB members expressing their views. Below is a list of key issues that the Planning & Place PAB would like to make to Cabinet following the meeting:
- Recognising that there are many and competing workload pressures, the LDS should focus efforts and resources on where these can deliver "quick wins".
  - Consideration should be given to how to give more immediate priority to policy guidance on HMOs and Purpose-Built Student Accommodation, including through the use of supplementary planning guidance where appropriate.
  - Where more significant policy changes are needed, consideration should be given firstly to whether the South Warwickshire Local Plan is the better place to provide this.
  - If prioritisation is to be given to work on the University of Warwick Masterplan SPD, then the Council should seek financial and other support from the university to deliver this.
  - Given all the above comments, further consideration should be given to whether to prioritise the Canalside DPD over other work in the LDS.
  - The PAB recognised the severe staffing resource pressures (both of recruitment and retention) that the planning policy team is facing. It would invite Cabinet to consider how the council can respond positively to this and increase the staffing resources of the team.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 There are no legal or human rights implications associated with the proposed LDS.

## 4.2 **Financial**

4.2.1 There are no financial impacts relating to this report. As noted in paragraphs 1.12 and 1.13 above, additional staffing capacity within the planning policy team will be created to deliver the LDS and this will be funded from salary savings arising from the deletion of the previous post of Policy & Projects Manager which came about following the recent Council-wide management restructure.

4.2.2 The additional costs associated with the SEA/SA work, subject to the procurement exemption, are to be funded by the existing budget allocated for the delivery of the South Warwickshire Local Plan (and the cost of all consultancy work will be split across the two Councils preparing the plan).

## 4.3 **Council Plan**

4.3.1 The Council's Fit for the Future Strategy is designed to deliver the Vision for the District making it a great place to live, work and visit. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The section below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

### 4.3.2 **People-Health, Homes, Communities**

4.3.3 The documents set out in the LDS have the potential to have significant impact upon the lives of the district's residents, in particular the South Warwickshire Local Plan and Net Zero Carbon DPD. The SWLP will ensure that the housing and employment needs of the district to 2050 are met and will contain policies to promote the development of sustainable communities. Health and wellbeing and responding to climate change are to be key strands of the document. The SWLP and NZC DPD both will result in improving the energy efficiency and sustainability of homes in the district, resulting in a reduction in energy costs for residents. All the documents in the LDS are expected to have an overall positive impact on people's lives and communities.

### 4.3.4 **Services- Green, Clean, Safe**

4.3.5 The Net Zero Carbon DPD directly responds to the Council's Climate Change Action Programme and aims to minimise carbon emissions from new buildings within the district to support the achievement of national and local carbon reduction targets. The SWLP will also develop more detailed policy than in the current Local Plan on tackling climate change including reducing emissions and climate change adaptation. It is also envisaged that the University of Warwick SPD will have a focus on net zero and biodiversity net gain.

### 4.3.6 **Money-Infrastructure, Enterprise, Employment**

4.3.7 The adoption of the proposed documents in the LDS will set out policies and guidance on meeting the housing and employment needs of the district. The impact of geographically specific SPDs at the University and Old Town in Leamington aim to support the continued growth of the University and the regeneration of Old Town.

### 4.3.8 **People- Effective Staff**

4.3.9 Proper co-ordination of the preparation of planning documents will ensure that the team members are able to work more effectively and efficiently. The

production of the documents will aid the development of knowledge and expertise of officers within the team.

#### **4.3.10 Services- Maintain or improve services**

4.3.11 Provision of more detailed guidance on some of the adopted policies will help improve advice and services we provide to development management colleagues. Production of District-wide plans and also locally specific plans will provide certainty and clarity to other council departments and customers about different strategies and policies that will be followed and applied relating to development.

#### **4.3.12 Money- Firm Financial footing over the Longer Term**

4.3.13 The LDS and the documents contained within it will not have any significant implications on the finances of the Council.

#### **4.4 Environmental/Climate Change Implications**

4.4.1 The LDS itself will not have any environmental/climate change implications. However, the documents being prepared will include policies and guidance that will deliver positive environmental and climate change benefits for the district in accordance with the Council's Climate Change Action Programme (November 2021). In particular, the SWLP and the Net Zero Carbon DPD will provide stronger policies that go beyond existing Local Plan policies relating to sustainable development and will aim to deliver developments that are net zero carbon in operation. The NZC DPD is critical to achieving the Council's stated outcome of total carbon emissions within Warwick District being as close to zero as possible by 2030.

#### **4.5 Analysis of the effects on Equality**

4.5.1 The documents in the LDS will be subject to public consultations in accordance with the Council's adopted Statement of Community Involvement. Where required, individual documents within the LDS will be subjected to an Equality Impact Assessment (EqIA).

#### **4.6 Data Protection**

4.6.1 There are no data protection implications associated with the production of the LDS.

#### **4.7 Health and Wellbeing**

4.7.1 There are no health and wellbeing implications associated with the production of the LDS. However, the documents produced within the LDS will help deliver health and wellbeing benefits owing to the delivery of better-quality homes, well connected neighbourhoods and the provision of services and infrastructure that will positively impact the health and wellbeing of the citizens in the district.

### **5 Risk Assessment**

5.1 The adoption and publication of a LDS is a statutory requirement. Therefore, failure to update the LDS could see Warwick District fall short of meeting its statutory requirements.

5.2 Separate decisions have been taken to progress items in the LDS and risks associated with those documents have been considered. Key risks include the requirement to review Local Plans every 5 years and the impact that not adopting the Net Zero Carbon DPD might have on the Council meeting its stated climate change ambitions.

## **6 Conclusion/Reasons for the Recommendation**

- 6.1 The production of a Local Development Scheme is a statutory requirement and should be reviewed regularly. This report and Appendix 1 set out the planning policy priorities regarding the production of policy documents for the next three years, albeit to be reviewed next year. It seeks to set out a realistic and deliverable programme for delivery given staff resources.

### **Background papers:**

The Council's existing Local Development Scheme 2021:

[https://www.warwickdc.gov.uk/downloads/download/420/local\\_development\\_scheme](https://www.warwickdc.gov.uk/downloads/download/420/local_development_scheme)

Warwick District Climate Change Action Programme:

[https://www.warwickdc.gov.uk/info/20468/climate\\_change/1718/climate\\_change\\_action\\_programme](https://www.warwickdc.gov.uk/info/20468/climate_change/1718/climate_change_action_programme)

### **Supporting documents:**

Appendix 1 – Warwick District Council Local Development Scheme, December 2022

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December 2022	
<b>Title of report</b>	Local Development Scheme (LDS)	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder WDC</b>	14.11.22	
<b>Financial Services *</b>	4.11.22	
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>	4.11.22	
<b>Head of Service(s)</b>	4.11.22	
<b>Section 151 Officer</b>	4.11.22	
<b>Monitoring Officer</b>	4.11.22	
<b>CMT (WDC)</b>	4.11.22	
<b>Leadership Co-ordination Group (WDC)</b>	21.11.22	
<b>Other organisations / Other</b>	3.11.22	WDC Planning and Place Programme Advisory Board
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Final decision by this Committee
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes, Forward Plan item 1,322 – scheduled for 7.12.22
<b>Accessibility Checked?</b>	Yes	File/Info/Inspect Document/Check Accessibility



**Cabinet Report – Local  
Development Scheme (LDS), 7<sup>th</sup>  
December 2022  
Appendix 1**



**Warwick District Council**

**Local Development Scheme**  
December 2022

## **1. Introduction**

### **What is a Local Development Scheme?**

- 1.1 This Local Development Scheme (LDS) has been prepared to give the local community and all interested parties information on:
  - the current planning policies that are being used for deciding applications within Warwick District; and,
  - the programme for reviewing these policies.
- 1.2 The Council is required to produce a LDS under the terms of the Planning & Compulsory Purchase Act 2004. The LDS is a three-year programme of work and is reviewed regularly.
- 1.3 The Government is committed to seeing LDS's implemented and in particular to ensure the milestones set out are achieved. The Council will ensure that these targets are met through good project management and annual monitoring.

### **Warwick District's Local Development Scheme**

- 1.4 The Planning Policy & Site Delivery team within the Council's Place, Arts & Economy service area of the Council, has prepared this LDS. The overall project manager is the Head of Place, Arts & Economy. Day to day management of the LDS will be by the Business Manager, Policy & Delivery. In producing this LDS, the Council is committed to the following:
  - to make the LDS as clear as possible to understand; and,
  - to publish the LDS on the Council's web site.
- 1.5 There are a number of commitments within the Local Plan (2011-2029) to review and/or update a variety of Development Plan Documents (DPD) and Supplementary Planning Documents (SPD). A number of these documents have already been adopted, some are under preparation or yet to commence and alternative approaches to developing policy on others has been followed. These commitments are due over the life of the Plan, and therefore the LDS needs to prioritise which to bring forward first, along with bringing forward documents that arise through other need.

## **2. Adopted Planning Policy Documents**

- 2.1 The Warwick District Local Plan 2011-2029 was adopted in September 2017. This is the overarching policy document for the whole district and sets out the Council's policies and proposals to support the development of the district through to 2029. It sets out a long-term spatial vision for how the towns, villages and countryside in the district will develop and change and how this vision will be delivered through a strategy for promoting, distributing and delivering sustainable development.

- 2.2 Table 1, below, sets out the documents that have been produced since the adoption of the Warwick District Local Plan 2011-2029 and when they were adopted.

**Table 1: Planning Policy documents produced since the adoption of the Warwick District Local Plan 2011-2029**

Title	Details	Target	Delivery
Residential Design Guide SPD	Sets out design standards for residential developments of all sizes throughout the District (note that this may be supplemented by major site-specific design guidance)	Adoption Q3 2018	Adopted Q3 2018
Parking Standards SPD	Sets out parking standards for residential, commercial and other developments	Adoption Q3 2018	Adopted Q3 2018
Air Quality SPD	A sub-regionally produced SPD that will set out the requirements with relation to Air Quality issues	Adoption Q4 2018	Adopted Q1 2019
Land East of Kenilworth Development Brief SPD	Site-specific development guidance for the major housing site allocations on the East of Kenilworth	Consultation Q4 2018	Adopted Q1 2019
Public Open Space SPD	Sets out the requirements for the provision of public open space within developments	Consultation Q4 2018	Adopted Q2 2019
Custom and Self-build SPD	Sets out guidance for the provision of self-build and custom build plots and how the authority intends to ensure the meeting of the required volume of plots	Consultation Q4 2018	Adopted Q2 2019
Affordable Housing SPD	Details the requirements to meet the affordable housing needs, including housing and tenancy mixes	Adoption Q1 2020	Adopted Q3 2020
Development Contributions SPD	Guidance that sets out developer contributions, including model Section 106 agreements	Adoption Q1 2020	Adopted Q3 2020

- 2.3 Warwickshire County Council is responsible for producing minerals and waste plans. These are specific topic-based Development Plan Documents (DPD). Warwickshire County Council adopted a Waste Core Strategy in 2013. In July 2022 it also adopted the Warwickshire Minerals Local Plan 2018-2032. This Plan provides the overall strategy and general mineral policies along with a number of site allocations for the extraction of sand and gravel up to 2032. More information about these can be found at:

<https://www.warwickshire.gov.uk/mwds>

### 3. Emerging Planning Policy – Priorities

- 3.1 The adopted Local Plan sets out a number of Development Plan Documents, Development Briefs and Supplementary Planning Documents that the Council committed to producing when preparing the Local Plan.
- 3.2 Table 2, below, sets out the priorities for the delivery of planning policy documents over the next 3 years. Whilst this section provides a high level overview of the LDS priorities, the Warwick District Cabinet Report 'Local Development Scheme – LDS', 7<sup>th</sup> December 2022, sets out more detail on the progress to date of the delivery of items included in the LDS and sets out a rationale behind the LDS and the inclusion of documents that have not previously featured in it.
- 3.3 The two key priorities are the preparation of a South Warwickshire Local Plan and also the adoption of a Net Zero Carbon DPD.
- 3.4 The Council has committed to reviewing the Local Plan and in doing so has taken the decision to produce a joint **South Warwickshire Local Plan** (SWLP) with Stratford-on-Avon District Council. This plan will cover the geographic areas currently administered by the two councils. It will set strategic policies and a growth strategy for the combined area.
- 3.5 It is anticipated that the SWLP will come forward in stages, with a strategic Part 1 plan, followed by subsequent parts to the plan. Work has commenced on the preparation of this Plan and an initial Scoping and Call for Sites Consultation was undertaken in 2021 and, subject to approval from a Joint Committee, will go to an Issues & Options Consultation in January. It is anticipated that a Part 1 SWLP will be adopted by the end of 2025, with subsequent parts to the plan to follow. The Issues and Options consultation will explore and seek feedback on what should be included in Part 1 of the Plan.
- 3.6 A detailed timetable for the delivery of the South Warwickshire Local Plan is set out on the SWLP website, under the 'Stages' heading:  
<https://www.southwarwickshire.org.uk/swlp/> .
- 3.7 A **Net Zero Carbon DPD** has been produced in response to the Council's Climate Change Action Programme. The title of this document has changed from the Climate Change and Sustainable Buildings DPD, as set out in the previous LDS. This document has been through two public consultations and will be the subject of a public examination. The delivery date for adoption is assuming that an examination will take place in the first half of 2023.
- 3.8 Through the production of the Net Zero Carbon DPD, it was considered prudent, to support the implementation of the DPD, to produce additional supporting guidance in the form of an SPD. This SPD is therefore included

within the LDS and its adoption is very much dependent upon the DPD being adopted and the timescales for that.

- 3.9 The **Canalside DPD** is a document that the Local Plan indicates that the Council will seek to adopt. Whilst notable progress was made on the delivery of this document, further consultation is required to progress it and a public examination would be required. In considering priorities, with member input, this is considered to be a lower priority than the other documents set out in this LDS. Therefore, whilst it remains on the LDS, there is no timetable set out for its adoption. When next reviewing the LDS, this will be re-visited and its priority and delivery will be considered in light of other priorities and staff capacity at the time.
- 3.10 Of greater interest from residents and members is the production of policy relating to student accommodation. The LDS includes a timetable for the delivery of a **Purpose-Built Student Accommodation DPD**. However, officers, with the input of members, will look at the scope of this document and consider if there would be any merit in producing a more limited SPD if it would address many of the issues of concern.
- 3.11 The LDS also includes the production of the following documents:
- University of Warwick Masterplan SPD
  - Old Town Regeneration SPD
  - Statement of Community Involvement Review.
- 3.12 The **Statement of Community Involvement**, initially adopted in January 2016, is in need of review as whilst it was updated in 2020, this was a specific update in light of the Covid-19 Pandemic.
- 3.13 The need for the other two SPDs have become apparent when working with partners. It is considered appropriate to develop a new masterplan to reflect the University's vision to 2030 and beyond. It is also considered helpful to support the regeneration aims of part of Old Town in Leamington Spa to develop an SPD to guide development.

**Table 2: Emerging Planning Policy – Priorities over the next 3 years (2023-2025)**

Title	Details	Delivery
South Warwickshire Local Plan	A strategic development document produced for South Warwickshire by the joint planning teams from Stratford District Council and Warwick District Council. The SWLP will incorporate matters relating to Gypsy and Traveller Accommodation	Adoption Q4 2025
Net Zero Carbon DPD (formerly referred to as 'Climate Change and Sustainable Buildings DPD')	Setting out additional policy and requirements to minimise carbon emissions from new buildings aiming to ensure all new developments are net zero carbon in operation	Adoption Q3 2023

## Appendix 1

Purpose Built Student Accommodation DPD	Setting out the relevant policies for the development of purpose-built student accommodation in the District	Adoption Q2 2025
Net Zero Carbon DPD – supplementary guidance SPD	Providing additional guidance to supplement the implementation of policies within the Net Zero Carbon DPD	Adoption Q1 2024
University of Warwick Masterplan SPD	To provide a framework for the preparation of the University's development to 2031, which approved the level and broad location of growth on campus and agrees any mitigations such as transport and biodiversity through a Framework s106 to apply to future applications	Adoption Q4 2023
Old Town Regeneration SPD	To guide and support the regeneration of part of Old Town in Royal Leamington Spa	Adoption Q4 2023
Review of Statement of Community Involvement	To review and publish an update of the Council's Statement of Community Involvement, setting out how and when we will consult on planning matters	Adoption Q2 2023
Canalside DPD	Identify areas for regeneration and areas for protection and to set out a framework for development, working in harmony with the adopted Canal Conservation Area	No timetable – see below

3.14 The anticipated delivery plan for each of these priorities can be found at the end of this document. However, it must be noted that there are many variables that could affect the timetable for delivery.

## 4. Neighbourhood Plans

4.1 Neighbourhood Plans are brought forward by local Qualifying Bodies, often Town and Parish Councils. These Plans form part of the Development Plan for the area that they cover and add further local emphasis to the strategic policies of the adopted Local Plan. Following an independent Examination, Neighbourhood Plans undergo a local referendum to gauge public support. If supported the plan is 'made' and is used alongside the Local Plan and other relevant DPD/SPDs in determining planning applications.

4.2 10 Neighbourhood Plans have been adopted since 2016, 8 of which were made following the adoption of the Warwick District Local Plan. An up-to-date record of 'made' Neighbourhood Plans is maintained on our website: [https://www.warwickdc.gov.uk/info/20444/neighbourhood\\_plans](https://www.warwickdc.gov.uk/info/20444/neighbourhood_plans)

- 4.3 Only one neighbourhood plan is known to be currently under preparation. This is a neighbourhood plan for the Cubbington parish and is at a very early stage of preparation.

## 5. Monitoring

- 5.1 The Council is required to monitor both the implementation of the LDS and the extent to which its planning policies are being implemented. For the purposes of this report, the policies of the adopted Warwick District Local Plan (2011-2029) are monitored through the Authority Monitoring Report (AMR).
- 5.2 It should be noted that the AMR is not a Local Development Document (LDD) and therefore is not included within the LDS. The AMR for 2021/22 will, however, be published on our website in the near future.
- 5.3 Local Planning Authorities are also required to publish an annual Infrastructure Funding Statement (IFS) providing information on the contributions sought and received from developers for the provision of infrastructure, and the subsequent use of those contributions by the Council. Warwick District will be producing an IFS for 2021/22 by 31<sup>st</sup> December 2022.

## 6. Political Management of the Local Development Framework

- 6.1 The Council's decision making arrangements are set out in Table 3, below.

**Table 3: Warwick District decision making process for planning policy documents**

Document	To include	To be approved by
All Development Planning Documents except South Warwickshire Local Plan	Local Plan and all other DPDs that are subject to full public examination as required by the Act	Full Council following a recommendation by Cabinet
South Warwickshire Local Plan		Full Council following a recommendation by the Joint Cabinet/Executive Committee (*)
Statement of Community Involvement		Cabinet
Local Development Scheme		Cabinet
Supplementary Planning Documents	Supplementary guidance, development briefs and other	Cabinet

	documents identified in this and future LDSs as SPD	
Authority Monitoring Report		Published on website
Custom and Self-build Progress Report		Published on website
Infrastructure Funding Statement		Published on website
* The Joint Committee is made up of councillors for Warwick District and Stratford-on-Avon District Councils.		

## 7. Delivery Plan

**Table 4: Local Development Scheme Delivery Plan 2023-2025**

Year		2022				2023				2024				2025			
Document name	Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
South Warwickshire Local Plan						C			C			C		S		E	C
Net Zero Carbon DPD					S		E	A									
Canalside DPD																	
Purpose Built Student Accommodation DPD								C		C		S		E	A		
Net Zero Carbon DPD – supplementary guidance SPD									C	A							
University of Warwick Masterplan SPD								C	A								
Old Town Regeneration SPD								C	A								
Statement of Community Involvement Review						C	A										

Key:

C = Consultation

S = Submission for examination

E = Examination

A = Adoption



## **8. Contact details**

- 8.1 For more information about any of the matters raised in this Local Development Scheme please contact:

Policy & Site Delivery Team,  
Place, Arts & Economy  
Warwick District Council  
PO Box 2178, Riverside House  
Milverton Hill,  
Royal Leamington Spa  
CV32 5QH

Tel: 01926 456525

Email: [planningpolicy@warwickdc.gov.uk](mailto:planningpolicy@warwickdc.gov.uk)

- 8.2 This document, together with all other Local Development Documents produced by Warwick District Council will be made available on the Council's website.

**Title:** Business Improvement District (BID) Leamington – Update on BID Renewal Process and Progress

**Lead Officer:** Joanne Randall – Strategic Economic Development Officer  
01926 456015/ 07887 684059

Joanne.randall@warwickdc.gov.uk

**Portfolio Holder:** Councillor Liam Bartlett

**Wards of the District directly affected:** Clarendon and Milverton

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### **Summary**

To update Cabinet on the progress of the Business Improvement District Leamington Ltd (BID) renewal process within Leamington Spa town centre and to seek delegated authority to deal with elements of the process.

### **Recommendation(s)**

1. That Cabinet notes that, as required by regulation 3(2) of The Business Improvement District (England) Regulations 2004, BID Leamington (as the BID proposer) has served notice of their intention to seek a BID renewal ballot to the Secretary of State and Warwick District Council (WDC) as the Billing Authority as per the timeline in Appendix One. A letter was sent to The Secretary of State and WDC on Tuesday 11 October 2022 and confirmation of receipt was received on the same day
  2. That Cabinet approves the proposed Baseline Agreement, set out in Appendix Two, and delegates authority to the Head of Place, Arts and Economy, in consultation with other relevant officers and portfolio holders to agree any minor changes to the Agreement.
  3. That Cabinet notes that the Chief Executive will be the Returning Officer for the ballot, the cost of which will be borne by the Council and approves the engagement of 'UK Engage' to carry out the renewal ballot on behalf of the Council in accordance with the BID Regulations (2004).
  4. That Cabinet delegates authority to the Head of Place , Arts and Economy (PC) in consultation with the Place, Arts & Economy Portfolio Holder to agree an appropriate Operating Agreement with the BID.
  5. That Cabinet notes a further report will be presented to the 9<sup>th</sup> February 2023 Cabinet providing details of BID Leamington's proposal document and Business Plan.
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## **1 Background/Information**

- 1.1 A Business Improvement District (BID) is a business-led and controlled partnership in a given area such as Leamington Town Centre, which

delivers an agreed set of services and projects. These are agreed, and formally voted for, by all businesses in the BID and are in addition to what the public agencies provide.

- 1.2 A BID typically lasts for five years with the bottom-line being that it improves the trading environment. BIDs are governed by legislation contained in the Local Government Act 2003 and the BID Regulations (2004).
- 1.3 BIDs can deliver any projects or services that are agreed by the relevant businesses. In Royal Leamington Spa, these are delivered by BID Leamington under the four pillars: Marketing, promotions and events; Enhancing the environment; Supporting businesses; and Influencing the agenda. The actual projects and services are determined because of detailed consultation with all the business in the BID area and are set out in the Business Plan.
- 1.4 BID Leamington Ltd is set up as a Company Limited by Guarantee. This is a business controlled, not-for-profit company that is responsible for the delivery of the BID Business Plan and is accountable to the BID Board and ultimately its levy payers.
- 1.5 Those businesses that are located within the Leamington BID area and whose property has a rateable value over the set threshold will pay an additional percentage of their rateable value towards the BID. This is called a BID Levy. The BID Levy is normally paid by the occupiers of a property. The BID Levy is collected in July on an annual basis and invoices are issued by Warwick District Council, as the collection agent. Properties with a rateable value below the threshold that are located within Leamington Town Centre can be included as a voluntary member of BID Leamington for a set fee calculated in a similar way to levy paying businesses. This means that the property will receive similar benefits e.g., inclusion on the Royal Leamington Spa website, Mini-Maps & Guides, Little Book of Offers advertising and more. The threshold and levy are set through the Business Plan process.
- 1.6 BIDs can only carry out projects or services in addition to those that public agencies must provide on a statutory basis and/or choose to deliver on a discretionary basis. However, a BID can agree to provide additional resources to deliver a higher level of local authority service over the current benchmarked level. An example of this might be a Christmas Lights contribution whereby BID funding has been used to enhance the lighting in the BID area, but the Local Authority continue to fund the installation, take-down and power.
- 1.7 BID Leamington is governed by a board of directors consisting of 16 elected members that represent a cross section of skills, experience and sectors including: Independent Retail, Property Owners, Major Retail, Leisure, Office / Creative / Tech, Local Authority (2), Tourism, Marketing and Finance. Within this, two positions can be filled by a voluntary member (i.e., whose business is below the rateable value threshold).
- 1.8 Royal Leamington Spa continues to face increasing competition from other towns and cities, out of town retail parks and the internet. BID Leamington has made significant achievements in supporting local businesses and the local economy through its continued marketing activities and events such as the annual Food Festival that attracts over 20,000 visitors to the town to that one event alone but for the

Leamington Spa to remain competitive it needs to continue to generate additional levels of funding to attract shoppers and visitors and ensure the town centre is vibrant and well managed for those living and working there. The BID Leamington Business Case will be brought to Cabinet at the 9th February meeting and will demonstrate the added value brought to the town and the local economy through its initiatives, business support, events and promotional activity.

- 1.9 Local businesses currently face unprecedented economic pressures through a combination of factors which include the impact of post Brexit trading/ environment; recovery from the Covid-19 pandemic; global economic downturn and cost of living crisis exacerbated by the war in Ukraine. The effects of which are being felt acutely in the retail and hospitality industries with increased energy and supply costs and staff recruitment difficulties. Considering these issues and with the changing face of the 'High Street' the support of BID Leamington is even more relevant and important than ever. The composition of the town centre is also changing with more offices and residential space being developed so in future the idea of including a wider range of businesses in the BID will be explored which will broaden the existing retail and leisure focus.

## **2 Alternative Options available to Cabinet**

- 2.1 To not support the renewal of BID Leamington: not considered as there are no grounds to do this and because of the significant impact on the business community and the Council's reputation.

## **3 Consultation and Member's comments**

- 3.1 Consultation is being undertaken by BID Leamington during the course of the BID Ballot renewal process.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 BIDs are governed by legislation contained in the Local Government Act 2003 and the BID Regulations (2004).

### **4.2 Financial**

- 4.2.1 Warwick District's Council current BID Levy contribution across its 8 properties in the BID area is £11,056. It is anticipated that, in the event of a yes vote to renew the BID future Levy charges could be accommodated. The future BID Levy may alter if WDC decide to redevelop or dispose of any of its assets liable to the BID Levy.
- 4.2.2 Warwick District Council currently charges BID Leamington £8,500 per annum (before VAT) to collect the BID levy on their behalf. This figure is currently being reviewed to ensure that the Council makes full cost recovery.

### **4.3 Council Plan**

- 4.3.1 In respect of Warwick District Council Business Plan, it must respond to the headings of People - Health, Homes, Communities, Services - Green, Clean, Safe, Money- Infrastructure, Enterprise, Employment, People - Effective Staff, Services - Maintain or Improve Services -and Money - Firm Financial Footing over the Longer Term.
- 4.3.2 Fit for the Future (FFF) The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and

Visit. To that end amongst other things the FFF Strategy contains several Key projects.

4.3.3 The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
<b>Impacts of Proposal</b>		
<p>BID Leamington has a commitment to ensuring the town centre is a community centre and business and community health and wellbeing forms a strand of the Business Plan. Events such as the Food Festival and Lantern Parade are free to attend and contribute to a more healthy, integrated community. BID Leamington also supports many other cultural and creative events and charities such as Art in the Park, the Myton Santa Dash, the Carnival, Cars at the Spa and others.</p>	<p>BID Leamington delivers a number of activity strands that contribute to a safer, greener Town Centre. This has included significant investment in additional floral baskets as well as contributions to the Safer Neighbourhood Forum, developing Meaningful Change, supporting Helping Hands Charity and Warwickshire Retail Crime Partnership. Future activities will also focus on strategies to tackle antisocial behaviours.</p>	<p>BID Leamington’s existence has a marked impact on the vibrancy of Leamington Town Centre given the level of investment (£1.5 million) and the amount of work (promotion, campaigning, events) it provides for the town centre. It also works to make members more efficient and productive thereby improving the performance of the local retail economy.</p>
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>

<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered, and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
<b>Impacts of Proposal</b>		
None	None	As per 5.2 below, failure for the BID to be renewed may result in increased cost to the Council.

#### 4.4 **Environmental/Climate Change Implications**

#### 4.5 **Analysis of the effects on Equality**

#### 4.6 **Data Protection**

#### 4.7 **Health and Wellbeing**

### 5 **Risk Assessment**

5.1 The most significant risk faced is if BID Leamington is not successful in their renewal as Leamington town centre may lose investment in the region of £1.5 million collected as the levy from businesses over the course of the five years.

5.2. Warwick District Council would lose £8,500 of income should the renewal not be successful. However, given that the income relates to specific work undertaken on behalf of the BID, the loss of income will be offset by no longer requiring the expenditure. Further, in the event of a 'no' vote the Council would not be required to pay its BID Levy charges.

### 6 **Conclusion/Reasons for the Recommendation**

- 6.1 BID Leamington Ltd was initially established in 2008 with Warwick District Council acting as Billing Authority and has been renewed in 2013 and 2018. The current term concludes in June 2023. The BID Leamington Board of Directors has decided it wishes to proceed with a renewal ballot.
- 6.2 In accordance with the mandatory notice period of 126 days before the ballot date, the Board of BID has notified WDC (as the billing authority) and the Secretary of State in October 2022 of their intention to seek a renewal ballot.
- 6.3 In line with The Business Improvement Districts (England) Regulations 2004; Regulation 4, BID must submit to WDC a copy of their renewal proposal, their proposed financial business plan, a summary of the consultation taken with the BID levy payers and a summary of the

- financial management arrangements for the BID. This is currently being worked on by the BID and will be presented to Cabinet at the 9th February 2023 meeting.
- 6.4 The BID Regulations (2004) require every BID to have a Baseline Agreement with the Local Authority for the areas that sets out the services that the Council will deliver. This Agreement ensures that the BID Levy is only used to provide 'additional value' services for the business community and is not used to pay for core services provided by the Council. The Baseline Agreement put in place for the 2018 renewal covered a broader Baseline Agreement than the previous agreements and it is proposed the same agreement be used for the 2023 Renewal. This is set out in Appendix Two, but delegated authority is requested if there is a need to make any minor changes prior to the commencement of the ballot process.
  - 6.5 UK Engage are an independent supplier of ballot and election services and were selected from a competitive tender interview process to provide the service for the BID Ballot. The Chief Executive would remain the Returning Officer. The costs for the Ballot will be borne out of WDC's Economic Development budget.
  - 6.6 The BID Legislation (2004) requires that the proposal document and Business Plan must be submitted to the local authority (as the Accountable Authority) for sign-off, ensuring that the Plan is legally compliant.
  - 6.7 The Operating Agreement will be reviewed by SDC Legal Services and amended to reflect the actual steps of the BID levy collection process. The Operating Agreement forms part of the BID Business Plan and, although good progress is being made, it is not yet agreed and there is insufficient time to bring the Operating Agreement to the Cabinet for separate approval prior to being incorporated into the Business Plan and as such delegated authority is sought to approve the Operating Agreement.
  - 6.8 A final report will be brought to Cabinet on 9th February 2023 with the completed Business Plan, a review of the completed milestones and a recommendation regarding the Council's voting position.

### **Background papers:**

Please provide a list of any papers which you have referred to in compiling this report and are not published documents. This is a legal requirement.

You must also supply these when submitting the report.

### **Supporting documents:**

This is not a legal requirement but may assist others in identifying documents you have referred to in producing the report.

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December 2022	
<b>Title of report</b>	Business Improvement District (BID) Leamington – Update on Renewal Process	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		Clarendon and Milverton
<b>Portfolio Holder WDC &amp; SDC *</b>		Cllr Liam Bartlett
<b>Financial Services *</b>		Andrew Rollins
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>		Chris Elliott
<b>Head of Service(s)</b>		Philip Clarke
<b>Section 151 Officer</b>		Andrew Rollins
<b>Monitoring Officer</b>		Andrew Jones
<b>CMT (WDC)</b>		Chris Elliott/ Andrew Jones
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		BID Leamington
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to: Cabinet / Council
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes
<b>Accessibility Checked?</b>		No N/A



## APPENDIX ONE – BID LEAMINGTON Renewal Timescales

Time Period	Activity
Sep 2022	Local Authority consultation on the Operating Agreement and Baseline Agreement commences/ongoing
	WDC appoints a company to outsource BID Ballot function – UK Engage appointed
	Business consultation by BID commences/ongoing
Oct 2022	Notification to Secretary of State and Billing Authority to hold ballot (84-day notice)
Nov 2022	Writing of Business Plan and Proposal document
	On-going business consultation
Dec 2022	Agree final Business Plan and Proposal Document
	Agree Baseline and Operating agreement between WDC and BID Leamington
Jan 2023	Letter from WDC to check voter details – Monday 9 <sup>th</sup> January
	Voter list supplied to UK Engage by WDC
Feb 2023	BID Proposal launch meeting (8 <sup>th</sup> February 2023)
9 Feb 2023	Final Documents sent to UK Engage
9 Feb 2023	Notice of Ballot sent to all businesses by WDC (42-day notice)
2 Mar 2023	Ballot papers issued by WDC (28 days before Ballot Day)
30 Mar 2023	Ballot Day deadline 5.00pm
03 April 2023	Count and announcement of ballot result
30 Sep 2023	Disposal of ballot papers

## APPENDIX TWO – BID Leamington Baseline Statement

The baseline agreement sets out the services that will be provided by the Council to the local community and which will be excluded from the BID Business Plan and Levy. The statement will be reviewed on an annual basis with the BID.

Service Area	Service
<b>Neighbourhood and Asset Services</b>	<ul style="list-style-type: none"> <li>• Cleansing of streets, highways, housing and amenity land, open spaces, paths, roads, public areas, car parks, cycle tracks, play areas, bridleways and alleyways.</li> <li>• Provision, emptying and cleansing of litter bins.</li> <li>• Installation, maintenance and fitting of litter bins.</li> <li>• Removal of rubbish following fly-tipping.</li> <li>• Removal of graffiti and fly-posting where practicable.</li> <li>• Removal of leaf and blossom fall.</li> <li>• Weed control through weed spraying and/or other methods for removal of weeds and other unwanted vegetation.</li> <li>• Removal of shopping trolleys.</li> <li>• Emergency cleansing of roads following spillages or an accident.</li> <li>• Removal of chewing gum where practicable.</li> <li>• Provision of grass mowing; meadow management; shrub bed maintenance; flower bed maintenance.</li> <li>• Provision of litter/waste enforcement – commercial and residential.</li> <li>• Management and maintenance of parks/horticultural features within public areas.</li> <li>• Provision of Animal welfare, including dog wardens.</li> <li>• Delivery of the Ranger Service.</li> <li>• Testing of brackets, putting up and watering of hanging baskets.</li> </ul> <p><b>Assets:</b></p> <ul style="list-style-type: none"> <li>• Asset management and maintenance of Council owned properties/sites.</li> </ul>
<b>Safer Communities, Leisure and Environment</b>	<ul style="list-style-type: none"> <li>• Licensing and regulation of licensed premises - public houses/restaurants etc where the sale of alcohol or regulated entertainment takes place.</li> <li>• Licensing of late night (after 11pm) food providers.</li> <li>• Provision of street trading consents.</li> <li>• Licensing of taxis.</li> <li>• Monitoring of pollution matters which include noise (industrial and commercial noise/licensed premises), air and land pollution.</li> <li>• Ensuring of health and safety at work.</li> <li>• Provision of the food safety scheme: carrying out inspections in terms of food safety compliance.</li> <li>• Management of council owned taxi ranks.</li> <li>• Monitoring and maintenance of CCTV and related communication systems in public areas.</li> </ul>

	<ul style="list-style-type: none"> <li>• Commitment to Purple Flag.</li> <li>• Commitment to Green Flag.</li> <li>• Management of the leisure centre contracts.</li> </ul>
<b>Finance</b>	<ul style="list-style-type: none"> <li>• Collection of Business Rates, BID levies, administration of reliefs and exemptions.</li> </ul>
<b>Place, Arts and Economy</b>	<ul style="list-style-type: none"> <li>• Operation of Museum, Art Gallery and Visitor Information Centre.</li> <li>• Provision of building control and conservation.</li> <li>• Administering and determining of planning applications.</li> <li>• Provision of pre-applications service.</li> <li>• Enforcement of planning non-compliances.</li> <li>• Determining of planning policy.</li> <li>• Promotion of the town for business investment, including partnership work with Invest in Warwickshire.</li> <li>• Delivery of strategic business engagement.</li> <li>• Working with businesses to identify skills gaps and providing employment support services, including organised Jobs Fairs, work placements, job coaches and customised preemployment training courses.</li> <li>• Management of market permissions.</li> <li>• Delivery of the Christmas lights switch-on event.</li> <li>• Maintenance, installation, storage and power of Christmas lights.</li> <li>• Operation of Event Day Licence procedure to enable events.</li> </ul>
<b>Housing</b>	<ul style="list-style-type: none"> <li>• Licensing of Houses in Multiple Occupation in the private rented sector.</li> <li>• Ensuring private rented sector accommodation meets minimum housing standards.</li> </ul>

Title: Draft Local Transport Plan – Consultation Response  
Lead Officer: Dave Barber, Director for Climate Change  
Portfolio Holders: Councillor Alan Rhead/John Cooke  
Wards of the District directly affected: All

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## Summary

This report seeks approval for the response to Warwickshire County Council's recent consultation on the Draft Local Transport Plan as set out in Appendix 1.

## Recommendation(s)

- (1) That Cabinet approve the consultation response set out at Appendix 1 as WDC's response to The County Council's Local Transport Plan (LTP4) consultation.**
- 

## 1 Background/Information

- 1.1 Warwickshire County Council is in the process of updating the current Local Transport Plan (LTP), which is a document that sets out the transport needs, challenges, objectives, and priorities for the County. The LTP sets out policies to shape future transport schemes and developments within the County. It allows the County Council, to target resources to deliver a transport network that gives people who live and work in Warwickshire access to the facilities they need to go about their daily lives, along with those who visit the area
- 1.2 The current local transport plan (LTP3) was intended to run from 2011 to 2026. But major changes to the way we move, work, shop and carry out leisure activities mean it is necessary to adapt and change to provide a modern transport system. Significant global developments also affect Warwickshire and there is a need to acknowledge and respond to transport challenges brought about by climate change, lifestyle changes because of the Covid-19 pandemic and emerging new transport technologies.
- 1.3 In September 2021 the County Council consulted on the overall strategic priorities of the new Plan (LTP4). This indicated that the **four key themes** should underpin the new Plan. The four themes were **Environment, Well-being, Economy, and Place**.
- 1.4 In the new consultation the County Council have set out a **Core Strategy** to show how the four key themes link into the County Council's wider aims These aims are:
  - Thriving Economy and Places – the right jobs, training, future skills, education, infrastructure, and places
  - Best Lives - communities and individuals supported to live safely, healthily, happily, and independently

- Sustainable Futures - adapting to and mitigating climate change and meeting Net Zero commitments

1.5 The Core Strategy is supported by six proposed **Key Strategies** that together make up LTP4. The key strategies are:

- **Active Travel:** a strategy to promote walking and cycling in Warwickshire to bring the physical and mental health benefits from these forms of transport to more people and protect the environment.
- **Public Transport:** how we intend to work with bus and rail companies to improve the existing public transport network in Warwickshire.
- **Motor Vehicles:** recognising the role of motor vehicles in the county as we move towards more sustainable transport options such as electric vehicles and hydrogen-fuelled transport.
- **Managing Space:** making changes to public spaces to make them more attractive places to be, cleaner and less dominated by vehicles, with the routes that connect them less congested.
- **Safer Travel:** reducing the number of people injured on Warwickshire's roads and increasing the safety and attractiveness of all travel options.
- **Freight Strategy:** managing freight movements across the county to promote and grow our successful economy.

1.6 The consultation opened on 24<sup>th</sup> September and closed on 20<sup>th</sup> November. Offices have provided an Interim Response to the Council to meet the 20 November deadline. This is set out in Appendix 1. Members are asked to agree Appendix 1 as WDC's formal response to the LTP4 consultation.

## **2 Alternative Options available to Cabinet**

- 2.1 It would be possible to offer different views and different priorities in relation to each of the LTP policies. Whilst alternative comments have been considered, officers have based their recommended comments on the overlapping priorities set out in the Climate Change Action Programme and the emerging South Warwickshire Local Plan. Carbon reduction has been the key driver behind the proposed comments.
- 2.2 Another alternative option would be to not make a comment on the draft LTP. This is not recommended as it would deprive the Council from influencing a document which will have a direct impact on the district. Furthermore, with work on the South Warwickshire Local Plan progressing, it is important that any transport ambitions within the emerging Local Plan are also aligned, as far as is within this Council's control, to those in the LTP. This consultation is an opportunity to seek that alignment.

## **3 Consultation and Member's comments**

- 3.1 The portfolio holder for Planning & Place has been consulted on the draft comments prior to submission to the County Council

## **4 Implications of the proposal**

**4.1 Legal/Human Rights Implications:** There are no legal or human right implications of the proposals

**4.1 Financial:** There are no financial implications of the proposed response

- 4.2 Council Business Plan:** The proposed response is consistent with the Council's Business Plan and with the Climate Change theme
- 4.3 Environmental/Climate Change Implications:** The proposed response is consistent with the Climate Change Action Programme, in that it seeks to ensure LTP4 policies prioritise carbon reduction. The County Council's transport-related functions are critical to enabling the achievement of the District Council's carbon reduction ambitions. Whilst it is encouraging to see LTP4 placing a stringer emphasis on carbon reduction than previous iterations, officers consider LTP4 need to be clearer and stringer around its commitment to this issue. The draft WDC response seeks to reflect this.
- 4.4 Analysis of the effects on Equality:** The LTP4 Core Strategy seeks to address the need for safe, sustainable accessibility for all by providing a flexible approach for all geographical areas and all parts of our communities. Officers have not felt the need to offer significant comments in relation to this aspect.
- 4.5 Data Protection:** There are no data protection issues
- 4.6 Health and Wellbeing:** Health and Wellbeing can significantly be impacted by transport options. This includes air quality, health lifestyles arising from active travel choices, and the mental health benefits of being well connected. Road safety is also an issue. LTP4 has wellbeing as one of its key themes and this theme is reflected on the LTP policies for active travel, motor vehicles, managing space and safer travel. In general, LTP4 addresses this theme effectively, although there are several comments in the draft response where officers feel this could be improved.

## **5 Risk Assessment**

- 5.1 There are no significant risks associated with this report and the proposed response in Appendix 1

## **6 Conclusion/reasons for the recommendation**

- 6.1** This report seeks approval for the response to Warwickshire County Council's recent consultation on the Local Transport Plan as set out in Appendix 1. The reasons for the proposed responses are included with Appendix 1.

### **Background papers:**

LTP4 Consultation: [Consultation on draft Local Transport Plan \(LTP4\) - Warwickshire County Council - Citizen Space](#)

Climate Change Action programme

## Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>		
<b>Title of report</b>		
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder WDC &amp; SDC *</b>		
<b>Financial Services *</b>		
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>		
<b>Head of Service(s)</b>		
<b>Section 151 Officer</b>		
<b>Monitoring Officer</b>		
<b>CMT (WDC)</b>		
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to: Cabinet / Council ..... Committee
<b>Contrary to Policy/Budget framework</b>		No/Yes
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No/Yes, Paragraphs:
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		No/Yes, Forward Plan item – scheduled for ..... (date)
<b>Accessibility Checked?</b>		File/Info/Inspect Document/Check Accessibility

**Appendix 1**  
**Local Transport Plan (LTP4) – Key Themes consultation**  
**Response from Warwick District Council**  
**November 2022**



In completing this response, Warwick District Council has tried, as far as possible, to follow the format and questions included in the on-line form on the Warwickshire County Council website. The District Council has, on occasions, provided additional information and comment where this is relevant.

Proposed Core Strategy
To what extent do you agree that the proposed Core Strategy identifies the key transport themes surrounding the future of transport in Warwickshire
Agree
To what extent do you agree that the proposed Core Strategy sets out a strategic approach to addressing the key issues surrounding the future of transport in Warwickshire?
<p>We support the travel hierarchy set out on page 11.</p> <p>It is good to see that in general the Plan is proposing more urban areas are less suited to increasing motor vehicle capacity and more suited to modes that are higher up the hierarchy.</p> <p>The Travel Choices to reduce carbon must inform all policy choices within the plan and all future decision making about transport infrastructure.</p>
To what extent do you agree with the inclusion of each key policy in the proposed Core Strategy?
<p>Whilst we support the importance of engaging with communities it is vital that this is done well (e.g., it should not just be a response to the loudest voices on social media) and so there are two key caveats that should be added to this policy</p> <p>a) The community engagement should be genuine, should allow for deep consideration of the issues and should enable fully informed views from communities to be shared.</p> <p>b) To ensure community views are fully informed, WCC and partners will need to invest considerable time in informing communities about the issues and transport choices. Without these caveats this policy could lead to inertia whereby people make the case for improving existing modes rather than thinking differently about other options and opportunities.</p> <p>This policy does not help with prioritisation where there are tensions between outcomes or where there are tough policy choices. As written the policy make no distinction about which element of the vision should take priority. We would like to see the carbon reduction and sustainability themes to be at the forefront of all decisions and through this to deliver options that delivery healthy communities, jobs, education etc.</p> <p>We agree about the inclusion of the policy on decarbonising transport and transport related infrastructure</p> <p>We also support a flexible approach to policy development in response to a changing Warwickshire. However, we would suggest it should be clarified that the approach that is</p>



taken should always focus on delivering the outcomes set out in other policies and in particular carbon reduction

We agree that data and evidence-led monitoring and evaluation of our transport interventions should be included.

Are there any other issues that you think we should consider in relation to the proposed Core Strategy? Please list these in the box below and explain why you think this.

The LTP4 cannot apply a 'one-size-fits-all' approach and the solutions and management of transport in, for example, Leamington Spa will be very different from in a rural village.

Warwick District Council is currently working with Stratford District Council to prepare a South Warwickshire Local Plan (SWLP). The Plan is expected to replace the strategic policies of the existing Warwick Local Plan which runs to 2029. The South Warwickshire Local Plan will set out a long-term spatial strategy for housing, jobs, infrastructure, and climate change for both Districts. It is anticipated that the next stage of consultation (Issues and Options) will take place in January 2023. The SWLP contains several strategic objectives: Meeting South Warwickshire's Sustainable Development Needs, A resilient and Net Zero Carbon South Warwickshire, A well-designed and beautiful South Warwickshire, A healthy, safe, and inclusive South Warwickshire, A well-connected South Warwickshire and a biodiverse and environmentally resilient South Warwickshire. We consider that for the LTP4 to be meaningful, it needs to deliver the development strategy set out in the SWLP.

It would be useful to refer to the amount of growth Warwickshire will need to accommodate over the next 20-30 years in the overall Core Strategy document as this sets the scene. Given the emerging climate change agenda there are likely to be different approaches to ensuring that new communities are sustainable moving forward. For example, one of the options in the South Warwickshire Local Plan is to look at a possible rail strategy for new growth. There is also the concept of 20-minute neighbourhoods.

In line with the principles of the SWLP, it is suggested that there should be some reference to well-designed places in the aims, and the need for the LTP to acknowledge this in respect of both existing places and new growth.

### **Proposed Active Travel Strategy**

To what extent do you agree that the proposed Active Travel Strategy should be a key strategy within LTP4?

Agree

To what extent do you agree with the inclusion of each policy in the proposed Active Travel Strategy?

Agree

Do you have any comments on the proposed Active Travel Strategy?

The Governments "Active Travel: Local Authority toolkit" references Low traffic neighbourhoods which would support the creation of 20-minute neighbourhoods (Creating places in which most of people's needs can be met within a short walk or cycle.) Reference to that within this active travel section would show a commitment to ensuring that the car is not the only practical way to access services.

#### **AT1: Improving accessibility and attractiveness of active travel options**

We feel it needs to define accessibility, AT1 largely prioritises physical accessibility, which is important but needs to cover the issue of inclusivity, so active travel such as cycling is inclusive of background, ethnicity, age, ability, and gender. It is encouraging that the plan

commits to “easier access to affordable rental bikes but other than that, the wording serves the needs of people that are more likely to already cycle and does not mention about the engagement of ethnic minority groups, women, disabled all of which are under presented in the numbers that cycle.

#### **AT2: Better, safer routes for walking and cycling**

It is recognised in Local Transport Note 1/20 – Cycle Infrastructure Design that “Cycles must be treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians” also “Cyclists must be physically separated and protected from high volume motor traffic, both at junctions and on the stretches of road between them”

It is appreciated that this may not always be achievable, but we feel that it is appropriate that AT2 should reference the standards within LTN 1/20 and aspire to meet them wherever possible.

Reference should be given within this section that any new infrastructure is fully inclusive for non-standard bikes.

Reference should also be made to route proposals having a clear programme of maintenance to ensure that the routes are kept smooth and clear of obstructions/overgrowth.

#### **AT3 - Information and Promotion**

It is recognised and the evidence shows that it is more effective to develop behaviour change and infrastructure together. AT3 should state that WCC and the District Councils will promote the benefit of embedding active travel through walking and cycling engagement events, school focussed initiatives etc. The wording within AT3 should recognise the link between building new active travel infrastructure with behavioural change techniques.

To what extent do you agree that the proposed Active Travel Strategy should be a key strategy within LTP4?

Agree

### **Proposed Public Transport Strategy**

To what extent do you agree that the proposed Public Transport Strategy should be a key strategy within LTP4?

Agree

To what extent do you agree with the inclusion of each policy in the proposed Public Transport Strategy?

Agree

Do you have any comments on the proposed Public Transport Strategy?

#### **General Comments**

We think there should be stronger emphasis on the contribution that public transport can make to reduce car dependency and congestion, lower carbon emissions and fight climate change, improve air quality and health and tackle social inequalities.

There should be a focus on the delivery of zero emission bus solutions. Switching to clean bus fleets requires the delivery of essential infrastructure and this may involve infrastructure on public or Council owned spaces for chargers for example.

#### **PT1: Working with partner organisations to improve public transport**

It is encouraging to note that it is recognised that building strong partnerships is one of the key enablers. Partnership working should be widened out to include the different tiers of government to maximise resources, access funding and collect and analyse data. A wider partnership could look at local enforcement strategies i.e., parking and could involve the third sector to ensure open dialogue and to work together to face common challenges.

#### **PT2: Improved accessibility and attractiveness of public transport as a travel choice**

We agree with the initiatives outlined in this section. Alongside that there should be mention of the integration of the physical network between operators and modes of transport.

**PT3: Information and ticketing**

This is welcome and it is key to integrate ticketing and payment between operators and modes of transport.

**PT5: Community Rail Partnership**

It should be an ambition of WCC that all District and Borough Councils contribute and are practically involved in the Heart of England CRP.

### Proposed Motor Vehicles Strategy

To what extent do you agree that the proposed Motor Vehicles Strategy should be a key strategy within LTP4?

Agree

To what extent do you agree with the inclusion of each policy in the proposed Motor Vehicles Strategy?

Agree

Do you have any comments on the proposed Motor Vehicles Strategy?

**General Comments**

The principle of Low Traffic Neighbourhoods (LTN) needs to be mentioned which in essence consists of residential side streets that are closed to through motor vehicles to prevent “rat-running.” With the creation of LTN’s the concept of “20-minute neighbourhoods” can be considered

**MV1: Using our influence with partners to provide a modern fit-for-purpose route network**

We agree with wording within this section but there needs to be more on the effect that road networks have on climate change issues and the influence that WCC can have on its mitigation. For example, minimising the impact on networks on the quality and quantity of water resources; encouraging the use of recycled materials in construction aggregate; promote opportunities for improving habitat connectivity; the requirement for travel plans to prioritise use of sustainable and low carbon transport which can also reduce costs of transport on air quality and noise.

**MV2: Increased use of technology in network monitoring**

The details of how this could manifest itself would be useful alongside examples of the benefits of technology. There could be ambitions on how technology could be used, i.e., in the design and construction of networks, the operation of the networks and user engagement i.e., information provision.

**MV3 - Maximising funding opportunities**

Agree

**MV4: Making our towns and villages and the routes that connect them better places to be.**

Design guides should promote sustainable transport modes where possible. The LTP should encourage mixed use development at strategic locations to reduce the need to travel and lead to a potential reduction in private car journeys.

Comment needs to be made on the support and promotion of bus services which connects villages and towns and WCC should support the development of transport hubs to facilitate the integration of bus, taxi, rail, and active travel options.

### Proposed Managing Space Strategy

To what extent do you agree that the proposed Managing Space Strategy should be a key strategy within LTP4?

Agree
To what extent do you agree with the inclusion of each policy in the proposed Managing Space Strategy?
Agree
Do you have any comments on the proposed Managing Space Strategy?
<p>We welcome the section on “Managing Space” as this recognises the relationship between transport and place. We agree that transport must remain at the heart of a functioning economy, however, also consider that transport solutions should not be at the expense of good place-making. This is particularly the case in those areas which are subject to the greatest transport pressures (including our town centres) and those areas which are subject to the greatest change through new development.</p> <p>We would therefore ask that the LTP positively considers the following: -</p> <ul style="list-style-type: none"> <li>• Promoting a strong focus on the importance of place-making in all transport-related decisions. This will ensure that transport decisions are always responsive to local circumstances and serve to enhance the creation and maintenance of high quality and distinctive local places. There should be a commitment to work positively with local authorities and all local stakeholders to deliver this.</li> <li>• Promoting the concept of “20-minute neighbourhoods”. For settlements to be sustainable, it is beneficial to maximise any opportunities for people to be able to meet their regular day to day needs within a reasonable walking/cycling distance of their homes. This is referred to as the ‘20-minute neighbourhood’. This is a concept that is being explored as part of the forthcoming South Warwickshire Local Plan.</li> <li>• Improving public spaces, including by supporting more attractive and pedestrian friendly town centres to encourage greater use of active travel which in turn leads to reduced air pollution and congestion.</li> </ul>
<b>Proposed Safer Travel Strategy</b>
To what extent do you agree that the proposed Safer Travel Strategy should be a key strategy within LTP4?
Agree
To what extent do you agree with the inclusion of each policy in the proposed Safer Travel Strategy?
<p>Agree</p> <p><b>Road engineering design to align with appropriate quality standards</b></p> <p>Agree, but (notwithstanding Policy ST5) we would like to see this policy specifically mention the need to focus on the safety of active travel. Engineering design can so often be the reason why people don’t walk and cycle and road design (right down to signalisation timing) which is too often focused on car users and congestion rather than convenient and attractive places and routes for people.</p> <p><b>Promoting safety in all travel choices</b></p> <p>Agree. This is important. The reference to “feeling safe” is particularly important and needs to be given more weight in decision making</p>
Do you have any comments on the proposed Safer Travel Strategy?
<p>This is important and it is good to see a strategy on this topic. Residents will want to feel safe using public transport and walking and cycling infrastructure. For example, well-lit footpaths and dedicated cycle lanes. Issues such as poor pavements, poor safety for cyclists, and the lack of connectivity to green outdoor spaces close to housing must be addressed. Safe, good quality cycling connectivity should be designed into new settlements, including the provision of cargo bikes, and associated cycle racks and storage.</p>

<b>Proposed Freight Strategy</b>
To what extent do you agree that the proposed Freight Strategy should be a key strategy within LTP4
Agree
To what extent do you agree with the inclusion of each policy in the proposed Freight Strategy?
Agree
<b>Promote shift from road to rail and active travel modes</b>
Agree. Would like to see the policy indicate an intention for WCC to play a leading role in delivering this (e.g., proactively promoting low carbon last mile delivery schemes.)
<b>Facilitate the transition to alternative fuels for freight vehicles</b>
Agree. Would like to see WCC play a more leading role in this – e.g., direct investment in low carbon fuels
<b>Support efforts to deliver a better network of lorry parking in the county</b>
Agree
<b>Support and deliver initiatives that improve journey time reliability for freight movements</b>
Whilst we support this policy, it is an example of where the Core Strategy should provide more clarity on priorities where options are conflicting. In our view, priority should be given to Policy F1 rather than this. If that happens congestion should improve with damage to air quality, carbon emissions and at a lower cost.
<b>Reduce the impact of 'last mile' deliveries</b>
Agree
<b>Reduce incidents involving freight vehicles</b>
Agree
<b>Encourage freight vehicles to use appropriate routes.</b>
Agree
Do you have any comments on the proposed Freight Strategy?
The LTP4 should aim to cut the carbon emissions of road transport by enabling efficient low carbon transport and the use of electric vehicles, including for freight.
<b>Development Control LTP Policy Framework</b>
LTP4 policy positions ST2; MS6 – road safety audits and assessments
Regarding new roads constructed by developers, the Framework states that the “County Council will carry out or require road safety audits or assessments on all new schemes and alterations to the existing road network proposed by ourselves or others.” The Framework does not specify when these need to be undertaken. Currently, the information to inform these is frequently requested from developers at the planning stage which is unexpected and unusual. In the Council’s experience, this can be a significant factor leading to hold ups in determining major and other planning applications. It is understood that other Highway Authorities request these at a much later stage in the development process, and the Council would ask that this is considered.
LTP4 policy position MS6 – school travel plans
No Comment
LTP4 policy position MS6 – walking to school
No Comment
LTP4 policy position MS6 – Improvements to the pedestrian network
No Comment
LTP4 policy positions MS1; MS6 – Transport assessments and transport statements
No Comment
LTP4 policy position MS5 – New Road adoptions

No Comment
LTP4 policy position MS6 – Maximising funding opportunities from developer contributions
No Comment
LTP4 policy position MS6 – Ensuring accessibility for pedestrians, cyclists and to public transport
No Comment
<b>Key Themes</b>
To what extent do you agree that the key themes adopted following the previous consultation have been well integrated into LTP4?
Agree
<b>Action Plan</b>
To what extent do you agree with the approach outlined above?
<p>It is not clear from the Action Plan how the schemes have been prioritised in terms of the timescales for delivering some of the schemes. It is not clear what the fall-back position would be for providing some of this infrastructure if the expected funding does not come to fruition, but the projects are clearly priorities.</p> <p>We would make the following comments on specific issues in the Action Plan.</p> <p>2-5 years: -</p> <ul style="list-style-type: none"> <li>• MT003: Emscote road sustainable transport corridor. It would be helpful to have a more specific timescale for the delivery of this project given that it is seeking a significant allocation of CIL funding from WDC.</li> <li>• MT006: (East west cycle track across Leamington town centre). The inclusion of this is welcomed and is correctly identified as being Funded from the future High Streets Fund. This fund needs to be spent by 31 March 2024, so the delivery timescale (column k) needs to be amended to say 2023/24.</li> <li>• There is no reference to the Bath Street improvement scheme for which WCC is currently seeking £3.7m of CIL allocation from WDC. We have understood that this is to be delivered within this period. This also links to the wider Mini Holland study, and it is not clear how any opportunities from this (recognising that these have not, as yet, been agreed) will be included in any Action Plan.</li> </ul>
<b>Performance Monitoring</b>
Please provide your comments or recommendations as to what you consider to be important when monitoring the performance of the LTP and action plan?
<p>It is important to find out how well used some of the active travel and public transport provision is and where there is a lack of users, the reasons for this. Further, whether there are improvements that would make a difference to people's travel and behaviour habits. For some of the longer-term proposals, it is necessary to review and ensure that these projects are still relevant and required given the amount of growth Warwickshire will need to plan for over the coming years. This also links to changes in lifestyle such as more remote working, internet shopping etc.</p>
<b>Integrated Sustainability Appraisal</b>
To what extent do you agree with the assessment outcomes of the Integrated Sustainability Appraisal Report?
Agree
Do you think the proposed measures are sufficient to address the outcomes in the Integrated Sustainability Appraisal?
Agree
Are there any other impacts that we need to take into consideration in the Integrated Sustainability Appraisal or when developing these proposals?

No comment
Please share any ideas on how we could enhance the positive impacts and overcome or reduce the negative impacts of these proposals in the space provided below.
N/A
<b>Awareness of the Local Transport Plan</b>
Do you have any suggestions as to how we could raise awareness of LTP4 in Warwickshire?
We are currently working on the South Warwickshire Local Plan so there are plenty of opportunities through this and the respective consultation process to raise awareness.
<b>Any other thoughts</b>
Having now read LTP4, and considering the previous work to develop our Key Themes around transport, how confident are you that the County Council has listened to Warwickshire residents' and other stakeholders' ideas and concerns and produced a plan which reflects them and wider transport issues?
No comment
Is there anything else you would like to raise regarding the proposed LTP4?
<p>One of the aims of the LTP4 is achieving net zero carbon but the individual policies and policy positions are not strongly enough worded to give confidence that this will be delivered. It is suggested that this is embedded more throughout the LTP as a whole and that the carbon reduction is threaded more strongly through each policy so that consistent and clear decisions can be made. The tone for this needs to be set in the Core Strategy. Climate Adaptation does not feature at all in LTP4. However, we know that more storm events, concentrated rainfall, and longer hotter dry periods are predicted for the UK, including Warwickshire. We would like to see more thought given to the risks associated with weather related disruption and measure to manage these risks such as infrastructure design and links to emergency planning.</p> <p>The policies are quite vague in their current format. They should be more focussed and detailed for them to be measurable and can be monitored effectively to make sure they are being implemented accordingly and used for specific interventions.</p>

Title: HEART Shared Service Partnership  
Lead Officer: Lisa Barker  
Portfolio Holders: Councillor Matecki  
Wards of the District directly affected: All

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## Summary

This report summarises the evaluation of the Home Environment Assessment and Response Teams (HEART) delivery of Disabled Facilities Grants and related services and proposes that Warwick District Council remain a partner for the period 2023–28 by renewing its membership of the partnership for a further five years.

## Recommendations

- (1) That the progress to provide one consistent service to deliver Disabled Facilities Grants and a Home Improvement Agency Service for the whole County be noted; and**
  - (2) That Warwick District Council renew membership of HEART from April 2023 for a period of five years.**
  - (3) That once a new legal agreement for a five-year Partnership is complete, delegated authority be provided to the Head of Housing, in consultation with the Portfolio Holder for Housing and Assets, to agree the revised HEART Partnership Agreement.**
  - (4) That delegated authority be provided to the Head of Housing, in consultation with the Portfolio Holder for Housing and Assets, to agree the revised HEART Private Sector Housing Assistance Policy.**
- 

## 1 Background/Information

- 1.1 Since 2017 the five District and Borough Councils in Warwickshire and the County Council have delivered equipment and adaptations funded by Disabled Facilities Grants (DFG's), addressed housing conditions, and provided associated financial support through the HEART. HEART is a shared service hosted by Nuneaton and Bedworth Borough Council (NBBC) and leadership and oversight is secured through the HEART Board, whose membership is formed from all of the Warwickshire District and Boroughs and Warwickshire County Council.
  - 1.1.1 The key function of the HEART Service is to deliver DFG's to fund adaptations and deliver aligned funding and support to enable people to live independently in their own homes. These are typically property adaptations, including stair lifts, level access showers and similar, that enable older or disabled individuals to live in their own homes and avoid admittance to hospital or care facilities as a result of frailty or accident.
  - 1.1.2 The initial HEART Shared Service agreement was set to expire in early 2022,



however for a variety of reasons including the disruptions experienced because of the COVID-19 pandemic and the general view of partners being that disbanding the shared service at this time would present considerable risks and have significant implications for partner's delivery and its customers, a 12-month extension was agreed by all authorities. This would enable some reflection on the delivery of the service by HEART and enable the Board to deliver some of the improvements required following the service reviews.

- 1.1.3 The 12-month extension has afforded the opportunity to consider in detail, the two external reviews and enabled progress against the priorities within the HEART Board Strategic Development Plan. There are clear partner expectations and the benefit of improved understanding of the 2021 White Paper for Social Care. The partnership has benefited from specialist input from Foundations (the national body for Disabled Facilities Grants and Home Improvement Agencies) to ensure that decisions surrounding the future of this important provision are strategic, well informed and focused on the best interests of residents.
- 1.1.4 The temporary extension expires on 31<sup>st</sup> March 2023 and therefore each partner is deciding on their part of the shared service thereafter. Any partner wishing to leave the service is obliged to provide 12 months' notice. This period would be essential for the leaving organisation to establish a new service and for the continuing shared service to revise the operation.
- 1.1.5 There is a risk that if partners do leave the shared service, that the County will take back its employees and with them the substantial additional grant that it provides to support the operation.
- 1.1.6 The HEART service has benefitted from significant scrutiny since its establishment. The most recent report received by Cabinet (and OSC through call in) earlier this year concluded that the Council should work with the HEART Board, the host, and Foundations to deliver the Strategic Development Plan recommendations and return to the question of whether to remain in the Partnership when there was a clearer direction of travel in respect of both the plan and performance.
- 1.1.7 This time is now upon us and therefore the remainder of the report summarises the current position, in order for a decision to be made on this important question. A revised Business Case has been produced which is at Appendix one.

## 1.2 ***Evaluation of the HEART service***

- 1.2.1 The approach to measuring HEART performance focuses on measures that have been recorded historically and which reflect the number of DFG's completed and the time it takes for the adaptation to be completed. Together with the waiting list and budget approvals, these measures are felt to be reflective in broad terms of the efficiency of the service in delivering adaptations and mirror national measures.
- 1.2.2 The Improvement Plan is a key area of focus, particularly as it has been developed in response to two service reviews.
- 1.2.3 For the purposes of this review a further measure has been included, relating to the following:
  - Grant spend – Grant Allocation v's Expenditure Financed by Grant (by year)This measure is an important addition as performance is to a degree dictated by the budget available, as spend cannot exceed budget and reserve.
- 1.2.4 The service has been assessed against the national performance guidance standards.

### 1.3 ***Service/Performance and Strategic Development Plan Evaluation***

1.3.1 Performance trends are shown at Appendix two. Delivery of DFG's is broadly consistent with a dip in 2019/20 as a consequence of being unable to undertake works during the lockdown periods of the pandemic. End to end times are shown from enquiry to case close down and are reported in calendar days. Figures at 1.3.4 report on the same measure but for comparative purposes show from application to completion of works and are shown in working days.

#### 1.3.2 The Improvement Plan

Alongside pure performance data, the ability of the HEART Board to deliver the priorities derived from the Strategic Development Plan are considered an important facet of the evaluation of progress. These Strategic Development Plan priorities were summarised in the 20th April 2022 report to Cabinet as follows, commentary is provided in brackets on current position. The full plan is available at Appendix three:

- Refresh the Business Plan to ensure it reflects current intent and purpose - (Business Plan refreshed and signed off by HEART Board).
- Ensure the service delivery model reflects the Business Plan objectives and meets all partners requirements - (Work in progress).
- Update the staff structure to provide for sufficient capacity to meet the needs of the service and act to develop HR policies which support the team to be effective and efficient - (Work with HR leads underway and Warwick DC contributing, Joint Protocol for HR Management likely to be agreed by end of 2022).
- Complete the installation of the case management and reporting software - (Core Configuration Complete, Go Live planned for March 2023 now seen as the date for full implementation).
- Refresh the Partnership Agreement and governance arrangements. Considerations include appointing an independent Chair to the Board - (Independent Chair Paul Smith the Director of Foundations appointed).
- Consider options for reporting customer satisfaction to the Board and key partners - (Customer satisfaction and revised performance reporting framework in operation).
- Update the Housing Assistance Policy when the Business Plan and service delivery model are signed off - (Revisions to the Housing Assistance Policy underway, options paper received by HEART Board, next steps to refine this and progress through partner governance arrangements with a view to this being live from 1 April 2023.)

#### 1.3.3 Grant spend - Grant Allocation v's Expenditure Financed by Grant (by year).

##### Grant Allocation v's Expenditure Financed by Grant

Year	Grant Allocation	Expenditure financed by Grant (£)	Variance (£)	Narrative
2018/19	816,286	612,636	203,650	

2019/20	880,821	650,339	230,482	
2020/21	880,821	454,610	426,211	Covid
2021/22	999,427	527,917	471,510	Covid
2022/23 YTD	999,427	378,087		

The performance detailed above shows an increased annual spend until the onset of the Covid Pandemic with expenditure beginning to revert to anticipated levels. Spend to September 2022 aggregated up would produce an annual spend of £756,174.

#### 1.3.4 Warwick performance against National guidelines – end to end times

All figures are in working days. There were two cases that skewed the performance figures in 2022/23 these are described below and for this reason, there are two figures shown for the 'application to approval' stage which is also reflected in the total box. The first figure relates to end-to-end times including the two complex cases and the second figure without those cases. Guidance would suggest that the outliers should not be included within calculations.

	National Guidelines	WDC performance 2021/22	WDC performance 2022/23
Application to Approval	130 days/6 months	59	138/67
Approval to completion	260 days/12 months	53	68
Totals	390 days/18 months	112	206/135

There two cases that skewed the performance figures in 2022/23 are as follows:

Issue: Children's Case - Customer decided to use his own Architect due to costs. Architect had to draft new plans as customer wanted to make changes to accommodate additional work which would be paid for privately. Customer delayed works as thought HEART contractor was expensive. Customer also wanted additional works not covered under the DFG, which he wanted quoting by his own builder.

Issue: Delays with Freeholder granting permissions for adaptation. Case place on hold at the request of the customer due to health issues.

It is clear that the performance of HEART falls well within national recommended guide times.

1.3.5 It is the HEART Board's view that significant progress has been made since the last report in April, however some of the priorities are lengthy and complex projects e.g., installation of the case management and reporting software, and whilst these remain incomplete, they are progressing well.

1.3.6 On balance, the view is that the direction of travel is positive and that considered together, the continuing delivery of this work will ultimately enable the service to improve throughput volumes, end to end times and customer experience.

#### 1.4 **Options Appraisal Future Delivery Model of HEART**

- 1.4.1 In broad terms the options for the future of HEART remain identical to those outlined in the 20<sup>th</sup> April 2022 report. The HEART Board continues to remain unanimously of the view that the option offering the most for residents is to retain the HEART Partnership as is, with the existing host and continue to drive performance improvement.
- 1.4.2 The question for the Council is a simple one of whether, given the above, it wishes to remain part of this improving Partnership or establish a new team to delivery DFGs for just Warwick District.
- 1.5 ***National Context and Future Contribution of DFG Interventions***
  - 1.5.1 Much of the national context is unchanged since the last report and revolves around the role for adaptation in the recent Social Care White Paper 2021. The White Paper makes it clear that there will be a growing role for the DFG process and minor repairs/changes within people's homes in maintaining independence as they age. This aspiration is likely to be supported by increased funding (additional £570m cited). It remains the HEART Boards' and Foundations' view that the growing contribution of DFGs is best facilitated through a countywide delivery mechanism.
  - 1.5.2 The DFG is funded by the Department of Health and Social Care as part of the Better Care Fund this is in recognition of the importance of ensuring adaptations are part of an integrated approach to housing, health, and social care locally, and to help promote joined up person-centred approaches to supporting communities. Funding must be spent in accordance with Better Care Fund plans which are agreed between local government and local health commissioners and owned by the Health and Wellbeing Board.
  - 1.5.3 Funding for DFG's has grown slightly faster than inflation over the past decade with all Warwickshire authorities receiving approximately 45% higher allocations in 2021/22 than they received in 2016/17. This represented an increase from £3.5m (2016/17) to £5.1m (2022/23).
  - 1.5.4 In March 2022, Government published a new guidance document for Local Authorities in England which stresses the importance of working together to deliver DFG and allied services to those in such need.

## **2. Options for HEART**

- 2.1 There are two options as outlined below:
- 2.2 Option 1 – To support the recommendations of the HEART Board and subject to the development of a satisfactory revised Partnership Agreement, become a party to this new legal agreement for a 5-year Partnership from April 2023. This is the preferred option for all the reasons articulated above.
- 2.3 Option 2 – To serve an appropriate notice and leave the HEART Partnership and create a new platform for the delivery of DFG's and aligned services. This is not the preferred option for all the reasons detailed in the Risk Assessment section below.

## **3 Consultation and Member's comments**

- 3.1 The Portfolio Holder states although the figures are well under nation guidelines, the average time taken from application to completion is still taking longer than we would like. However, the service is improving as new systems and practices are introduced, with lead times continuing to fall. The current

arrangement also provides this Council with good value for money for the service.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 DFG is a mandatory grant and local authorities are legally required to provide help to those who meet the eligibility criteria, regardless of whether the authority has sufficient budgets to meet the requests. The Housing Grants, Construction & Regeneration Act 1996 sets out the purposes for which a DFG can be provided, and this is summarised as the works being necessary and appropriate to meet the needs of the individual, whilst being reasonable and practicable given the age and condition of the property.
- 4.1.2 The Regulatory Reform Order 2002 added flexibility to the above as it gave local authorities the power to determine their own policy and use their DFG 'allocation' to provide other forms of assistance to support people in their homes.
- 4.1.3 There are no immediate legal implications arising from this report. However, further legal advice may be required in relation to future proposals and the form they take. This may include the governance arrangements; wider consideration of powers and it is also important that equalities implications under the Equalities Act 2010 are carefully considered (and demonstrably so).

### **4.2 Financial**

- 4.2.1 There is a permanent established post dedicated to this role at Grade E1 which is currently filled. There is a revenue budget of £41,816 including pension and on-costs to meet the annual costs of the partnership
- 4.2.2 The 2021 Social Care White Paper confirmed the Government's commitment to a national allocation of £570m until 2024-25. In 2021-22 Warwickshire authorities combined DFG allocation was £5,124,786. Nonetheless whilst the Government has committed to consulting on the current allocation formula at the current time there is no guarantee that the Warwickshire authorities' allocations will remain at the same level for the entire award period.
- 4.2.3 The HEART project has been established as a countywide shared service and has its own revenue budgets. The capital funding provided to Warwick District Council from central government to provide DFG's is passed directly to the HEART service for the same purpose.
- 4.2.4 Whilst HEART undertakes the assessment for adaptations in all tenures, DFG's fund private sector adaptations with the Housing Revenue Account covering the costs of adaptations for council tenants.

### **4.3 External impacts of the proposal**

#### **People - Health, Homes, Communities**

The provision of a holistic and speedy DFG installation is critical to the dignity and independence of those needing this type of adaptation to their home. A good example would be the benefits in terms of reductions in falls by the provision of a stair lift. The DFG programme is considered to be a contributor to improved health and wellbeing as a result of this and the faster an appropriate adaptation is delivered the better in terms of the health and wellbeing of the recipient and their family/carers.

## **Services- Green, Clean, Safe**

DFG works enable people to maintain independence and remain safely in their homes.

## **Money- Infrastructure, Enterprise, Employment**

The work around DFG's supports local contractors to retain businesses and their workforce.

### **6.4 Internal impacts of the proposal**

#### **People - Effective Staff, Services**

DFG's are a mandatory service required of Local Housing Authorities.

#### **Maintain or Improve Services**

The proposals in this report will enable DFG services to be maintained and improved.

#### **Money - Firm Financial Footing over the Longer Term**

Remaining in the shared service is the most economic option for the Council.

### **6.5 Environmental/Climate Change Implications**

- 6.5.1 There are limited environmental considerations, although the work around housing standards and general health and wellbeing does have regard for a warm and safe home which could include measures such as efficient central heating and appropriate insulation.

### **6.6 Analysis of the effects on Equality**

There are no equality implications to be considered as part of this report although the provision of DFG's enables the quality of life of vulnerable and disabled people to be improved.

### **6.7 Data Protection**

There are no data protection implications associated with the proposals in this report although the subject will be considered in any future extension to the Partnership Agreement that governs the shared service arrangements.

### **6.8 Health and Wellbeing**

The provision of a holistic and speedy DFG installation is critical to the dignity and independence of those needing this type of adaptation to their home. A good example would be the benefits in terms of reductions in falls by the provision of a stair lift. The DFG programme is considered to be a contributor to improved health and wellbeing as a result of this and the faster an appropriate adaptation is delivered the better in terms of the health and wellbeing of the recipient and their family/carers.

## **7 Risk Assessment**

- 7.1 The the two options remaining from those originally presented to the HEART Board are:
- Option 1 - become a party to this new legal agreement for a 5-year Partnership from April 2023; and
  - Option 2 - serve an appropriate notice and leave the HEART Partnership and create a new platform for the delivery of DFG's and aligned services.
- There are risks associated with both of these they are explored below.
- 1.6 Option 1 (Pro's) – These include greater resilience, greater service 'reach',

economies of scale in procurement and management, well developed service infrastructure, established hosting arrangements and an improved HEART Board level leadership and accountability.

- 1.7 Option 1 (Con's) – The most significant weakness within this arrangement is the arm's length nature of partnerships / shared services and consequent distance from operational management that have caused some frustrations around addressing performance issues.
- 1.8 Option 2 (Pro's) – This option has the benefit of giving total control of the Home Improvement Agency elements of this role, but not the Occupational Therapy input. This will provide reassurances around responsibility and accountability and should enable performance concerns to be addressed swiftly.
- 1.9 Option 2 (Con's) – This option places the responsibility for establishing a complex service back on the Council, it will undoubtedly be more costly than the existing arrangements as we benefit from the economies of scale created in the Partnership. It will take a significant amount of time to deliver new IT, policies and procedures, relationships with contractors, and this will require ongoing management and oversight.
- 1.10 Alongside all the above there are four other Warwickshire authorities and Warwickshire County Council within the HEART Partnership. The Partnership is seen as an improving element of the public sector effort to address the needs of an aging population, is aligned to the White Paper and our withdrawal will potentially jeopardise this partnership and cause reputational damage to the District Council.

## 9 Conclusion

- 9.1 It is considered that given the limited and risky alternatives, current financial challenges within the public sector, continuing signs of improving HEART performance, strong progress in delivery of the Strategic Development Plan, and the service resilience and breadth of the HEART offer, that remaining within the HEART Partnership is a more viable option with greater merits and fewer risks than the District Council establishing a new service, separate to HEART to deliver an identical provision.

### Supporting documents:

Appendix 1: HEART Business Case 2022

Appendix 2: HEART Performance comparisons

Appendix 3: Heart Strategic Development Plan

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December 2022
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Title of report	HEART Shared Service Partnership	
Consultations undertaken		
Consultee *required	Date	Details of consultation /comments received
Ward Member(s)		
Portfolio Holder WDC	10.11.22	Cllr Jan Matecki
Financial Services *	9.11.22	Victoria Bamber
Legal Services *		
Other Services		
Chief Executive(s)	9.11.22	Chris Elliott
Head of Service(s)	8.11.22	Lisa Barker/Steve Partner
Section 151 Officer	8.11.22	Andrew Rollins
Monitoring Officer	9.11.22	Andrew Jones
SLT		
Leadership Co-ordination Group (WDC)	21.11.22	
Other organisations		
Final decision by this Committee or rec to another Ctte/Council?		Final decision
Contrary to Policy/Budget framework		No
Does this report contain exempt info/Confidential? If so, which paragraph(s)?		No
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?		Yes, Forward Plan item
Accessibility Checked?		File/Info/Inspect Document/Check Accessibility





# Home Environment Assessment & Response Team

HEART: Helping you Live Independently at Home

## Updated Business Case

Document Title:	An Updated Business Case for the Home Environment Assessment & Response Team (HEART) Service through a shared agreement.
Description:	This updated business case is to provide a partnership structure for the Home Environment Assessment & Response Team (HEART) Service delivered by the 5 District & Borough Councils and the County Council through a shared service agreement.
Authors:	Angela Coates and Rachel Frondigoun
Contact:	Angela Coates
Status:	
Date:	
Rights. Protective marking	

## 1. Introduction

- 1.1 The HEART service is an integrated service approach between social care and housing which focuses on the customer and their carers to deliver the right practitioner at the right time with the right solution to provide for home adaptations. This enables the customer to have choice and control to manage their own lives and maintain their abilities in daily activities within their home that is safe and warm and enable delivery without delay.
- 1.2 This model of integrated delivery is accepted as 'Best Practice' and reflects the ambitions of the 2021 Social Care White Paper 'People at the Heart of Care'.

## 2. Background

- 2.1 The Councils in Warwickshire have been working together to improve services to deliver home adaptations for 10 years. In 2017 the HEART shared partnership was forged involving all the Councils. The central aim of the partnership was to bring together housing and occupational therapy in an integrated team which delivers Home Improvement Agency services and housing adaptations for disabled and older people in Warwickshire. This has been achieved.
- 2.2 In 2021 the HEART Management Board carried out a strategic review to consider the focus and the direction of HEART services to ensure they reflect the requirements of all partners now and in the future. This review recommended, and the Board agreed, that the Business Case should be updated to reflect changing priorities and focus the service to ensure effective delivery of the Disabled Facilities Grant (DFG) allocation and Care Act outcomes for partners.
- 2.3 The primary aim of the service continues to be to support people through housing interventions to remain living independently in their own homes for as long as they wish, and it is safe for them to do so.
- 2.4 The service has created a customer focused service delivery model which brings together the different professions from each of the organisations. It created an innovative role of a Housing Assessment Officer which combines the skills of an Occupational Therapy Assistant and a Housing Caseworker to do the non-complex customer work and link together existing services within a service model that involves working together to deliver holistic housing assessment and appropriate solutions. The purpose HEART is to ensure that this is not a process done to a customer but a process which works with and for the customer:

**“To provide customers with the advice and information to help them make the right choice, and provide practical help to deliver the right housing solution when they want it”**

- 2.5 The approach of HEART is tailored to focus on and support the customer and carers to identify their own needs and preferred solutions e.g. advice and information, equipment, housing options, adaptations, telecare, falls prevention strategies. The service works in partnership with the person needing their services, and all other

parties providing support, if necessary over the long term, to achieve an improvement in the quality of the individual's life.

- 2.6 The HEART service also provides a tenure neutral assessment process, providing Occupational Therapy housing assessments for residents regardless of tenure. This includes Local Authority Tenants who are not eligible for Disabled Facilities Grants.
- 2.7 At its inception, as well as acting pragmatically to establish new team structures and systems of work, the HEART partnership created a joint Financial Assistance Policy to provide consistent access to interventions across the County. This was underpinned by the development of a framework of contractors to deliver the approved works. Reflecting the ambition of the partnership HEART has also developed a designated hospital discharge liaison service which acts directly with acute hospitals to assist with preventing delays when housing is an issue.
- 2.8 The HEART service has delivered significant improvement in the customer journey and delivery times but there have been challenges for the service in delivering effective services due to increased demand, the Pandemic and other issues which were identified by the Board reviews of the service. Therefore, the Board requires the service to focus the delivery of the service onto effective delivery of aids and adaptations funded by the Disabled Facility Grant Government allocation and ensuring all outcomes are effectively recorded.
- 2.9 The majority of services across England are still not pursuing an integrated systems approach and are delivering Home Improvement Agency (HIA) and housing adaptations through the 'traditional' silo working practices, with professional boundaries and convoluted processes of work between the Occupational Therapy service and Housing departments. This is not something that any partners wish to see a return to in Warwickshire.
- 2.9.1 As the HEART service has become established the pressures on both health and social care services have increased, particularly in the last 12 months because of the Pandemic. The population is ageing, the prevalence of chronic health conditions increasing, survival rates at birth and major trauma with advances in medical technology are greater, and demand for support and adaptations is increasing. The Government remains committed to supporting the delivery of the Disabled Facility Grant, with the 2021 Social Care White Paper making the following commitments to the Grant arrangements:
- Total National Budget allocation would remain at the current £570million per year from 2022-23 to 2024-25
  - Funding for a new service to make minor repairs and changes in people's homes (the details of this are still to be confirmed)
  - Publishing updated guidance to advise local authorities how they can effectively and efficiently deliver DFG (this is expected to recommend a more joined-up approach reflecting the HEART model.
  - Consultation on increasing the DFG limit
  - Consultation on reviewing the allocation formula for DFG funding to local authorities

- Consultation on revising the DFG means test including how best to align it to the social care charging reforms.

2.10 The Government has published new DFG Guidance which is in line with the HEART service purpose and states that “adapting a home environment can help sustain or enable independent living, privacy, confidence and dignity for individuals and their families”.<sup>1</sup> The guidance outlines both strategic and operational best practice and the HEART Service and its Board are committed to following these wherever practicable to deliver the most effective and efficient service for all residents of Warwickshire.

2.11 The commitment of partners across the 6 organisations has enabled the partnership to develop and mature to deliver best practice models of working. The first few years of the partnership were used to establish radically new systems of work and a new policy direction. The service transformation achieved across Warwickshire is accepted as an exemplar of Best Practice. There is a desire from Partners to build on this moving forward.

2.12 The key principles<sup>2</sup> used to ensure the HEART service is meeting people’s needs and wishes are:

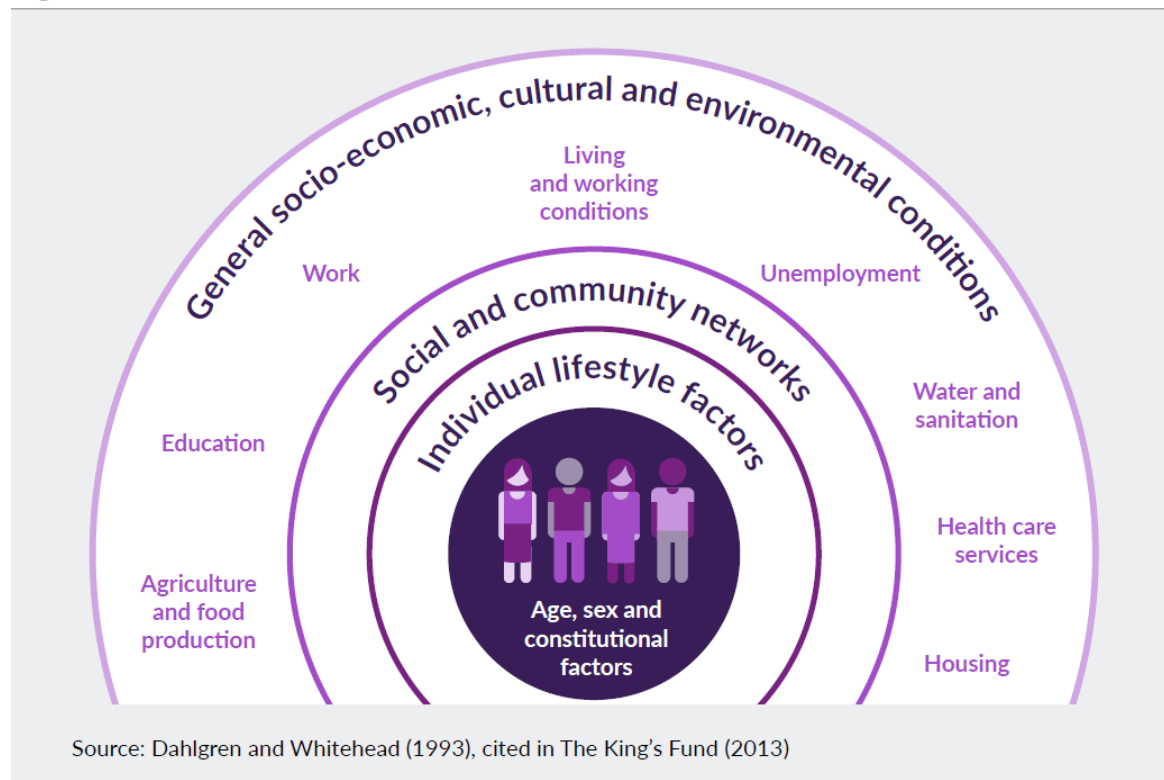
- The service is driven by the customer’s and /or carer needs and personal goals;
- The focus is on proactive solutions and self-management;
- The importance of having an integrated service delivering one customer pathway with a single access point for the service;
- A multi-agency multi-skilled team;
- Ensure workforce, training and core skills reflect modern day requirement;
- Leadership should encourage us to do things differently; and
- Performance metrics must truly reflect the experience for the customer and the carer and drive improvement.
- Reported performance metrics must reflect the requirements of all Commissioners

2.13 The report ‘A vision for population health – Towards a Healthier Future’ by The Kinds Fund published in November 2018 suggested that health is impacted by many different factors as shown in the diagram below:

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<sup>1</sup> <https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

<sup>2</sup> Adapted from Commission for Improving Urgent Care for Older People March 2016 [www.nhsconfed.org](http://www.nhsconfed.org)

**Figure 1 What affects our health?**

The report cites that “there is now a wealth of evidence that the **wider determinants of health** are the most important driver of health. In addition to income and wealth, these determinants include education, housing, transport and leisure”<sup>3</sup>.

- 2.14 Good housing is essential to health and well-being, with the effects of poor housing cost the NHS over £2 billion every year. Housing plays a crucial role in supporting other determinants such as educational attainment, employment prospects and social interaction. There is evidence that Occupational Therapy and housing-related preventative services prevent or defray much larger housing, health and social care costs as well as improving quality of life<sup>4</sup>.
- 2.15 In the 2011 census, 38,815 residents in Warwickshire that have a long term limiting illness stated it limited their activities a lot and this is projected to rise to 63,944 in 2037<sup>5</sup>. An estimated two-thirds of those who have reached pensionable age have at least two chronic conditions<sup>6</sup> and 850,000 people in the UK are living with dementia<sup>7</sup>.
- 2.16 Warwickshire Insights<sup>8</sup>, using 2011 Census also identified that the expected age profile within Warwickshire is expected to change between 2020 and 2043 with the percentage of the population expected to be over 65 increasing from 20.8% to 24.5% in that period.

<sup>3</sup> <https://www.kingsfund.org.uk/publications/vision-population-health>

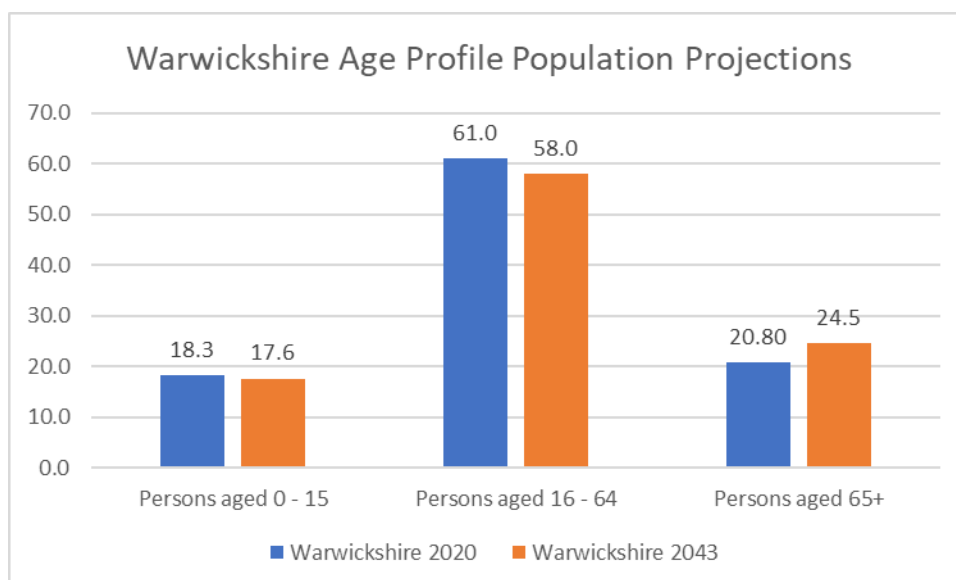
<sup>4</sup> Heywood, F. Turner, L. (2007), *Better outcomes, lower costs – Implications for health and social care budgets of investment in housing adaptations, improvements and equipment: a review of the evidence*.

<sup>5</sup> Warwickshire Observatory, (2015) *Quality of Life in Warwickshire 2014/15*

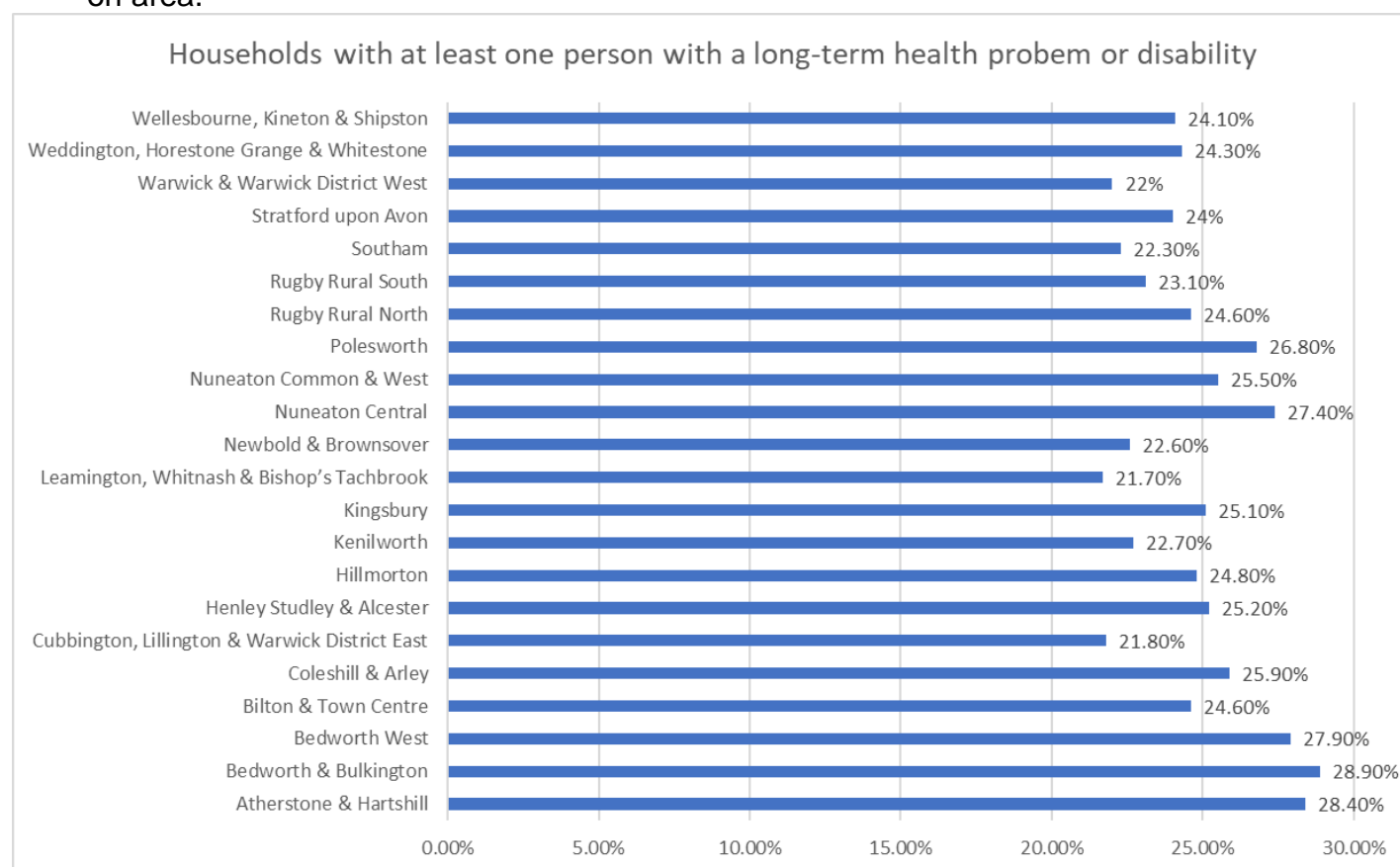
<sup>6</sup> cited in Nolte, E. Knaul, C. McKee, M. (2008) *Managing chronic conditions*

<sup>7</sup> Age UK (2015) *Later Life in United Kingdom*.

<sup>8</sup> <https://data.warwickshire.gov.uk>



2.17 The Joint Strategic Needs Assessment<sup>9</sup> also indicates that from the 2011 Census across Warwickshire the level of household with someone with at least one person with a long-term health problem or disability is between 21.7% and 28.9% depending on area.



2.18 The benefits to the wider public purse, including the health and social care economy, of carrying out rapid adaptation interventions are widely documented. Examples cited include handrails to the main stairs, which cost in the region of £200 can save health

<sup>9</sup> <https://data.warwickshire.gov.uk/jsna-profiles/>

costs of around £930 and if the falls risk is removed this increases to around £1,250<sup>10</sup>. The installation of adaptations can also significantly reduce the level of Hospital “bed blocking” which represents a potential saving of between £1,750 and £3,000 per week for an acute bed<sup>11</sup>. Moreover, inappropriate hospital stays for frail older people are dangerous and debilitating.

2.19 Demands for adaptations has been accelerated by changes in social policy and medical advances which have allowed people of all ages, with varying levels of disabilities and complex needs, to lead more independent lives in the community<sup>12</sup>. The Care Act 2014 made significant changes to the requirements for social care, but did not replace the Housing Grants, Construction & Regeneration Act 1996 which is the primary legislation which outlines and the responsibilities for the provision of DFG’s. The Care Act introduced many reforms including:

- Establishing a statutory “well-being principle.”
- A duty to prevent, delay or reduce needs for care and support.
- An expanded duty to assess the needs of carers.
- Integrating service provision and combining and aligning processes.

2.20 The Better Care Fund in Warwickshire, known as “Warwickshire Cares Better Together” and managed by the Health and Wellbeing Board has enabled the profile of HEART and its services to be raised more widely and provides further opportunities to ensure that DFG contributes to the wider prevention and wellbeing agenda. The 2021 Social Care White Paper confirmed the Government’s commitment to a national allocation of £570m until 2024-25 and in 2021-22 Warwickshire authorities combined DFG allocation was £5,124,786. It is important to note that the Government has committed to consulting on the current allocation formula so at the current time there is no guarantee that the Warwickshire authorities’ allocations will remain at the same level for the entire award period.

2.21 The customer pathway, for the HEART service is committed to only including only those steps that are of value to the customer and has the ambition to ensure that:

- Initial customer assessment happens at the first point of contact with the service. This allows for information to be shared with the customer and prioritisation.
- All the team members’ skills are developed to ensure they can identify the necessary provide housing solutions.
- The role of Housing Assessment Officer enables the functional ability of the person and the conditions of their home environment to be assessed and modified accordingly on a single visit.
- There is a streamlined proportionate assessment process which includes the relevant sharing of information between all partners to maximise the benefits to customers.
- There is a portfolio of core interventions that are delivered by all practitioners from the delivery of minor and major adaptations through to advice on fall

<sup>10</sup> Building Research Trust, (2010) *The Real Cost of Poor Housing & Homes and ageing in England*.

<sup>11</sup> Georghiou, T. and Bardsley, M. (2014) *Exploring the Cost of Care at the End of Life*.

<sup>12</sup> Home Adaptations Consortium, (Oct 2013), *Home Adaptations for Disabled People*.

prevention and other home safety issues as well as arranging for equipment for daily living, and signposting to other services for specialist support.

- There is resilience within the service.
- Continuous improvement is promoted by monitoring key performance indicators which reflect whole service delivery.

2.22 The delivery of the HEART service enables people to live more independently at home, for longer. It also reduces the risk of ‘crisis’ events, like serious falls. This therefore improves health, wellbeing, and independence. These services have been shown to reduce demand on long term and acute services. However, the “one-off” nature of much of the work makes tracking of longer-term outcomes less easy to achieve. Although there is well-researched evidence base supporting the belief that adaptations can reduce the need for more costly interventions, there are no established structural links between DFG budgets and the statutory beneficiaries of their preventative outcomes<sup>13</sup>. The service is committed to exploring options for measuring wider health and social value outcomes from its services in the future.

2.23 The primary focus for HEART is the delivery of adaptations and other works funded by the DFG. Dealing with DFG’s and adaptations under Section 24 of the Housing Grants, Construction and Regeneration Act 1996 requires a local housing authority which is not a social services authority to consult the social services authority when deciding whether to approve applications for a DFG, in order to satisfy itself that works are necessary and appropriate to meet the needs of the disabled occupant. The formation of HEART and the single team approach means that in Warwickshire there is no separation of this duty to ‘consult’ from the assessment process and once a person needs have been assessed their adaptation can proceed without delay.

2.24 The Service will continue to develop practitioners with the skills and capabilities to enable the provision of appropriate interventions, minimising risk to customers and their carers, deliver ‘right first time’ outcomes which achieve the aims of the HEART Service.

2.25 The outcomes for the HEART Service moving forward can be identified as follows:

#### Primary Outcomes

1. To enable customers with multiple and complex conditions to maximise their potential and live in their chosen home environment.
2. To improve quality of life for older and disabled people and their carers.
3. To be proactive and avoid where possible, crisis situations for customers and carers regarding managing in their chosen home environment.
4. To improve living conditions by reducing hazards in the home.

#### Secondary Outcomes

1. To reduce pressure on other expensive services e.g. residential homes, hospitals, and home care by postponing the need or reducing the amount of care and support required.

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<sup>13</sup> Home Adaptations Consortium, (Oct 2013), *Home Adaptations for Disabled People*.



2. To promote positive health and well-being styles of living and falls prevention.
3. To reduce demand elsewhere in the housing, health and care system.
4. To prevent hospital admissions and/or facilitate timely hospital discharges.
5. To contribute to Strategic Priorities of Partners and Government including:
  - Integration & Partnership working.
  - New legislative requirements
  - Safety, Well-being & Prevention.
  - Preventing & Facilitating hospital discharges.
  - Better outcomes for customers & carers in their home environment<sup>14</sup>.

### 3. Customer / Carer Feedback

- 3.1 It is important to hear and listen to customer and carer views to enable the service to improve the quality and experience. The customer survey currently conducted by the HEART service is not solely related to the provision of a Grant but all interventions provided to the customer by the service.
- 3.2 There are 6 key themes to the customer survey which are:
- **Respect and Dignity**
  - **Communication**
  - **Responsiveness**
  - **Reliability**
  - **Contractors**
  - **Overall experience**
- 3.3 The most recent (Quarter 4 2021/2022) customer satisfaction information is set out in the table below:

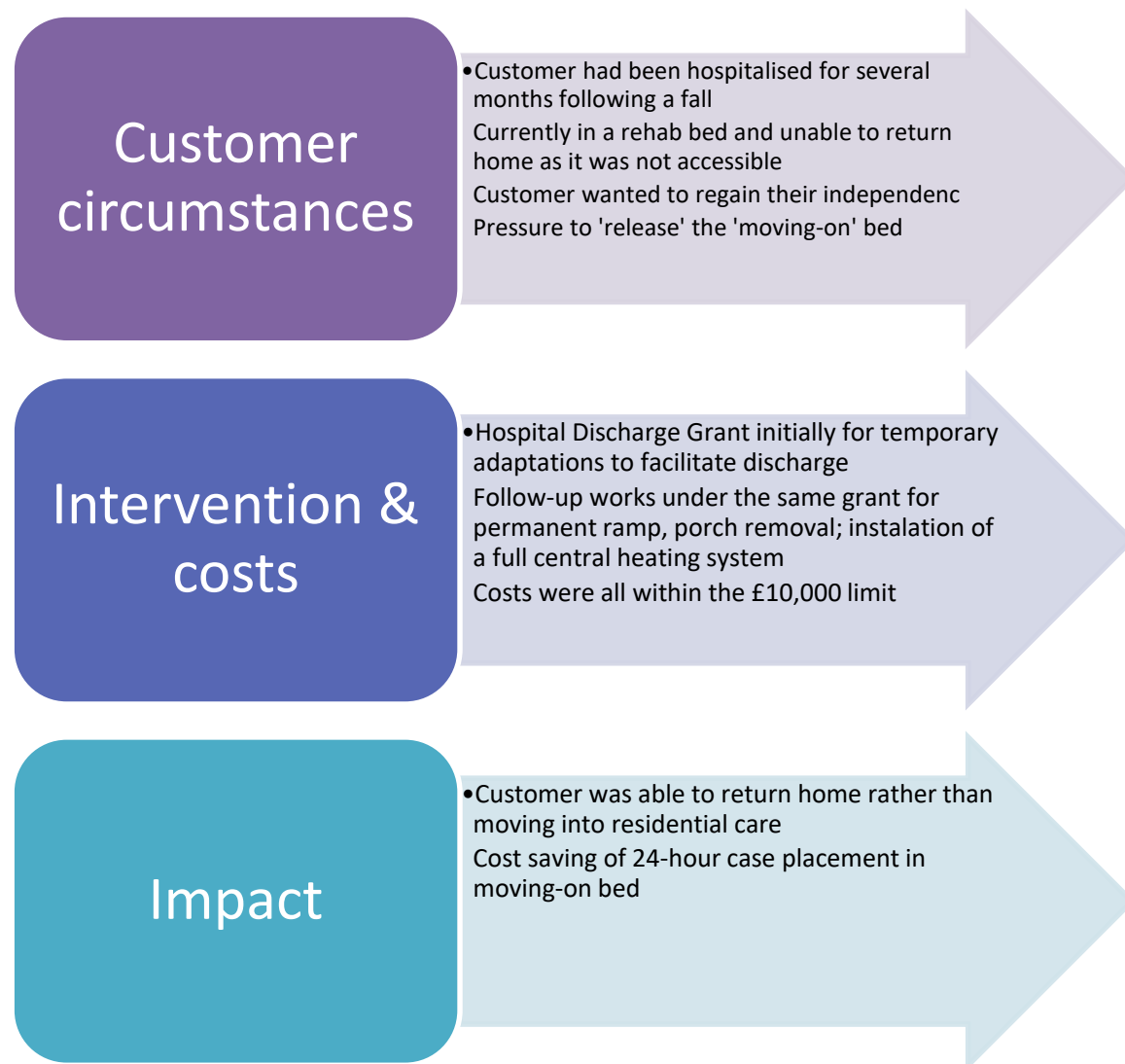
Key Theme	Satisfaction Survey Outcome
Respect & dignity	100%
Communication	100%
Responsiveness	100%
Reliability	100%
Contractors	96%
Overall Experience	100%
Quality of work of contractors	84.5%

- 3.4 It is acknowledged that whilst the current customer survey provides detailed and holistic feedback it is demanding on limited resources to complete. Therefore the service will work to develop new more agile and potentially 'lighter touch' ways to collect customer feedback on the services it provides.

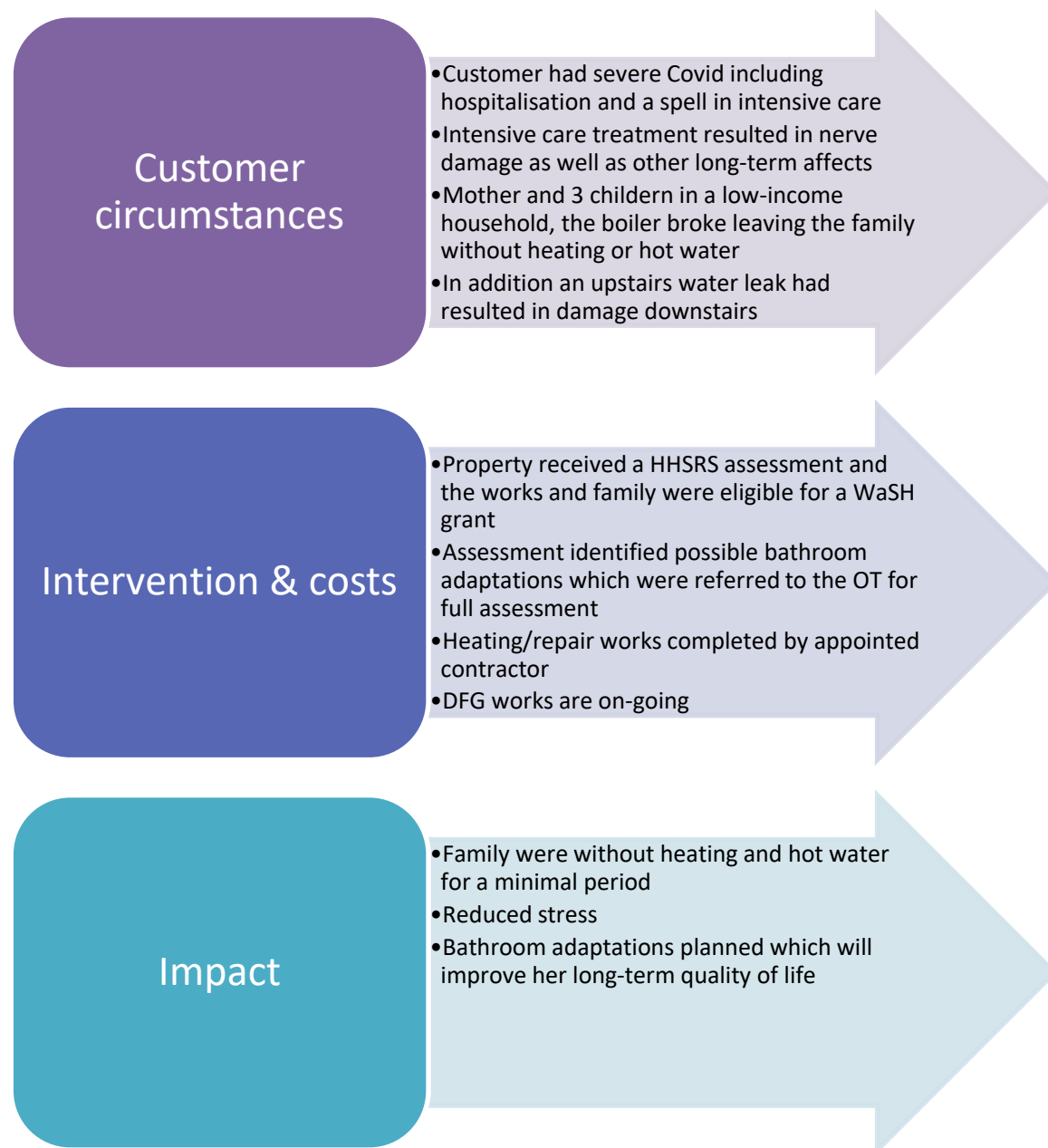
<sup>14</sup> *Public Health, Social Care & NHS Outcomes Frameworks for 2015-16.*

## Case Studies

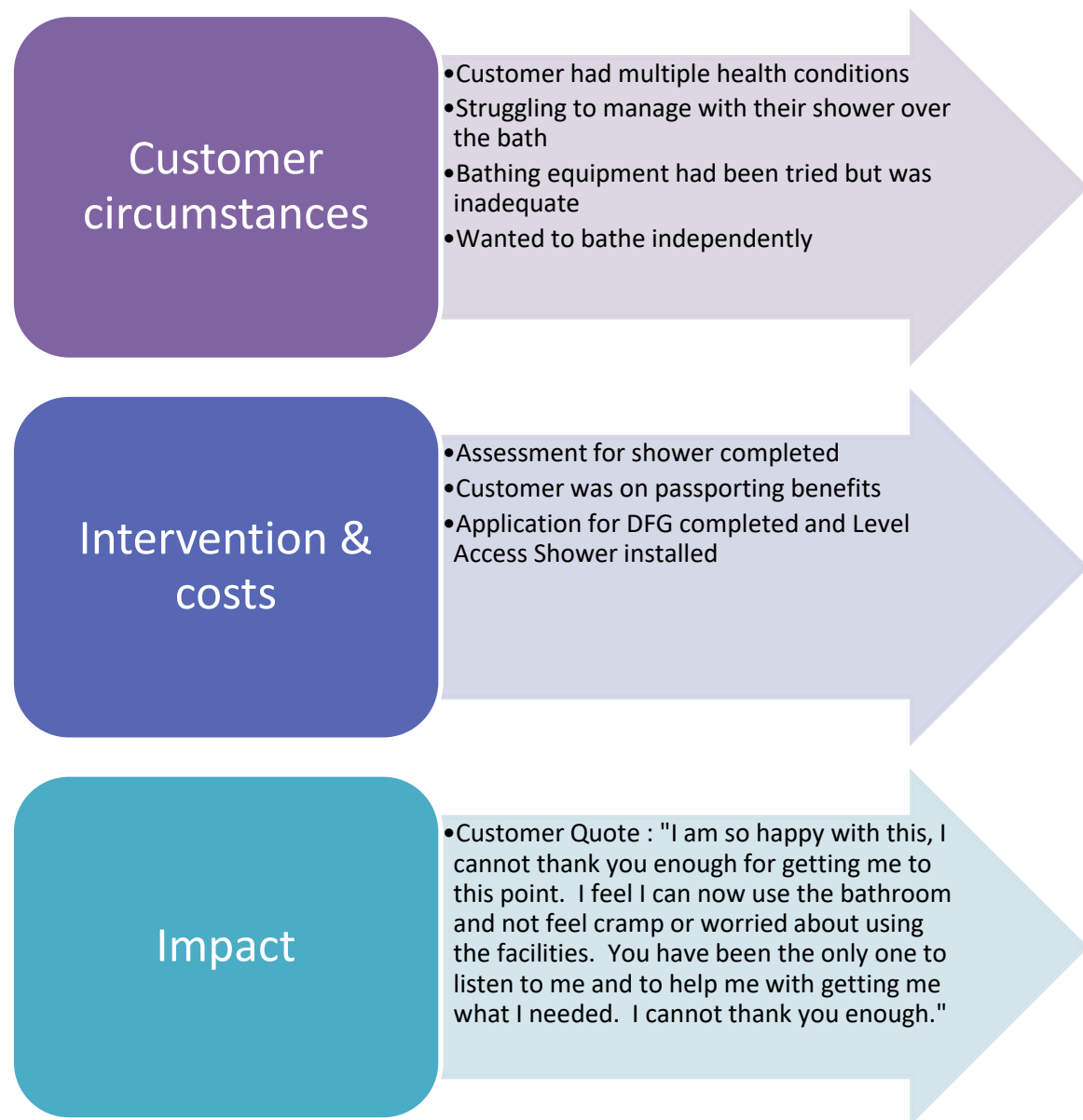
### Case Study 1 – Hospital Discharge



## Case Study 2 - WaSH Grant

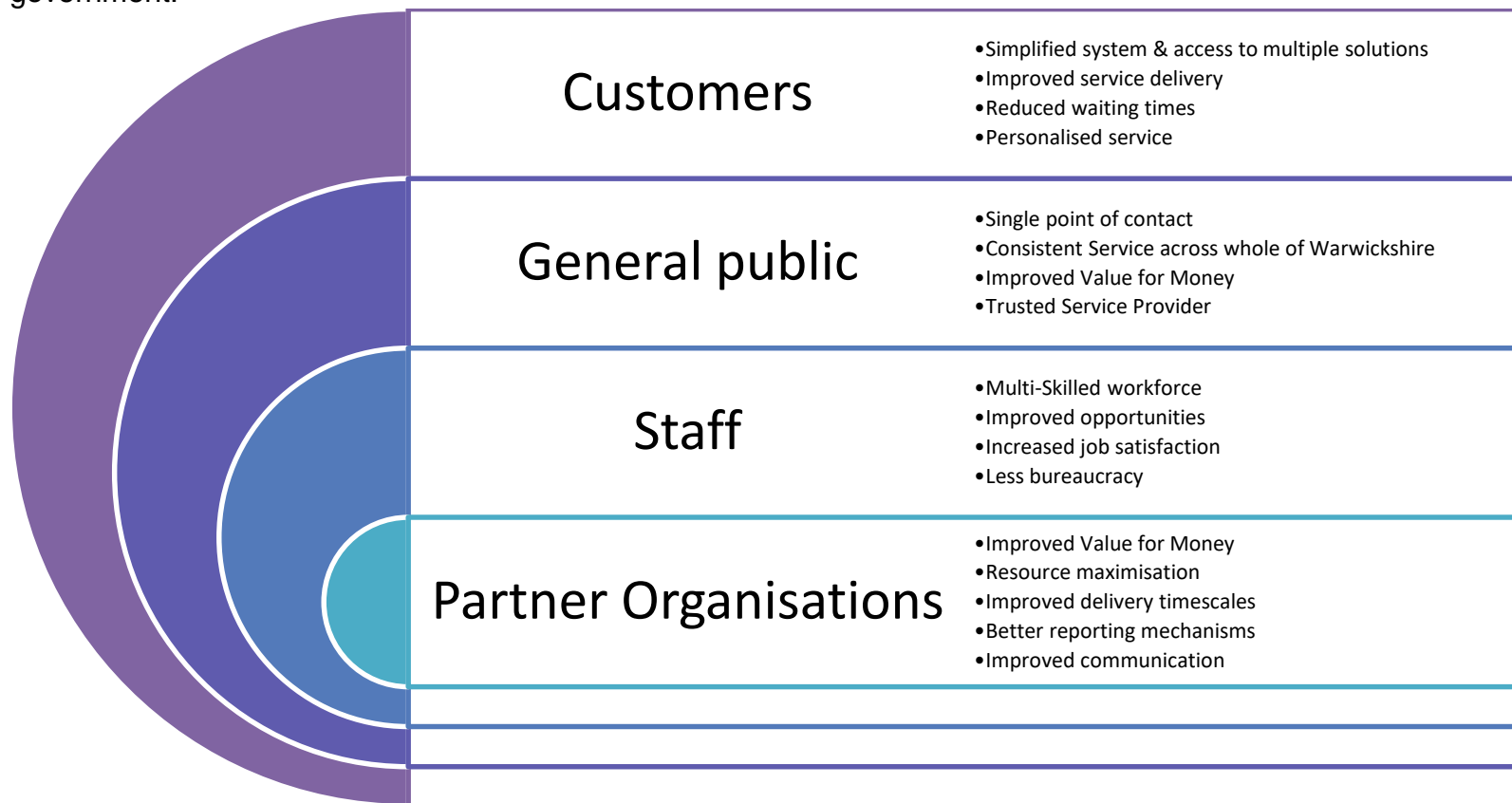


## Case Study 3 - DFG



## 4. Benefits

- 4.1 A successful service contributes to and links to the key objectives of all partners and this updated Business Case proposes the HEART service as the continuing delivery model. The customer, carers, the communities and organisations will benefit in many different ways given the unique delivery of this innovative seamless service that spans the two tiers of local government.



4.2 The multi-disciplinary team developed within the HEART service has enabled staff to enhance their knowledge and skills which, in turn, delivers significant additional benefits in prevention and promoting physical and mental wellbeing.

4.3 The HEART service's primary ambition is to fully commit and spend the DFG allocation through the provision of DFG grants and other housing assistance measures and associated works. However, it is also the appropriate service to incorporate:

- Physical and Mental wellbeing advice
- Advice regarding preventing falls
- Identification of 'Cold Home' and other Category 1 HHSRS Hazards
- Proportionate strengths-based needs assessments under the Care Act 2014
- Promoting Design for Dementia – positive actions and solutions in the home.
- Promotion of enabling techniques.

4.4 The additional benefits of providing these services are:

- Compliance with Falls: assessment and prevention of falls in older people<sup>15</sup> and a 'Falls in older people' assessment after a fall to help prevent further falls<sup>16</sup>
- Supporting the challenge on Dementia.
- Embedding of 'Enabling' techniques so that carers are 'enablers' rather than 'doers' which promotes customer independence and can prevent or delay increased formal care services.
- Increased choice & control, dignity and respect, kindness, and compassion.

## 5. Performance Data

5.1 The HEART performance data is comprehensive. Whilst useful it is recognised that the complexity of multiple ICT systems and differing requirements of partners have resulted in reporting which does not assist decision making and which is time consuming for the Host to produce.

5.2 The HEART Management Board have committed to streamlining the Performance reporting requirements and the updated agreed requirements are included in [Appendix 2](#).

<sup>15</sup> NICE clinical guideline 161; June 2013

<sup>16</sup> NICE Quality standard 86; March 2015.

## 6. Business Requirement

### 6.1 To deliver the HEART service:

#### **In Scope**

The HEART Service Matrix detailed in Appendix 1, and a shared partnership agreement between all the Local Authorities.

#### **Out of Scope**

There is the future opportunity for all or some of the “out of scope” additional or service enhancements to be brought into scope if they do not distract from the core delivery of Disabled Facilities Grants and adaptations and funding is available.

### 6.2 The HEART service was established as a shared service with a lead authority reflected in a contractual arrangement and the proposal is to retain this model of delivery for 5 years from 1<sup>st</sup> April 2023.

## 7 Objectives and Outcomes of HEART

### 7.1 The objectives of HEART remain as outlined in the first Business Case as:

- Better customer outcomes by improving the customer experience.
- Improve delivery of Disabled Facilities Grants & adaptations
- Utilise resources in an effective & efficient manner to deliver a quality co-ordinated service around the customer and carer.
- Promote effective working within and between Social Care, Housing and Health.
- Create consistency in practice and ensure adoption of best practice.
- Create a culture that encourages and promotes customer independence, respect & dignity, wellbeing and falls prevention.
- Achieve long term savings by ensuring effective use of resources.

### 7.2 The HEART Service will continue as:

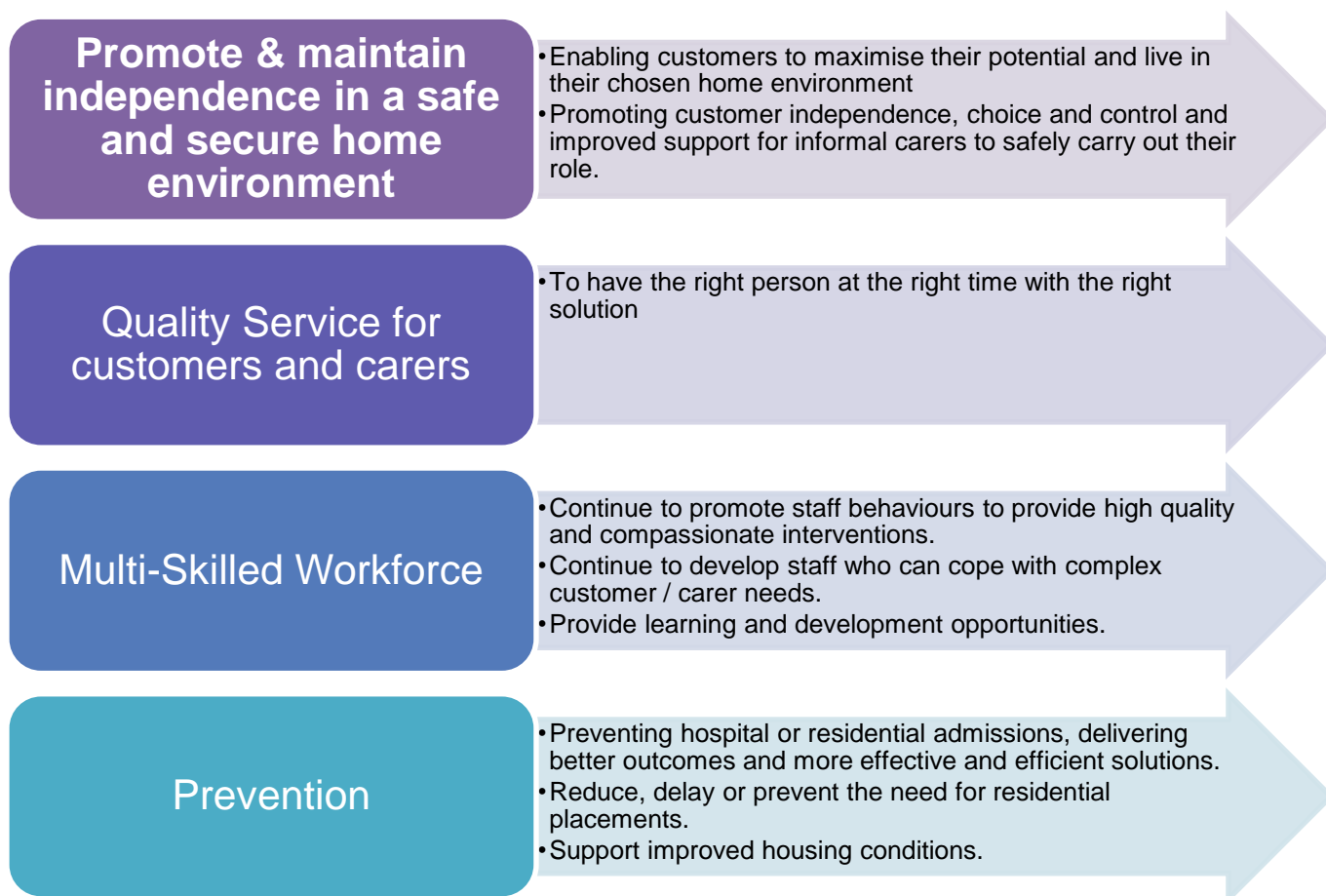
Shared Service Specification Statement	
Shared Service Vehicle	Host Authority
Governance	Governance Board comprising senior managers from each partner.  Single management team.
Host Authority	Nuneaton and Bedworth Borough Council.
Functions to be provided by host	Organisational and support functions.
Support functions not to be provided by host	Specialist social care legal advice.
Spirit of partnership	Support and shared endeavour to improve and develop – avoid a contractor / commissioner relationship.

Constraints	<p>Each partner will not receive a disproportionate financial risk.</p> <p>WCC staff to be within a single management structure.</p> <p>Service to deliver the agreed HEART Service Matrix.</p> <p>Competence and capacity assessment necessary from host organisation.</p>
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7.3 The HEART Management Board will keep these objectives and outcomes under review and seek to improve and extend arrangements when it is appropriate to do so in order to enhance the opportunity to sustain the wellbeing of our customers.

## 8 Benefits and Outcomes

8.1 The continuation of the HEART Service delivery model is expected to deliver the following benefits and outcomes for the service users of Warwickshire:





## 9 Governance

9.1 The partners have an established Management Board with a Terms of Reference which reflects its remit as set out in the Shared Service Agreement. The work of the Board needs to be supported by specialists from Human Resources, I.T. and Legal Services as required. At times these specialist services will be invited to attend the Board to provide advice and guidance. In general:

1. The Management Board shall consist of the Authorised Representatives of each of the Councils or their authorised substitutes.
2. The Board will receive reports about the performance of the service and Business Plan, Budget, the potential growth of the Shared Service, and any other reports as it may reasonably require from time to time assessing the effectiveness of the Shared Service.
3. Determine and take such action as it considers desirable and necessary to promote the Shared Service and to procure the expansion of the Shared Service where it considers that this would be beneficial.
4. Determine any disputes or differences that arise between the Councils concerning the interpretation and effect of any of the provisions of this Agreement.
5. The Board will meet on a Quarterly basis, with specific task-based sub-groups / leads meeting with the Service Manager as required.

### 9.2 HEART Service Structure

The structure of the service is currently designed to take account a whole of Warwickshire service with teams allocated on a north and south basis for operational purposes. This structure will be reviewed as required to ensure that it remains fit for purpose and provides the required staffing support to deliver the objectives set by the Board for HEART.

### 9.3 Human Resources

All staff are currently seconded on their existing terms and conditions (unless they were being seconded into an entirely different role) and are hosted and line managed by NBBC.

### 9.4 Service Provision

The HEART Service will provide customers and carers with the advice and information to help them make the right choice and provide practical help to deliver the right housing solution when they want it. This is detailed in the service matrix Appendix 1.

## 10 Financial Considerations

10.1 When HEART was created the finances to provide for Disabled Facilities Grants were constrained. They were dependent on a Grant to District and Boroughs from Government and the ability of each Council to supplement that Grant provision from their General Fund. The financial context for Disabled Facilities Grants has changed over the time that HEART

has been developing. It is recognised that Grant provision and the delivery of adaptations for customers contributes to the wider prevention and wellbeing agenda.

10.2 As stated previously the 2021 Social Care White Paper confirmed the Government's commitment to a national allocation of £570m until 2024-25. In 2021-22 Warwickshire authorities combined DFG allocation was £5,124,786. Nonetheless whilst the Government has committed to consulting on the current allocation formula so at the current time there is no guarantee that the Warwickshire authorities' allocations will remain at the same level for the entire award period.

10.3 The Financial requirements for the shared service are set out in the shared service agreement. The main considerations are summarised here. Reports about budget provision for both revenue and capital are submitted to the Management Board quarterly. The capital Grant funding is not pooled.

10.4 The HEART service operates with aligned revenue budgets. Partners will continue to act as employers of the staff who will be working in the shared service and will have:

- a separate cost centre for their shared service staff.
- the net budget for the cost centre will represent each partner's General Fund cost including the associated costs.

10.5 The Host:

- Holds the budgets for the pooled parts of the service.
- Requires other authorities to pay to the host the contributions determined for this part of the overall service, in a timely fashion to be agreed.
- Will also pay into this service their contribution.
- Ensures that the pool cost centre will have a net budget of zero.
- Ensures any overspend / underspend will be subject to the agreed arrangements in the shared service agreement
- Arranges for charging between the Host and the Partners for HEART costs - the host will issue quarterly invoice of the agreed contributions to be paid by partners.

10.6 Oversight is provided by the Management Board:

- All partners have an officer responsible for authorising and forecasting on spend against the shared service that is incurred in their authority. This person is the Board representative.
- The Board receives regular reports on the overall financial position, with reasons for variances and recommendations for management action.
- The final budget structure and annual budget forms part of the agreement and makes clear exactly which costs reside with which partner and how this translates into contributions on the shared service.
- The budget provision and any changes are agreed annually in November

- 10.7 As part of their commitment to a tenure neutral assessment process (providing Occupational Therapy housing assessments for residents regardless of tenure) the County Council funds the Occupational Therapy assessment part of the service and makes contributions to the home improvement agency aspect of the service. These are countywide allocations. The Districts and Boroughs contributions are aligned to activity.
- 10.8 The contribution to the service from the Districts and Boroughs is based upon a 15% fee of the DFG allocation/available budget. The fee level will be reviewed annually to ensure that it is adequate to fund the service required by Partners. The Board are committed to ensuring that the HEART service is equipped to deliver an effective and efficient service which offers good quality services to residents and value for money to the Partner authorities.



HEART: Helping you Live Independently at Home

Appendix 1

HEART Service Matrix

HEART Service Description and Specification

This specification describes the services which are provided by HEART on behalf of all Partner authorities and also identifies the priorities for the service whilst placing the customer’s needs at the centre.

Service Outline

All customers contacting HEART will receive assistance based upon their identified request. The triage and assessment process will also be proportionate to identify other needs appropriate to the service for which HEART may either be able to provide direct support or make referrals to assist the customer to live independently at home.

1. Request for Adaptation	Assessment of Individual in their Home
<ul style="list-style-type: none"><li>• Proportionate consideration of activities in Daily Living Assessment relevant to the request or needs</li><li>• Triage to identify possible housing issues, include Home Environment Needs if necessary</li><li>• Consider mobility around the home/ falls risks</li><li>• Financial eligibility check for funding assistance</li></ul>	
2. Request for Assistance	Assessment of their Home Environment
<ul style="list-style-type: none"><li>• Home Environment Assessment</li><li>• Consider mobility around the home/ falls risks</li><li>• Identification and consideration of adverse house conditions and health hazards, relating to available policy interventions or signpost if appropriate.</li><li>• Financial eligibility check for funding assistance</li></ul>	
3. Other issues	Based on identified needs/requests
<ul style="list-style-type: none"><li>• Alternative accommodation assessment</li></ul>	

## Interventions

The Host will deliver the core services considering 3 levels of intervention based upon identified needs and customer requests. The following indicates the types of intervention included within each level of support.

The Host will provide the interventions to residents irrespective of funding streams but will respect a person's right to choose the provider of an intervention following an assessment unless access to that intervention is conditional on a particular provider being used.

Intervention Level	Intervention Type
<b>Level 1 – Information and Advice</b>	Verbal, written, leaflets and electronic (web) information and advice.
	Information about local and national services.
	Demonstration of equipment and referral to the retail market
	Signposting to local and national services.
<b>Level 2 – Direct Provision by HEART</b>	Professional support from Housing Assessment Officers & Occupational Therapists <ul style="list-style-type: none"> <li>• Assessment of need for adaptations</li> <li>• Assess need for equipment</li> <li>• Housing suitability reports</li> <li>• Support /assessments for social housing moves</li> <li>• Home environment assessment</li> <li>• Assessment for complex cases &amp; adaptations for children</li> <li>• Home environment assessments</li> <li>• Home suitability reports</li> <li>• Technical Services <ul style="list-style-type: none"> <li>○ Support with construction and technical matters</li> </ul> </li> </ul>
	Direct provision of: <ul style="list-style-type: none"> <li>• Activities of Daily Living Equipment</li> <li>• Minor Adaptations)</li> <li>• Grab Rails &amp; Stair Rails</li> </ul>
	Major Adaptations: <ul style="list-style-type: none"> <li>• Level Access Shower</li> <li>• Ramps</li> <li>• Door Widening</li> <li>• Property Extensions</li> <li>• Internal Reconfiguration</li> <li>• Lift Installations</li> <li>• Conversions</li> </ul>

	<ul style="list-style-type: none"> <li>Other adaptations as appropriate Including appropriate assessment of needs and casework support, including financial assessments, to prepare full DFG and other funding applications.</li> </ul> <p>Technical supervision of specifications and completion of works as required</p>
	<p>Minor Property Works (where eligible for Financial Assistance Policy assistance):</p> <p>Minor repairs &amp; alterations to assist independence and well being</p> <p>Includes technical specification of works as required and casework support to carry out the required works.</p>
	<p>Major Property Works (where eligible for HAP assistance):</p> <ul style="list-style-type: none"> <li>Technical assessment to identify works required to eradicate Category 1 Hazards in accordance with Housing Health and Safety Rating System criteria</li> <li>Technical supervision of works</li> <li>Casework support to carry out the required works.</li> </ul>
	<p>Other services:</p> <ul style="list-style-type: none"> <li>Procurement of Building Contractors and management of the framework contracts</li> <li>Support for clients who wish to self-fund works within the scope of the assessed needs of the customer and the capabilities and charging structure of the service</li> <li>Charity funding applications in support of Mandatory DFG applications where additional funding is required</li> <li>Identification of possible benefit eligibility and referral to support for applications to be made</li> <li>Falls risk reduction action plan</li> </ul>
<b>Level 3 – Referrals made to external provision</b>	Retail model through Integrated Community Equipment and Support Service (ICESS)
	Referrals to Social housing and their building contractors
	Referrals for Assistive Technology Equipment
	Building contractors not procured by the service for bespoke work.
	Handy person (not procured by service)
	Private Sector Enforcement
	Specialist services

## Appendix 2 – HEART Board Reporting Requirements

### Measuring Performance & Budget

The following outlines the information which would be reported to the HEART Board at its quarterly meetings.

In addition to this framework there will be operational/management KPIs for the Host service to report and information to enable the DELTA return to be completed. The assumption is that these will be captured as a matter of course and can be included in the standard report if necessary. The current Government required DELTA return are included at the end of the Appendix for information purposes.

### HEART Service Demand

- Total Enquiries by referral source (*these will be grouped due to the number of sources*)
- Waiting list for assessment (*this includes all cases waiting for the assessment by the Housing Assessment Officer or Occupational Therapist by Local Authority area and county wide – both allocated and not allocated will be included in the definition*)
- Total assessments completed by Housing Assessment Officer & Occupational Therapist by Local Authority area and county-wide

### Adaptations Delivery

#### **All to be reported by Local Authority Area and HEART Service overall on a Quarterly Basis**

1. Number & Value of Grants Approved (by quarter & incl. YtD figure)
2. Number & Value of Grants Completed (by Quarter & incl. YtD figure)
3. End to End Times by work type & overall (by Quarter & incl. YtD figure)
4. Cancellation Rates (incl. reason breakdown)
5. Average cost of adaptation (overall & by type)
6. End to end times to be shown in stages so that any blockages can be clearly identified

End to end times would be based on works completion date not case closed. Case closed dates will be recorded but not used for indicator reporting.

Target end-to-end timescales for DFG/ adaptation delivery are calculated in calendar days. This is because they reflect past reporting and enable tracking and comparison. They are also more relevant to customers and easier to calculate. The definition document will include when the process starts (enquiry received by HEART) and when it ends (works signed off date).

The proposed work types are:

- Stairlifts
- Ramps
- Level Access Showers
- Property extensions
- Complex cases

Performance outturns will be used to set improvement targets for the service and will reflect on the national Guidance for timescales for overall DFG delivery. The benchmark targets will be agreed annually by the Board.

If a client requires more than one adaptation the report will show the first adaptation to be completed. It is noted that this may not be a reflection of the whole customer journey. This is a constraint of the current recording IT system and may be improved when the new system is live.

## Equipment

Number of Social Care equipment items provided by type by Local Authority area and County-wide

Some equipment items to be grouped together for ease of reporting – proposal to be included in the definitions document

## Home Safety

Number of Home Safety Interventions provided by Local Authority area and county-wide

## House Condition Interventions

Type (e.g. heating, repairs), number and value completed by Local Authority area and county-wide

## Advice and assistance

- Number of advice and assistance responses by type
- Number of referrals onto other organisations

## Other Assistance

- Hospital Discharge urgent Interventions. Number & Value Completed by Local Authority area and county-wide

## Other & Social Value Indicators

- Complaints and Compliment recording
- Customer Satisfaction survey results

## Local authority adaptations activity

The number of referrals made to Local Authorities for adaptations in Council stock

Number of Local Authority adaptation completions

End to end times for LA completions by Local Authority area (*referral to HEART to completion of works*)

Spend on works completed in Local Authority properties (*The service to confirm what additional information would be needed on the completion notification to enable this to be reported*)

## Annual Report

The Service will produce an annual report to provide detailed analysis of the performance of the service over the year and identify areas for improvement and of good practice. It will be provided in an agreed format for consideration by the HEART Board and an alternative for publication.

The annual report will include analysis of customer surveys and added value measures as well as analysis of spend against budget and against wider population information to enable the Board to support future service planning. (*A template for this to be developed and agreed during 2022-23 to ensure an agreed consistent format*)



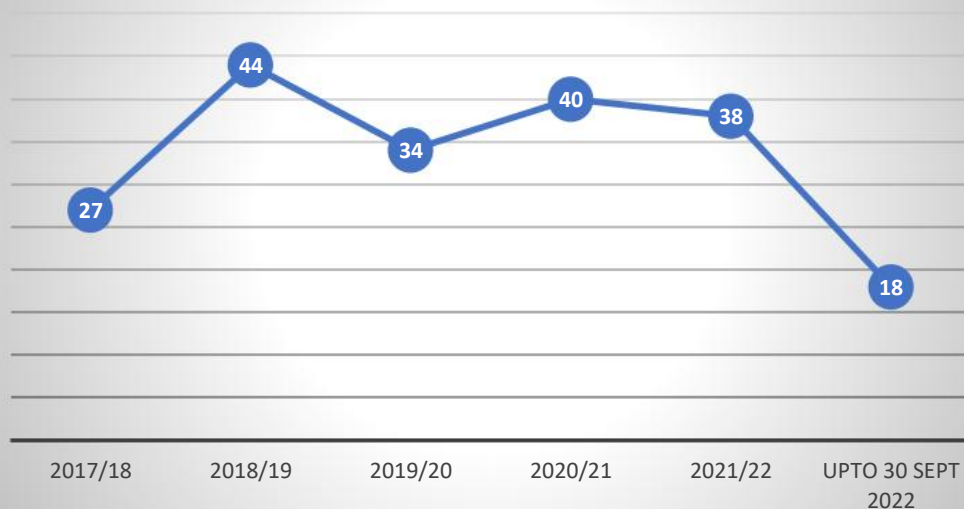
## Delta return info

These were the questions that the Delta return asked this year – so realistically this information needs to be in easily accessible reports.

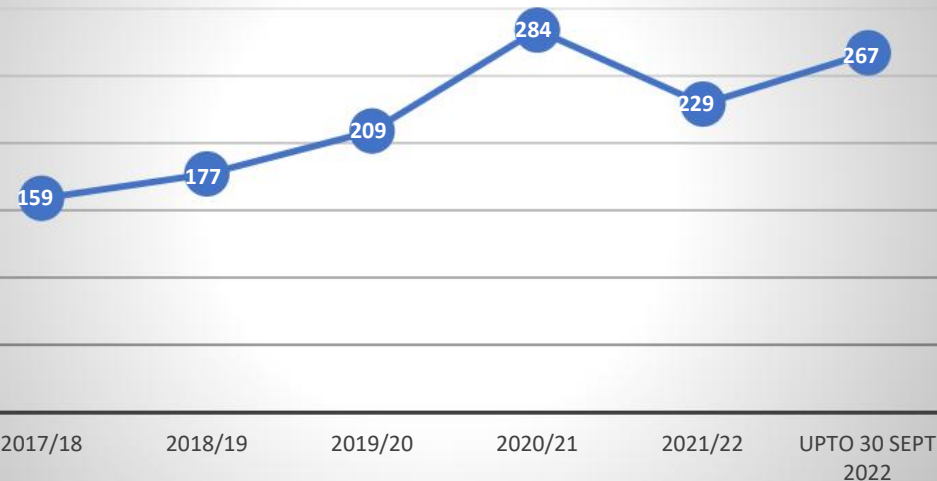
1	Total number of home adaptation / housing assistance policy interventions of all type provided in the year and funded from DFG allocation
2	Total number of beneficiaries of mandatory and discretionary, housing related support and interventions paid for by means of the local DFG allocation
3	Number of formal applications received for home adaptations
4	Number of formal applications approved for home adaptations
5	Number of grants completed
6	Number of grants approved where the applicant had an assessed financial contribution following a means test
7	Total value of applicants' assessed financial contributions (following a means test) for all grants approved
8	Number of grants completed for people aged 17 or less
9	Number of grants completed for people of pension age
10	Number of grants completed for working age adults
11	Number of grants completed which cost £5,000 or less
12	Number of grants completed which cost £5,001 - £15,000
13	Number of grants completed which cost £15,001 to £29,999
14	Number of grants completed which cost £30,000 or more
15	Number of grants completed for owner occupiers
16	Number of grants completed for RP/HA tenants
17	Total number of home adaptations completed for council tenants using HRA funding
18	Number of grants completed for occupants living in privately rented accommodation
19	Number of grants completed in year for people from a Black and/or minority ethnic background
20	For all grants processed, what was the average number of working days between assessment and receipt of formal application
21	For all grants approved, what was the average number of working days between the date of receipt of formal application and date of approval
22	For all grants completed, what was the average number of working days between the date of approval and the certified date of installing the adaptations
23	Total receipt from DFG local land charges redeemed? This data would be provided by the L/A
24	Total number of local land charges issued against properties This data would be provided by the L/A
25	Number of DFGs where payment was deferred
26	Total full-time equivalent staff (FTE) of OTs in your authority working specifically on DFGs
27	Total full-time equivalent of Trusted Assessors in your authority working on DFGs
28	Total number of home adaptations completed for common parts – not recorded

## Disabled Facility Grant Performance - Warwick District Council

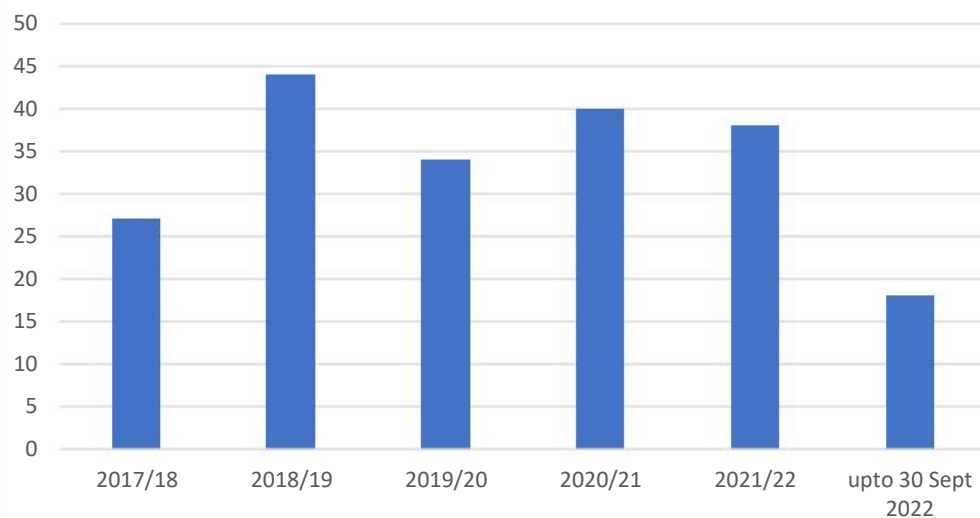
### DFGs Completed (WDC)



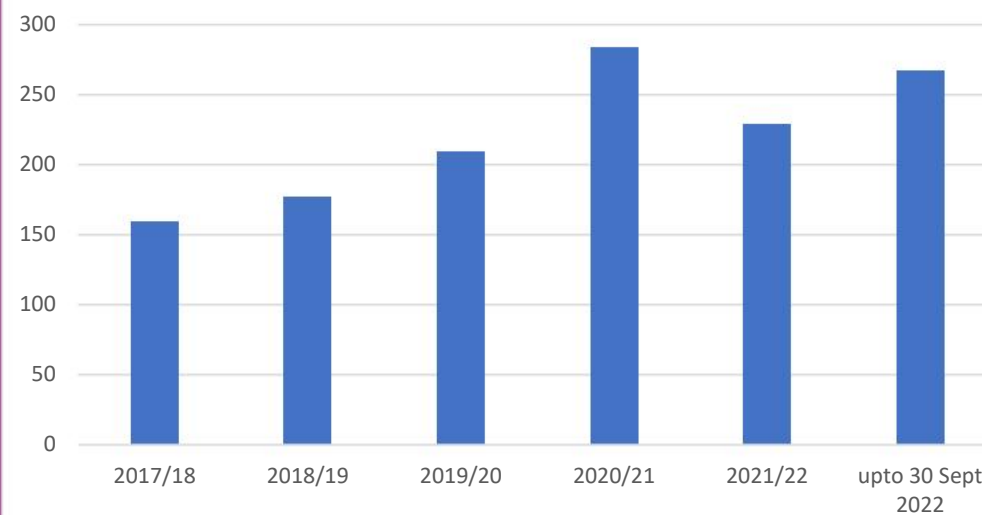
### End to End (WDC)



### DFGs Completed (WDC)

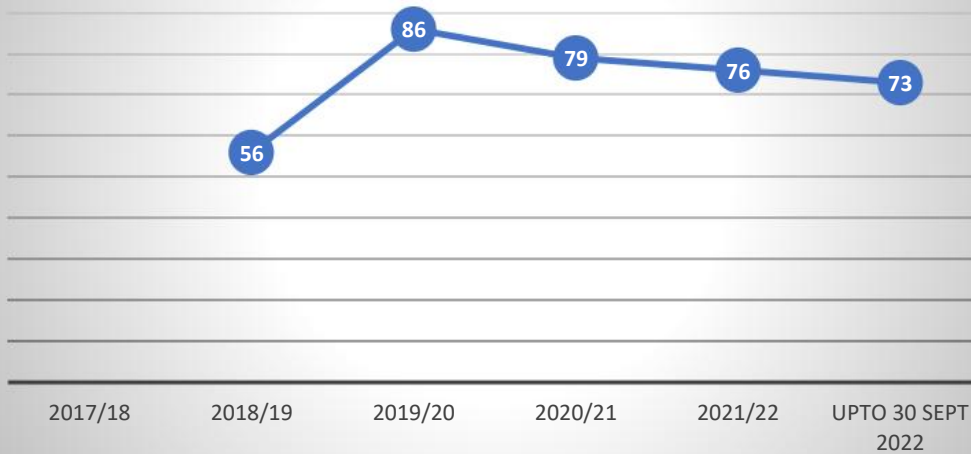


### End to End (WDC)



## Disabled Facility Grant Performance - Warwick District Council

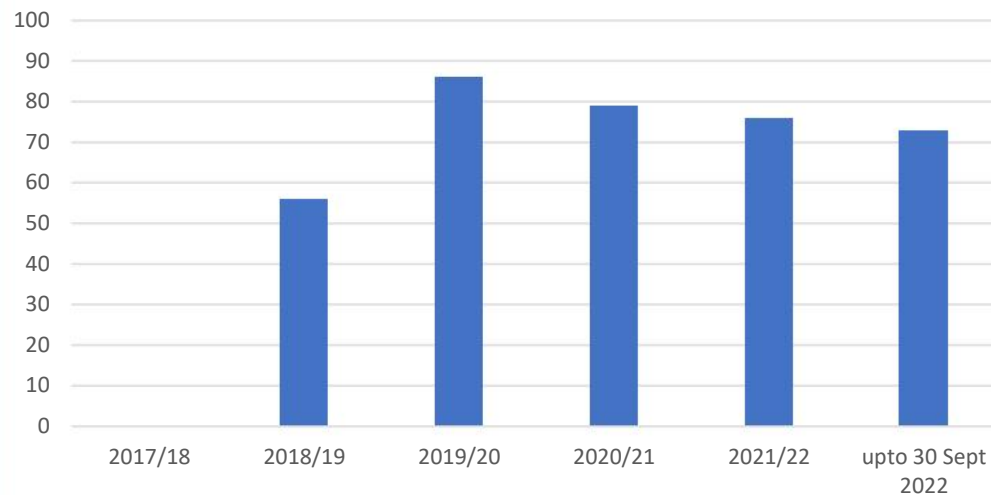
### Waiting List (WDC)



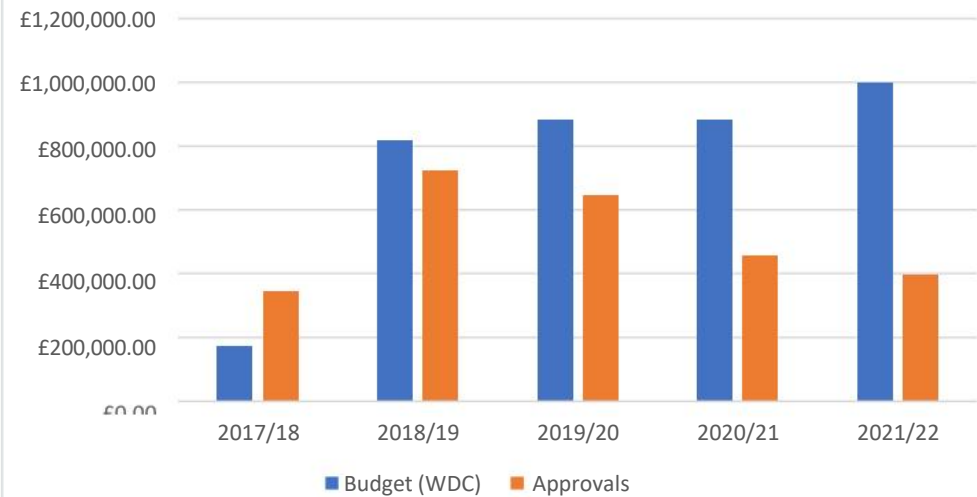
### Budget/Approvals (WDC)



### Waiting List (WDC)



### Budget/Approvals



Project Reference / Number		HEART				Version & Date				10/01/2022	
Project Name		HEART Strategic Development Plan 2022-23				Version 1.0				TBC	
Project Description		Strategic Improvement Plan for the Home Environment Assessment and Response Team (HEART) Service 2022-23				June 2022					
Line No	Summary of Tasks	Linked actions	Board Owner	Operational Owner	Quantity			Completion Date		Current Update	
					Percentage %						
					Start Date	End Date	Action Status				
1	Business Plan & Partnership Agreement review										
1.1	Annual review of HEART Business Plan		Angela Coates	Phil Richardson	01/04/2023	30/06/2023	On Target			New business case signed off by Board in May 2022. This action is to keep it under review.	
2	Partnership Agreement										
2.1	Partnership Agreement to be reviewed to ensure it is fit for the future		Angela Coates	Phil Richardson	30/10/2022	01/02/2023	On Target				
2.2	Partnership Agreement terms to be agreed and the period for it approved		Angela Coates	Phil Richardson	01/11/2022	31/12/2022	On Target				
2.3	The Partnership Agreement is reviewed and updated to reflect partner priorities and requirements		Angela Coates	Phil Richardson	01/11/2022	31/12/2022	On Target				
2.4	The Updated Parnership Agreement to be approved by all Partners and signed		Angela Coates	Phil Richardson	01/01/2023	31/03/2023	On Target				
3	Service Delivery Model										
3.1	Exploration of the new Foundations self-serve options for customers to be carried out by the service and a report prepared for Board on its potential uses for the HEART service delivery model		Angela Coates	Paul Coopey	01/12/2022	31/03/2023	On Target				
3.2	The Board will seek to support the service to innovate to improve service delivery				01/07/2022	30/06/2023	On Target				
4	HR										
4.1	To receive September Quarterly report from the HR Working Group & progress any actions		Jane Grant	Paul Coopey	01/07/2022	30/09/2022	On Target	Done		Verbal update at 8/09/22 Board meeting. Progress being made, some quick wins already eg WCC agreement re Part B of JDs ro relate to HEART functions/WCC-Heart OT communication protocol to be developed/Greater autonomy for Heart	
4.2	To receive December Quarterly report from the HR Working Group & progress any actions		Jane Grant	Paul Coopey	01/10/2022	31/12/2022	On Target				
4.3	To receive March Quarterly report from the HR Working Group & progress any actions		Jane Grant	Paul Coopey	01/01/2023	31/03/2023	On Target				
4.4	To receive June Quarterly report from the HR Working Group & progress any actions		Jane Grant	Paul Coopey	01/04/2023	30/06/2023	On Target				
4.50	To sign off a revised HR Protocol		Jane Grant	Paul Coopey	01/09/2022	31/03/2023	On Target				
5	Finance										
5.1	To receive September Quarterly Finance report & progress any actions		Jane Grant	Paul Coopey / Phil Richardson	01/07/2022	30/09/2022	On Target	Done		Reports submitted and agreed. Section 151 Officers are reviewing how capital monies can be used to support revenue staff costs.	
5.2	To receive December Quarterly finance report & progress any actions		Jane Grant	Paul Coopey / Phil Richardson	01/10/2022	31/12/2022	On Target				
5.3	To receive March Quarterly finance report & progress any actions		Jane Grant	Paul Coopey / Phil Richardson	01/01/2023	31/03/2023	On Target				
5.4	To receive June Quarterly finance report & progress any actions		Jane Grant	Paul Coopey / Phil Richardson	01/04/2023	30/06/2023	On Target				
5.5	Annual Budget to be set		Jane Grant	Paul Coopey / Phil Richardson	01/01/2023	31/03/2023	On Target				
6	Reporting Requirements										
6.1	To receive September Performance & Service reports & progress any actions		Nick Cadd	Paul Coopey	01/07/2022	30/09/2022	On Target	Done			

Project Reference / Number		HEART				Version & Date				10/01/2022	
Project Name		HEART Strategic Development Plan 2022-23				Version 1.0				TBC	
Project Description		Strategic Improvement Plan for the Home Environment Assessment and Response Team (HEART) Service 2022-23				June 2022					
Line No	Summary of Tasks	Linked actions	Board Owner	Operational Owner	Quantity			Completion Date		Current Update	
					Percentage %						
					Start Date	End Date	Action Status				
6.2	To receive December Performance and Service reports & progress any actions		Nick Cadd	Paul Coopey	01/10/2022	31/12/2022	On Target				
6.3	To receive March performance and service reports & progress any actions		Nick Cadd	Paul Coopey	01/01/2023	31/03/2023	On Target				
6.4	To receive June performance and service reports & progress any actions		Nick Cadd	Paul Coopey	01/04/2023	30/06/2023	On Target				
6.5	Annual Report to be received from HEART Service		Nick Cadd	Paul Coopey	01/05/2023	01/06/2023	On Target				
7	ICT										
7.1	Current position statement regarding the implementation of Civica CX to be provided		Angela Coates	Paul Coopey	01/07/2022	30/09/2022	On Target	Done			
7.2	Updated timetable for implementation to be provided		Angela Coates	Paul Coopey	01/07/2022	30/09/2022	On Target	Done			
7.3	The potential requirements for interfaces between Civica CX and Mosaic require fully exploring and mapping		Angela Coates	Paul Coopey	01/12/2022	31/03/2023	On Target				
7.4	Updates received from ICT Project Team		Angela Coates	Paul Coopey	01/07/2022	31/03/2023	On Target	Done	Anticipated Go Live for new system March 2023. Updates are given to the Board at its meetings.		
8	Customer Satisfaction & Service Promotion										
8.1	Options for recording customer satisfaction be presented to Board for consideration and options around best practice explored		Michelle Dickson	Paul Coopey	01/12/2022	30/03/2023	On Target		Update to be given at the December Board meeting		
8.2	Carry out analysis of referral sources and trends to ensure reporting for the BCF can be completed - links to reporting requirements	section 6	Michelle Dickson	Paul Coopey	01/12/2022	30/03/2023	On Target		Review source of informaiton for this action.		
9	Updating the Housing Assistance Policy										
9.1	Consideration of whether HAP should be amended & decision		Angela Coates	Paul Coopey	01/07/2022	30/09/2022	On Target	Done			
9.2	Revised Housing Assistance Policy to be drafted and adopted by partners		Angela Coates	Paul Coopey	30/09/2022	31/03/2023	On Target		The principles of a reviwed Housing Assistance Policy were considered by the Board at its September meeting. It was agreed that a revised policy would be considred in advance of the December Board meeting with a view to getting sign off by 31/03/2023		

Project Reference / Number		HEART		Version & Date		10/01/2022				
Project Name		HEART HR Board Working Group		Version 1.0		TBC				
Project Description		HEART HR Working Group		June 2022						
Line No	Summary of Tasks	Linked actions	Board Owner	Operational Owner	Quantity		Completion Date	Current Update	Previous Updates	
					Percentage %					
					Start Date	End Date				Action Status
4	HR									
1	Protocol for arrangements for staff working in HEART to be reviewed		Jane Grant	Paul Coopey	01/07/2022	30/09/2022	On Target	Done	Some partners have seconded staff into the hosted service. Others staff are not seconded. The protocol seeks efficient working practices in managing all staff delivering the HEART services.	
2	The revised joint protocol for human resources management to be drafted		Jane Grant	Paul Coopey	01/07/2022	01/01/2023	On Target	Done	A draft will be presentd to the Board at its December meeting	
3	The joint protocol for human resources management to be reviewed & signed off by partners		Jane Grant	Paul Coopey	01/11/2022	30/03/2023	On Target			
4	Anomolies in terms and conditions are identified and brought with proposed solutions to Board by the working group		Jane Grant	Paul Coopey	01/11/2022	30/03/2023	On Target		To be included as part of the HR Protocol	
5	Recruitment protocols are agreed with all partners and clearly articulated		Jane Grant	Paul Coopey	01/11/2022	30/03/2023	On Target	Done	Agreement in principle to adoption of NBBCs non contractual policies to be adopted by all LAs except WCC. This will be included in the HR Protocol	
6	A protocol regarding requests for alterations to working hours to be agreed between the Host as 'manager' of the service and the employing authorities so that operational considerations are taken into account when requests are made.		Jane Grant	Paul Coopey	01/07/2022	31/12/2022	On Target	Done	Agreement in principle by all 6 LAs- to be included in the HR Protocol	
7	Management capacity and the staffing structure of HEART is reviewed and a report brought to Board		Jane Grant	Paul Coopey	01/11/2022	30/03/2023	On Target		This is partly dependent on the review of capital and revenue available to the service by the Section 151 Officers	
8	Complete a service structure review based on the needs of the service moving forward.		Jane Grant	Paul Coopey	01/02/2023	30/05/2023	On Target			

Title: Proposal to adopt an Additional Licensing Scheme

Lead Officer: Paul Hughes (01926 456729)

Portfolio Holder: Councillor Matecki

Wards of the District directly affected: All

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## Summary

This report makes the case for the introduction of an Additional Licensing Scheme in Warwick district. Additional Licensing is a discretionary form of House in Multiple Occupation (HMO) Licensing which can be applied in respect of 3 and 4 person HMOs.

There are known to be at least 1409 HMO's operating in total in the district. There are currently 604 (43%) HMOs which are already subject to Mandatory HMO Licensing and 805 (57%) which are currently non- licensable. Designating an area as subject to an Additional Licensing Scheme would bring 3- and 4-person non-licensable HMOs in the designated area into scope enabling the Council to better regulate property standards and management.

## Recommendation(s)

- (1) That Cabinet considers a feasibility study (Appendix 1) on the introduction of a proposed Additional Licensing scheme**
  - (2) That Cabinet approves a statutory public consultation exercise to take place between 9<sup>th</sup> January and 20<sup>th</sup> March 2023.**
  - (3) That Cabinet receives a further report following the above consultation exercise to determine whether to proceed and if so, to agree the scheme arrangements and to issue the formal Additional Licensing scheme designation.**
- 

## 1 Background/Information

- 1.1 Mandatory HMO Licensing was introduced in 2006 and applied to HMOs with 5 or more persons living as 2 or more households in properties containing 3 or more storeys.
- 1.2 In 2018, Mandatory Licensing was extended to cover all HMOs with 5 or more persons living as 2 or more households, irrespective of the number of storeys, with the exception of certain purpose-built blocks of flats. In Warwick District there are currently 604 such licensed HMOs.
- 1.3 HMO Licensing requires landlords to meet minimum property standards and comply with a set of standard conditions designed to ensure they are maintained in good order. The application process requires landlords to submit a range of certificates to demonstrate that appropriate safety standards are in place and maintained. Landlords are also required to pass a 'fit and proper person test' as part of the application process. Every HMO which is the subject of an application is inspected before a licence is issued and inspections

throughout the term of the licence can also be undertaken. Each licence places a limit on the number of permitted occupiers to prevent overcrowding.

- 1.4 Mandatory licensing has proved to be instrumental in improving standards in HMOs with 5 or more persons. Prospective tenants can have confidence that a licensed HMO will meet minimum standards and will often engage with the Council if they identify any issues concerning repairs or management.
- 1.5 Many landlords of licensed HMOs have established good working relationships with the Council through the licensing process and are keen to ensure they remain compliant. A better understanding of their responsibilities also often promotes a better relationship with their tenants.
- 1.6 A number of prosecutions have taken place against landlords who have failed to licence their HMOs, and these have been given publicity to reinforce the requirement for landlords to operate within the legal framework.

#### 1.7 **Non-Licensable HMOs**

- 1.7.1 In Warwick district, there are understood to be 805 non-licensable HMOs. Apart from some contained in Purpose Built Student Accommodation (PBSA), these will contain 3 or 4 persons living in 2 or more households. This represents 57% of the HMO stock. This is likely to be an under-estimate because there will be more HMOs in operation that the Council are unaware of, and due to their relatively small size, it can be expected that some will switch between letting to a family/couple to HMO as tenancies come to an end.
- 1.7.2 The Council will respond to requests for service from occupiers of non-licensable HMOs but does not have the resources to embark on a full-scale inspection programme to ensure they are all brought to standard within a defined timescale. Furthermore, statutory powers are limited to dealing with the more serious hazards under the Housing Health & Safety Rating System (HHSRS) and compliance with the HMO Management Regulations. Unlike licensed landlords, they are not required to pass a fit and proper person check or submit regular safety documentation to the Council and neither are they subject to the same controls requiring them to deal with matters concerning their tenant's noise or waste issues which may affect neighbouring residents.

#### 1.8 **Additional Licensing**

- 1.8.1 Additional Licensing is a discretionary form of HMO licensing for 3 and 4 person HMOs which are outside the scope of Mandatory Licensing. Section 56 and 57 Housing Act 2004 set the criteria required for such schemes.
- 1.8.2 The Council is able to designate the area (i.e., the whole) or an area (i.e., a part) of its district as subject to additional licensing subject to certain conditions. It must be satisfied that a significant proportion of the HMOs of that description are being managed ineffectively as to give rise or be likely to give rise to one or more particular problems either for those occupying the HMOs or for members of the public.
- 1.8.3 Before making a designation, the Council must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made in accordance with the consultation and not withdrawn.
- 1.8.4 Section 57 Housing Act 2004 requires the Council to also take the following considerations into account when exercising its power under Section 56 to designate Additional Licensing areas. The Council must ensure that any exercise of the power is consistent with the Council's overall housing strategy, and it must seek to adopt a co-ordinated approach in dealing with homelessness,



empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other courses of action available to the Council and as regards combining licensing with measures taken by others.

1.8.5 The Council must not make a designation under Section 56 unless it has considered whether there are other courses of action available to it that might provide an effective method of dealing with the problem(s) and it considers making the designation will significantly assist in dealing with the problem(s), whether or not they take any other course of action as well.

1.8.6 The issues in 1.8.4 and 1.8.5 are addressed in the Feasibility Study (Appendix 1).

## 1.9 **Feasibility Study**

1.9.1 The Feasibility Study has been prepared to examine the case for introducing Additional Licensing. The report considers the background and legal context before considering the evidence base, drawing on a number of data sources. It then considers the advantages and disadvantages a scheme might offer, alternative options with some analysis and conclusions.

1.9.2 The Feasibility Study demonstrates that 88% of non-licensable HMOs are located in Leamington Spa/Whitnash (CV31 and CV32) postcode areas. 65% of all non-licensable HMOs are houses and flats occupied by university students. Warwick (CV34) and Kenilworth (CV8) post code areas each account for only 6% of the known non-licensable HMO stock, i.e., 12% in total. It is not surprising therefore that service requests linked with non-licensable HMOs across the Private Sector Housing, Environmental Protection and Contract Services teams are mainly centred on Leamington Spa wards.

1.9.3 Although the focus of HMO Licensing is on ensuring the health, safety, and welfare of the occupiers, it is important to note that the service requests data in the Feasibility Study shows a significant number of requests associated with noise nuisance and various waste management issues in both licensed and non-licensable HMOs. This is evidence to support the claim that a significant proportion of non-licensable HMOs have a management issue or particular problem for the occupiers or members of the public. These issues could be addressed through Additional Licensing by placing the same licence conditions on HMO landlords which are not currently subject to licensing controls so that they have a level of accountability for their tenants' behaviours.

1.9.4 The extension of Mandatory HMO Licensing in 2018 enabled the Feasibility Study to focus on the inspection findings of all of the 5-person (1 and 2 storey) HMOs which have since been licensed. These were considered to be of similar character and size to the 3 and 4 person HMOs and enabled some interesting analysis. Of 127 of these HMOs, 115 (91%) were found to be deficient in fire safety measures and many had multiple defects.

1.9.5 There are a number of case studies in the Feasibility Study which highlight some of the more serious issues which can be found in 3 and 4 person HMOs arising from service requests such as absence of heating and hot water, flooding, fire safety and overcrowding. These cases have involved tenants who were some of the more vulnerable members of society and have included the need for formal action such as service of Improvement Notice, Prohibition Order, and prosecution.

1.9.6 Since the introduction of the Council's HMO Licensing and Planning Permission Policy in April 2021, we can be certain that landlords submitting licence applications will be required to obtain planning consent for HMO use before they

are granted an HMO Licence. Under an Additional Licensing Scheme, 3 and 4 person HMOs would similarly be forced to ensure they have the relevant planning consent when applying for HMO Licences. There are currently 74 cases of non-licensable HMOs requiring planning enforcement investigation.

- 1.9.7 The Feasibility Study concludes by supporting a consultation on a district-wide Additional Licensing Scheme. Whilst the evidence base clearly highlights particular issues in Leamington Spas wards, there are benefits of having a level playing field for landlords and tenants alike, irrespective of HMO location. Restricting a scheme to apply only in Leamington Spa could encourage development outside of the Leamington ward boundaries. Although much of the data is focused on Leamington Spa, it does not follow that property standards are necessarily lower than those found in non-licensable HMOs in Warwick or Kenilworth for example. It would be prudent for Members to consider the results of the public consultation exercise before taking a final decision on whether to designate any scheme on a district-wide basis.

## **2 Alternative Options available to Cabinet**

- 2.1 The Council could choose not to proceed with Additional Licensing and instead continue to deal with non-licensable 3 and 4 HMOs on a case-by-case basis as and when service requests are received. However, this is not considered to be a strategic approach and will not deal most effectively with the issues highlighted in the Feasibility Study.
- 2.2 The Feasibility Study refers to a range of alternative options that the Council could follow instead of adopting an Additional Licensing scheme. Each is considered in turn. However, none of the options has the potential to effectively address the range of issues encountered in an appropriate timeframe and suitably resourced.

## **3 Consultation and Member's comments**

- 3.1 The Leader of the Council supports the proposal to investigate the adoption of an Additional Licensing scheme.
- 3.2 There is a statutory public consultation period of 10 weeks on any proposals to designate an area as subject to Additional Licensing. It is recommended that this is approved to take place between 9<sup>th</sup> January and 20<sup>th</sup> March 2023. Cabinet would then consider the results of the consultation in July 2023 and take a decision on whether to proceed with an Additional Licensing scheme. If the decision is to proceed, at the same time, Cabinet would approve the scope of the scheme and formal designation of the area subject to Additional Licensing would then follow.
- 3.3 The public consultation will consult as widely as possible to incorporate the views of all of those who may be affected by the designation. A consultation Plan setting out the details of how the consultation will be conducted is shown in Appendix 2.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 The Council is duty bound to follow the steps set out in Section 56 and 57 Housing Act 2004 in order to implement Additional Licensing. There are no specific human rights implications of the proposal.

## **4.2 Financial**

- 4.2.1 HMO Licence fees are controlled under Section 63 Housing Act 2004. The Council can require applications to be accompanied by a fee fixed. When fixing fees, the Council may consider all costs incurred in carrying out their HMO licensing functions. This will include all necessary staffing and support costs required in operating a scheme. The fee levels should aim to be cost neutral and will need to be subject to separate approval before the scheme is formally launched.
- 4.2.2 There is a need to ensure that fees for any proposed Additional Licensing scheme are proportionate to the Council's fees for Mandatory Licensing.

## **4.3 Council Plan**

- 4.3.1 People - Health, Homes, Communities. An Additional Licensing scheme would have benefits in each of these areas by improving housing conditions. The links between housing and health are well established. Communities would also benefit from enhanced environmental conditions.
- 4.3.2 Money- Infrastructure, Enterprise, Employment. Additional Licensing will generate funding to create new posts within the Private Sector Housing team. Bringing HMOs up to standard will support the building trade.
- 4.3.3 People - Effective Staff. New posts will attract staff with the right skills to be effective
- 4.3.4 Services - Maintain or Improve Services. Additional staff will provide resilience and provide strength in depth to deal with a greater workload
- 4.3.5 Money - Firm Financial Footing over the Longer Term. The rationale for HMO Licensing is to be self-financing so that licence fees cover the cost of the service.

## **4.4 Environmental/Climate Change Implications**

- 4.4.1 Additional Licensing can only have a positive environmental impact. HMO inspections will highlight thermal efficiency and excess cold issues. Licence conditions will provide controls over anti-social behaviour and waste issues.

## **4.5 Analysis of the effects on Equality**

- 4.5.1 There are no direct impacts of the proposal on equality.

## **4.6 Data Protection**

- 4.6.1 There are no specific data protection issues arising.

## **4.7 Health and Wellbeing**

- 4.7.1 HMOs will be required to meet minimum standards in regard to health safety and welfare. This will relate to all aspects of human habitation and help to drive standards up.

## **5 Risk Assessment**

- 5.1 Additional Licensing requires the Council to follow the statutory process set out in Section 56 and Section 57 Housing Act 2004. This includes statutory public consultation and making a formal designation once there is agreement to proceed. Following due legal process will minimise the risk of legal challenge.

## **6 Conclusion/Reasons for the Recommendation**

- 6.1 The Feasibility Study conclusions accept that non-licensable HMOs do generate a lot of service requests from residents concerning refuse and noise issues, whilst matters concerning the condition and management of the properties are being raised by occupying tenants because they have not been resolved informally with their respective landlords.
- 6.2 Requiring such HMOs to become licensed would address many of the issues in a systematic way and would improve the conditions to ensure better health, safety and welfare for tenants and provide improvements which benefit the surrounding communities.
- 6.3 In terms of scheme coverage, the study recognises that although the data suggests the majority of known HMOs are in Leamington Spa, unknown HMOs may be more widely distributed, particularly those providing bedsits and accommodation for professional sharers.
- 6.4 When considering consistency of standards, identification of 'unknown' HMOs and discouraging growth of HMOs in other parts of the district to avoid licensing, Officers are minded to recommend consultation on a whole-district scheme rather than specifically targeting the wards of Leamington Spa.
- 6.5 A timetable for implementation of the proposed Additional Licensing Scheme is shown at Appendix 3.

### **Background papers:**

Appendix 1 – Feasibility Study

Appendix 2 - Public Consultation Plan

Appendix 3 - Timetable for Implementation

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	Cabinet - 7 December 2022	
<b>Title of report</b>	Proposal to adopt an Additional Licensing Scheme	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder</b>	1/11/22	Councillor Matecki
<b>Financial Services *</b>	3/11/22	Andrew Rollins
<b>Legal Services *</b>	8/11/22	Sue Mullins
<b>Other Services</b>		
<b>Chief Executive(s)</b>	7/11/22	Chris Elliott
<b>Head of Service(s)</b>	1/11/22	Lisa Barker
<b>Section 151 Officer</b>		
<b>Monitoring Officer</b>	7/11/22	Andrew Jones
<b>CMT (WDC)</b>		
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Yes
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes, Forward Plan item – 1,334
<b>Accessibility Checked?</b>	16/11/22	Yes



# **Feasibility Study on the Introduction of an Additional Licensing Scheme in Warwick district**

**October 2022**

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## **1 Introduction**

There is a wide range of situations where people from different households share part or all of their living accommodation: bed and breakfast accommodation; hostels; resident landlords letting rooms; young professionals or students in house shares; houses converted into flats with shared amenities etc.

Such arrangements have always been, and will continue to be, an important part of the private sector housing market in the United Kingdom. They can meet the needs of families and individuals perfectly adequately for a period of time as a step on the road to self-contained accommodation. However it is also the case that some of the most vulnerable people are to be found in shared housing, alongside some of the worst housing conditions.

A House in Multiple Occupation (HMO) is a legal term defining a class of shared housing that is subject to statutory regulation. Since 2006, local authorities have had a mandatory duty to licence certain larger HMOs and a discretionary power to licence other HMOs that fall outside the mandatory regime ("Additional Licensing").

This study considers whether Warwick District Council (WDC) should adopt an additional licensing scheme. It begins by explaining the historical development of housing law to tackle unsatisfactory property conditions and the national regulatory system now in force for HMOs before turning to the more local context, with information about Warwick district and how the national regime is adapted and applied locally. A wide range of data about HMOs in the district is explored, including case studies and an appraisal of the advantages and disadvantages of additional licensing. This is all then brought together with an assessment of the potential for additional licensing in the district.

## **2 Legislative development of HMO controls**

There is a long history of state intervention in shared housing to tackle unhealthy conditions such as poor sanitation, overcrowding and inadequate fire escape means, some of which date back to the middle of the 19<sup>th</sup> century when the industrialisation and rapid urbanisation of the country caused many of these problems to arise in the major cities.

It was the Housing Act 1961 that first used the term "Houses in multiple occupation", defining one as "*a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family*". From then on there has been an increasing focus on giving local authorities powers to regulate this type of accommodation to ensure satisfactory living standards for the occupiers and the surrounding community, with further measures in the Housing Acts of 1964, 1969 (which redefined HMO as "*a house which is occupied by persons who do not form a single household*") and 1980.

All of these provisions were later amended and consolidated in Part XI, Housing Act 1985. The 1985 Act scheme retained the 1969 definition of HMO and gave local authorities powers to: control overcrowding; set up registration schemes; execute works to ensure adequate facilities; apply management regulations;



and, in extremis, make a control order to take over management of an HMO. This remained the principal legislative basis for action on HMOs (further amended in 1996) until a completely new regime was introduced by the Housing Act 2004.

### **3      Current legislative arrangements**

The 2004 provisions were founded upon a new, clearer and more specific definition of HMO. They sought to address the issues associated with HMOs by:

- Introducing mandatory licensing for larger HMOs;
- Giving local authorities powers to require the licensing of other HMOs when there are problems (additional licensing);
- Requiring all HMOs to comply with prescribed management standards; and
- Giving local authorities new management powers to directly intervene if and when necessary on an individual basis.

The Act also gave local authorities a power to licence non-HMO private rented accommodation (known as “selective licensing”).

In 2018 the government extended the scope of mandatory licensing to bring some of the smaller HMOs within the ambit of the licensing regime and introduced some additional mandatory conditions to be included in licences.

#### **3.1    Definition of HMO**

HMO is defined in section 254, Housing Act 2004. A building or part of a building is an HMO if it satisfies one of three tests. In summary the tests are as follows.

A building or a part of a building meets the **standard test** if

- (a) It consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
- (b) The living accommodation is occupied by persons who do not form a single household;
- (c) The living accommodation is occupied by those persons as their only or main residence;
- (d) Their occupation of the living accommodation constitutes the only use of that accommodation;
- (e) Rents are payable in respect of at least one of those persons' occupation; and
- (f) Two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities, i.e. a toilet, personal washing facilities or cooking facilities.

A building or a part of a building meets the **self-contained flat test** if it consists of a self-contained flat and satisfies conditions b) to f) of the standard test.

A building or a part of a building meets the **converted building test** if it is a converted building and satisfies conditions a) to e) of the standard test.

Where a building or part of a building fails any of the three tests by virtue of not meeting the sole use condition (paragraph d) above) but the occupation still constitutes a “significant use” of the accommodation, the local authority may declare it to be an HMO by following the statutory procedure laid down in section 255, Housing Act 2004.

Finally, certain converted blocks of flats are defined as HMOs by section 257, Housing Act 2004 and these are colloquially named after that section, i.e. Section 257 HMOs. This aspect of the definition of HMO is a curiosity in that there is no sharing of amenities: it applies to a building or part of a building that consists entirely of a conversion into self-contained flats. The two key points with section 257 HMOs are that the conversion did not, and still does not, comply with modern day Building Regulations and that less than two-thirds of the flats are owner-occupied. (Section 257 HMOs are excluded from mandatory licensing.)

Notwithstanding this definition, Schedule 14, Housing Act 2004 sets out a list of buildings that are not to be treated as HMOs. In brief these are buildings that are:

- Controlled and managed by public sector bodies;
- Subject to certain other defined regulatory schemes;
- Occupied by students, provided that it is managed by an educational institution;
- Occupied by religious communities;
- Occupied by owners with no more than two lodgers living with them; or
- Occupied by two people only.

### **3.2 Mandatory licensing**

The most significant change brought about by the 2004 Act as regards HMOs was to require landlords of “large HMOs” (see below) to obtain a licence from the local housing authority in order to let the premises. “Large HMOs” were defined as buildings having three or more storeys and occupied by five or more persons living in two or more households.

In 2018 the government removed the requirement for the building to have three or more storeys so that mandatory licensing now applies to all HMOs occupied by five or more persons living in two or more households. However, purpose-built flats situated in a block of three or more self-contained flats were explicitly excluded from the extension of licensing by the regulations.

### **3.3 Licence conditions**

The legislation provides that a licence to let an HMO must include certain mandatory conditions prescribed by the government in the 2004 Act and in subsequent regulations. The local housing authority is also given the discretion to set additional conditions as it considers appropriate for the management, use and occupation of the HMO and its condition and contents.

### **3.4 Additional licensing**

Under the Housing Act 2004, local housing authorities have the power to introduce additional licensing to require that some or all HMOs that are not

covered by the mandatory scheme must nevertheless be licensed in the whole, or a part, of the council's area.

Sections 56 and 57 of the Act set out the matters that the local authority must consider when deciding whether to introduce additional licensing.

- It must consider that a significant proportion of the HMOs to be licensed in the area are being managed ineffectively to such an extent as to give rise, or to be likely to give rise, to one or more particular problems either for the occupiers or for members of the public. In judging this, the authority must have regard to any information regarding the extent to which any codes of practice approved under section 233 of the Act have been complied with by persons managing HMOs in the area.
- It must consult people who are likely to be affected by the proposed additional licensing and must consider any representations that it receives.
- It must ensure that any exercise of the power is consistent with its overall housing strategy.
- It should treat additional licensing as part of a co-ordinated approach, in combination with other courses of action available to the authority and to other organisations, to dealing with homelessness, empty properties and antisocial behaviour affecting the private rented sector.
- It must have considered whether there are other courses of action that could provide an effective method of dealing with the problems in question, and concluded that additional licensing will significantly assist in dealing with the problems.

#### **4     Warwick district in context**

Warwick district covers an area of around 110 square miles in the southern half of the county of Warwickshire in the West Midlands and, at the time of the 2011 Census, was home to around 58,700 households (137,600 people). The area includes the towns of Kenilworth, Leamington Spa, Warwick and Whitnash, which together accommodate around 80% of the population while the remainder live in a number of small rural villages many of which are in the green belt. The district is bordered to the south and west by Stratford-on-Avon district, to the east by Rugby borough and to the north by Solihull and the city of Coventry.

The district had the largest population in Warwickshire and its population density of 4.9 people per hectare was above national and regional averages. The population grew over the ten years from 2001 to 2011 by over 9%, again higher than national and regional averages.

The age profile of the population was not overly different to the national profile but one significant factor was that the district had one of the highest rates of full-time students, accounting for 3% of all households compared to an average of 1.8% across England and Wales, putting WDC among the top 10% of districts nationally. This trend is driven by the proximity of both Warwick University and Coventry University to the north of the district. This, along with the attractiveness of the towns and the night-time economy of Royal Leamington Spa in particular, makes the district a destination of choice for many students

when living off campus. Students are in turn an attractive demographic target for landlords of HMO accommodation.

Over time this trend has impacted upon the mix of housing in the district, along with other factors such as the shortage of affordable rented housing and high house prices. The 2011 Census showed that:

- 18.5% of the housing stock consisted of flats or maisonettes compared to 12.5% for Warwickshire as a whole;
- A further 4.6% of dwellings were flats in converted or shared houses, compared to 2.2% for Warwickshire;
- WDC had the highest proportion of one-bed (10%) and two-bed (28%) properties among the Warwickshire districts;
- At 18%, WDC had the highest rate of private renting in the county, a figure that was higher than both national and regional averages at that time and that had almost doubled from the figure of 9.4% at the 2001 Census ten years previously.

A new census was undertaken in 2021 but at the time of writing only “phase one” of the results has been published, which is the broad population data. This shows that the population of the district increased to 148,500, up 7.9% since 2011. This was a larger increase than that experienced nationally (6.6%) and regionally (6.2%) but was lower than the 9% growth of the previous decade. Locally, of the four authorities with which Warwick shares a border, only Solihull had lower growth: Rugby and Stratford-on-Avon both experienced growth of more than 10% while Coventry’s was close to 9%. Further data releases are scheduled for the autumn and winter of 2022 and will allow for comprehensive updating of the other key datasets with the most accurate and up-to-date information.

## **5 HMO regulation in Warwick district**

At the present time HMOs are regulated in the district as follows, although it should be noted that halls of residence at both Warwickshire College and Warwick University are excluded from the definition of HMO and therefore are not included in the statistics in this study.

The extended mandatory licensing regime, as described above, is applied to those HMOs that require a licence. At the time of the extension in 2018, two new mandatory licence conditions were also prescribed by the government. WDC therefore took the opportunity to review and revise all of its licence conditions at that time following a period of public consultation. The current conditions are therefore recent, valid and up to date, having been modified in August 2022 to reflect new refuse collection arrangements and the requirement for Carbon Monoxide detection. For reference the WDC licence conditions effective from 1<sup>st</sup> August 2022 are attached as appendix one to this report.

While five year licences are the norm, WDC operates a policy that landlords can be given HMO licences for a shorter period of two years if the property and/or the landlord is subject to any of the following:

- An Improvement Notice for disrepair or health hazards;
- A Prohibition Notice for part of the property;

- A Civil Penalty for one or more of various housing offences;
- A Noise Abatement Notice served on tenants;
- A Community Protection Notice served for refuse issues;
- A breach of HMO licence conditions.

In addition, two development control/land-use planning rules are used:

- An "Article 4 Direction" came into effect on 1<sup>st</sup> April 2012. From that date onwards a planning application is required for the change of use of a building from a dwelling house to a small HMO (shared by between 3 and 6 unrelated people) in any of the Leamington Spa wards. In the absence of the Article 4 Direction this particular change of use of a building would be permitted development and would not need permission. Note that a conversion to a larger HMO for more than six unrelated people is not permitted development so would require planning permission regardless of the Article 4 Direction.
- WDC recently introduced a district-wide policy that HMO licence applications will not be processed until either: planning permission for the change of use to an HMO has been obtained for the property; a certificate of lawful HMO use has been granted; or WDC is satisfied that there is sufficient evidence of historic use as an HMO.

Non-licensable HMOs are dealt with in a more reactive manner as and when issues are brought to the attention of the council using the main legislative tools: the Housing Health and Safety Rating System (HHSRS); and prescribed HMO Management Regulations. Work schedules are issued to landlords with prescribed timescales for completion. The process is ad hoc and depends upon landlords and/or tenants requesting advice or intervention.

The council has a corporate approach to all types of enforcement, which is to work with the occupiers and/or landlords as appropriate to secure compliance with legal requirements, with the "heavier hand" of legislative enforcement tools as a back-up option against those unwilling to engage. Other legislation around housing standards, environmental nuisance, fly-tipping, anti-social behaviour, building control etc. may be applied as appropriate to the issue at hand, sometimes in partnership with other statutory agencies such as the Fire Service, Trading Standards, Police etc.

## **6 Evidence base**

### **6.1 Overall numbers and location**

As at 28 June 2022, there were 1,409 confirmed HMOs in Warwick district, details of which are set out in Table 1.

<b>Table 1 – Number and location of known HMOs</b>			
<b>Location</b>	<b>Licensed</b>	<b>Non- licensable</b>	<b>Total</b>
Leamington Spa	561	680	1241
Warwick	25	49	74
Kenilworth	14	47	61
Whitnash	2	22	24
Cubbington		3	3
Blackdown		2	2
Bishops Tachbrook		1	1
Radford Semele		1	1
Shrewley	1		1
Wasperton	1		1
<b>Total</b>	<b>604 (43%)</b>	<b>805 (57%)</b>	<b>1409</b>

It can be seen that of all known HMOs, 43% were licensed and 57% were non-licensable, i.e. those containing 3 or 4 occupiers (unless otherwise contained in a purpose built block of 3 or more flats). It should be borne in mind that the vast majority of unknown HMOs are likely to be non-licensable, not least because three and four person HMOs occupied other than by students are more difficult for the council to detect: there is no requirement upon either the landlord or the tenant to notify the council of a non-licensable HMO (other than through student exemptions to Council Tax) hence the data is not fully verified and relies on historic data collection. As a result, this is likely to be an under-estimate of the true number.

The geographic distribution of the 805 known non-licensed HMOs is heavily skewed towards Leamington Spa generally. This can be broken down further by postcode to show that the Leamington Spa South & Whitnash sector has the highest numbers.

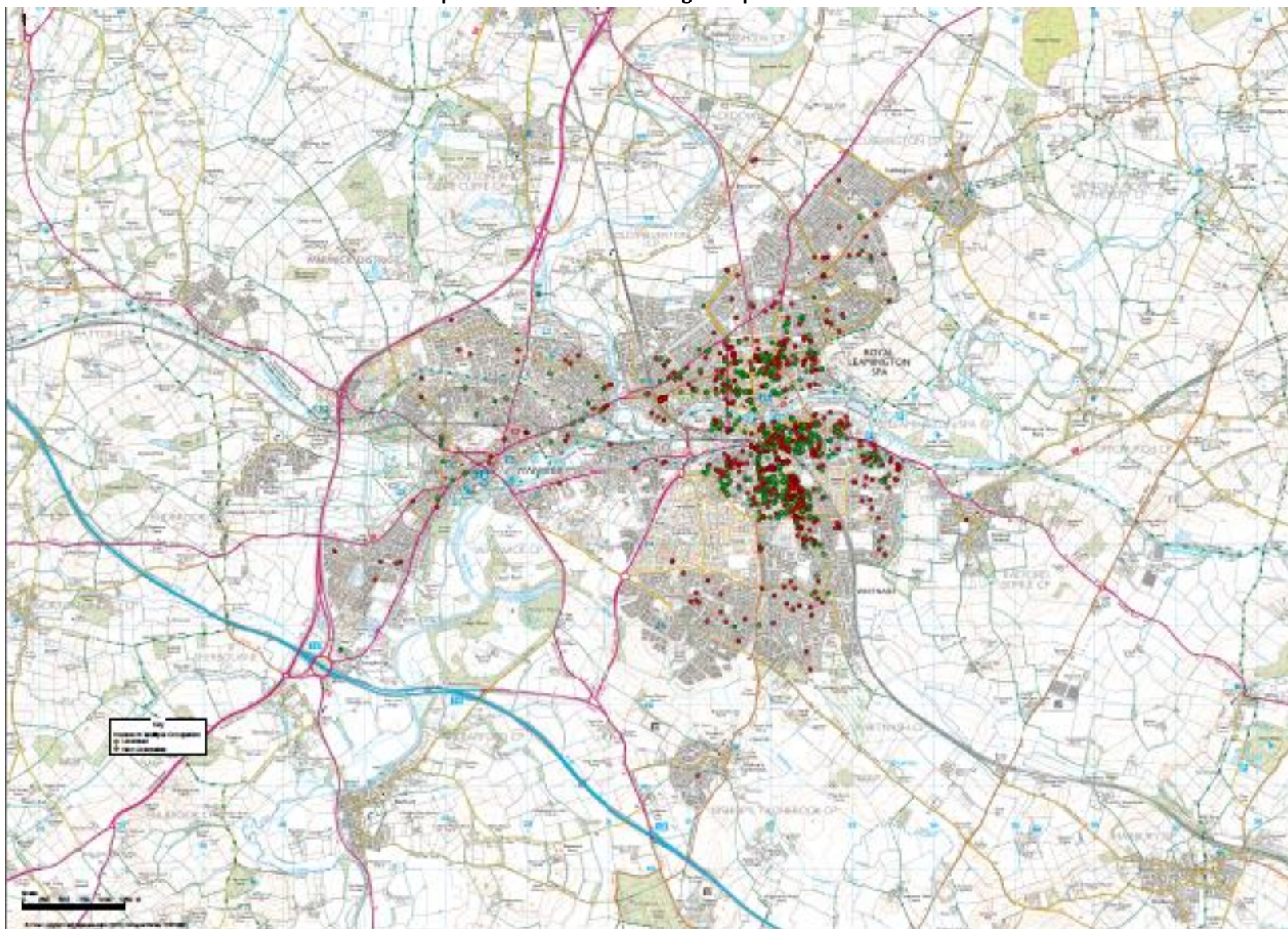
<b>Table 2 - Location of known non-licensable HMOs</b>		
<b>Postcode area</b>	<b>Number</b>	<b>%</b>
CV31 (Leamington Spa South & Whitnash)	510	63
CV32 (Leamington Spa North)	198	25
CV34 (Warwick)	49	6
CV8 (Kenilworth)	47	6
Other	1	0
<b>Total</b>	<b>805</b>	<b>100</b>

Note that the four postcode areas, CV8, CV31, CV32 and CV34 correspond approximately, but not exactly, with Kenilworth, Leamington Spa South & Whitnash, Leamington Spa North and Warwick respectively. There will be some rural properties in each of the postcode areas above but the numbers are very small and do not skew the overall picture.

A visual representation of the situation in the district is shown on the following maps, where green circles represent licensable HMOs and red circles represent non-licensable HMOs. Greater detail can be seen on [WDC's website](#).

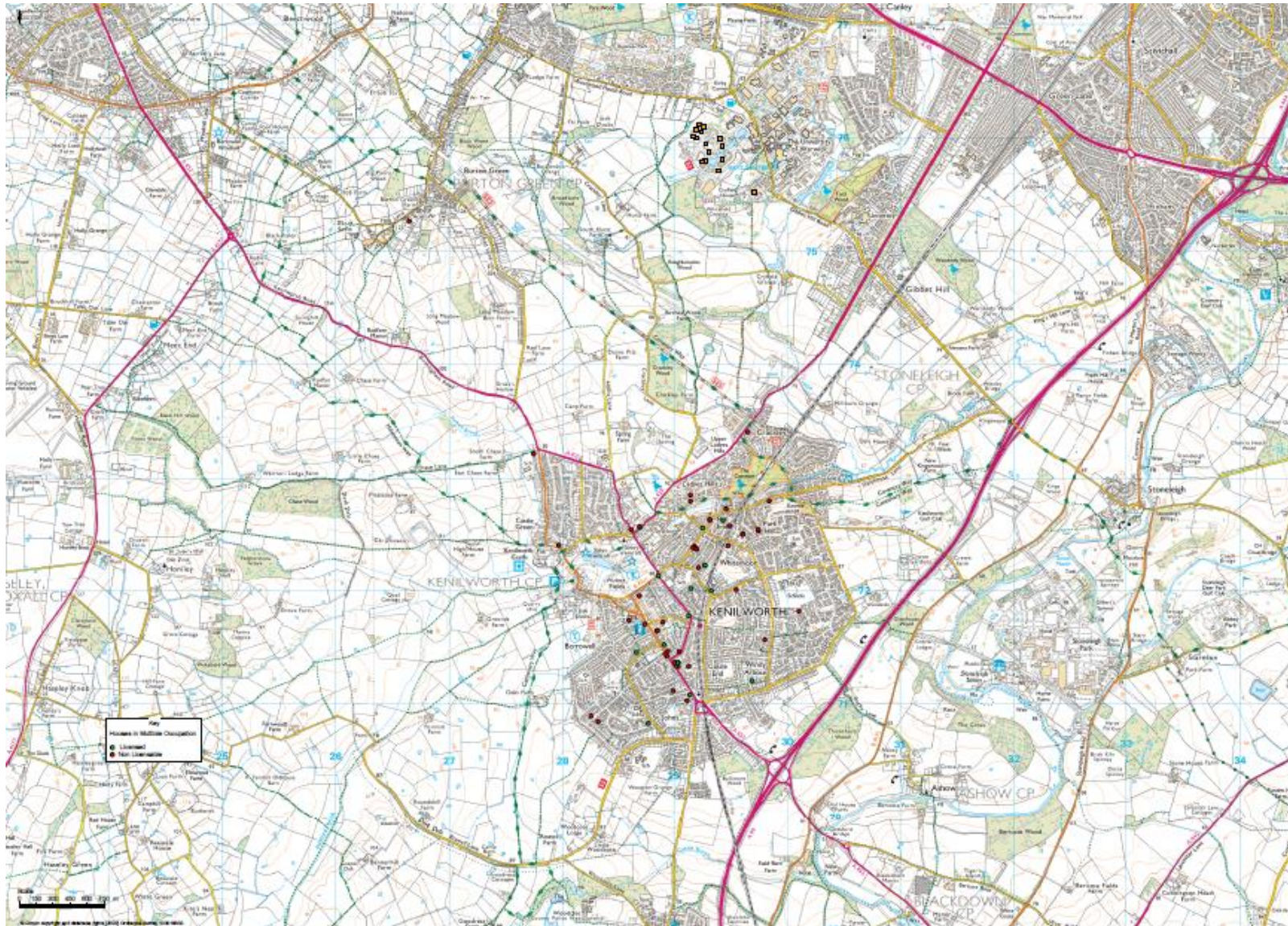


Map One – HMOs in Leamington Spa and Warwick





Map two – HMOs in Kenilworth





## 6.2 Types of HMO

Table 3 shows the types of known HMO in the district.

<b>Table 3 - Types of HMO in Warwick district</b>		
	<b>Number</b>	<b>%</b>
Student Shared House/Flat	1028	73
Bedsit	177	13
Other Shared House/Flat	166	12
Staff Accommodation	17	1
Owner/occupier with lodgers	8	1
Unknown	7	0
Building containing both self-contained and non self-contained flats	4	0
Hostel	2	0
<b>Total</b>	<b>1,409</b>	<b>100</b>

There are some interesting differences between licensed and non-licensable HMOs as Table 4 shows.

<b>Table 4 – Types of HMO by licensable status</b>		
<b>Type of HMO</b>	<b>Licensed (%)</b>	<b>Not licensable (%)</b>
Bedsit	10	14
Other Shared House/Flat	4	18
Student Shared House/Flat	83	65
Owner Occupier with Lodgers	0	1
Hostel	0	0
Staff Accommodation	1	1
Building containing both self-contained and non self-contained flats	0	0
Unknown	0	1
<b>TOTAL</b>	<b>98*</b>	<b>100</b>

\*Does not add up to 100 due to rounding

There are significantly higher proportions of other (non-student) shared houses/flats and more bedsits in the non-licensable HMO stock. This is likely to be a reflection of the fact that student shared houses tend to be for greater numbers of individuals and are therefore licensable.

## 6.3 Availability

To gain a snapshot of availability at a point in time, a search of spareroom.co.uk was undertaken for the four postcodes areas, CV8, CV31, CV32 and CV34 on 9<sup>th</sup> August 2022. These areas correspond broadly, though not exactly, with Kenilworth, Leamington Spa South & Whitnash, Leamington Spa North and Warwick respectively. The results are shown in Table 5.

<b>Table 5 – Types of accommodation advertised on Spareroom website</b>					
<b>Type of accommodation</b>	<b>CV8</b>	<b>CV31</b>	<b>CV32</b>	<b>CV34</b>	<b>TOTAL</b>
Single room in existing arrangement	6	19	13	13	51
Two rooms in existing arrangement	1	3			4
Three rooms in existing arrangement	1		1		2
Six rooms in existing arrangement				1	1
Two-bed flat share	1				1
Two-bed house share		1			1
Three-bed house share		1			1
Three bed student house share		1			1
Six-bed house share		1	1		2
Six-bed student house share			1		1
<b>Total number of properties</b>	<b>9</b>	<b>26</b>	<b>16</b>	<b>14</b>	<b>65</b>
<b>Total number of bed-spaces</b>	<b>13</b>	<b>39</b>	<b>28</b>	<b>19</b>	<b>99</b>

Note that “house share” means that the property is advertised as a single property for a group of the requisite number of occupiers whereas “existing arrangement” means that each of the rooms advertised is available separately to individuals who do not necessarily know each other.

It is noteworthy that the vast majority of properties advertised are single rooms in an existing arrangement (51 out of 65), with only very small numbers of other types of accommodation. These properties are largely targeted to the non-student market and this demonstrates the importance of HMOs for individuals seeking accommodation, for whom this is likely to be the only option when living in an expensive area like Warwick district.

Geographically there is a reasonable spread across the four postcode districts, in contrast to the overall geographic pattern for known HMOs which is heavily skewed towards Leamington Spa.

#### **6.4 The 2018 extension of mandatory licensing**

One source of available data, which, while not definitive, may offer a reasonable proxy for what might be expected to be found among non-licensable HMOs, can be taken from the extension of mandatory licensing in 2018. As noted earlier, there were 252 HMOs in WDC brought within the licensing regime at that time. Of these, just over half (127) were five bedroom HMOs, i.e. close in size to the three and four-bedroom properties that would be affected by additional licensing. An analysis has been undertaken of the issues found to be outstanding in those properties when the landlord applied for the licence.

The nature and location of the properties was as follows.

<b>Table 6 – 2018 licensing extension five-bed HMO types by postcode</b>					
<b>Category</b>	<b>Postcode Sector</b>				<b>Total</b>
	<b>CV31</b>	<b>CV32</b>	<b>CV34</b>	<b>CV8</b>	
Bedsit	10	5		3	<b>18</b>
Other Shared House/Flat	2	1	2		<b>5</b>
Student Shared House/Flat	84	18		2	<b>104</b>
<b>Total</b>	<b>96</b>	<b>24</b>	<b>2</b>	<b>5</b>	<b>127</b>

Of the five-bedroom HMOs under extended licensing, 81% (104 out of 127) were student shared houses. Broadly speaking, CV31 and CV32 correspond to Leamington Spa, CV34 to Warwick and CV8 to Kenilworth so, as with much of the earlier data, the preponderance of affected HMOs was in Leamington Spa.

Properties were found to have a range of defects (see the category table below) and most had multiple defects as shown in Table 7.

<b>Table 7 – Extended licensing defects profile</b>		
<b>Count of defects</b>	<b>Number of properties</b>	<b>Percent</b>
Zero	6	5
One	7	6
Two	18	14
Three	23	18
Four	28	22
Five	29	23
Six	13	10
Seven	3	2
<b>TOTAL</b>	<b>127</b>	<b>100</b>

As can be seen, some 75% of properties had three or more defects and only 5% had no defects at all. It is important to note that the above data was recorded at the time of the application for a licence, i.e. after the landlord had done whatever works they considered to be necessary to meet the requirements. It is therefore reasonable to assume that this is an under-estimate of the property conditions prior to the extension of licensing.

Turning now to the nature of the defects identified, these were as follows.

<b>Table 8 – Extended licensing defect types by prevalence</b>			
	<b>Number of occurrences</b>	<b>% of all properties</b>	<b>% of all defects</b>
Fire-fighting equipment	86	68	18
Door upgrading	66	52	14
Thumb-turn locks	61	48	13
Management/Disrepair	60	47	13
Fire detection	53	42	11
Certification (documents missing or unsatisfactory)	39	31	8
Escape windows	16	13	3
Room sizes	15	12	3
Bathroom/WC separation	15	12	3
Damp and/or Mould	15	12	3
Window restrictors	15	12	3
Fire separation works	10	8	2
Unsafe stairs/ Cat 1 hazard	8	6	2
Other <sup>1</sup>	9	6	2
<b>TOTAL</b>	<b>468</b>	<b>N/A</b>	<b>98<sup>2</sup></b>

Note 1: "Other" includes three "Appliances/items in escape route", two "Natural light deficiency", and one each for "Numbers limited due to amenities", "Escape Route signage", "Trip hazards", and "No handrail to external stairs".

Note 2: Total does not sum to 100 due to rounding.

Of most concern in the above figures is that more than half of all defects were connected with fire-safety and this will be examined in more detail below. The other significant issue was property disrepair, while basic management failures in not having the correct documentation and/or certificates in place accounted for 8% of defects. Again it should be stressed that this is at the point of application for the licence.

Of the categories listed in the table above, the following are all fire-safety related: fire-fighting equipment (68% of properties); door upgrading (52%); thumb-turn locks (48%); fire detection (42%); escape windows (13%); and fire separation works (8%). Taken together these five categories accounted for 61% of all defects.

Only 12 out of 127 properties (9%) had no fire-safety issues at all, and the vast majority had multiple fire-safety defects as Table 9 shows.

<b>Table 9 – Extended licensing fire safety profile</b>	
<b>Number of fire safety defects</b>	<b>Number of properties</b>
0	12
1	21
2	35
3	38
4	18
5	3
<b>Total</b>	<b>127</b>

## **6.5 Planning applications and enforcement**

Over the last five full financial years, 2017-18 to 2021-22, there were 81 planning applications made in connection with HMOs, an average of 16 per year.

The vast majority of applications were in Leamington Spa (77) with three in Kenilworth and one in Warwick. This is not surprising given that the Article 4 Direction only applies in parts of Leamington so that most conversions to HMOs are permitted development in the rest of the district.

The Leamington applications were split fairly evenly between the CV31 and CV32 postcodes, with 41 and 36 respectively.

Overall three-quarters of the applications were granted, 59 in total, and 21 were refused with one withdrawn.

As at October 2022, there were 74 non-licensable HMOs which did not have planning permission and were under investigation by the Planning Enforcement Team. If additional licensing is introduced then should the HMO still exist at the time of being required to apply for a licence it will be subject to the HMO Licensing and Planning Permission Policy referred to in section five above. Some of these HMOs may cease to operate as HMOs and some may apply for permission, of which a proportion will be successful if they meet the H6 policy.

There were also seven licensed HMOs which were under investigation by the Planning Enforcement Team.

## **6.6 Property standards of non-licensable HMOs**

In the absence of licensing it is inevitable that data about the condition of non-licensable HMOs will be patchy, incomplete and based largely upon reactive work. To date, inspection of non-licensable HMOs has only occurred through: service requests from tenants typically complaining about conditions; service requests from landlords seeking to ensure compliance; and an accreditation scheme which ran approximately from 2004 to 2014. However experience has shown that most non-licensable HMOs will be deficient in some aspects of meeting the HMO Management Regulations and/or fire safety standards. Some can be expected to contain Housing Health & Safety Rating System (HHSRS) hazards such as overcrowding, excess cold etc.

This section provides more evidence about these issues using operational statistics on service requests received by the various teams that deal with them. In the data that follows it is possible that the pandemic may have affected the numbers for 2020/21 and 2021/22.

It should also be stressed again that, in the absence of additional licensing, the data on non-licensable HMOs is inevitably and unavoidably an under-estimate because it only include those HMOs known to WDC. It should also be noted that, in order to produce these statistics it has been necessary to link databases held in two separate IT systems, one of which is external. Inevitably there is a degree of inconsistency between the fields held in each system and unfortunately this means that it has not been possible to obtain complete coverage of all of the data. The statistics in this sub-section are the best available but can be assumed

to be an under-estimate of the true scale of HMO-related service requests in each of the three service areas.

### 6.6.1 Environmental Protection service requests

Over the five years from 2017/18 to 2021/22, WDC has dealt with 368 service requests associated with known HMOs, an average of 74 per year. The breakdown by year and licensable status is shown in Table 10.

<b>Table 10 – Environmental Protection service requests by year and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
2017/18	40	33	73
2018/19	50	22	72
2019/20	35	33	68
2020/21	37	24	61
2021/22	64	30	94
<b>TOTAL</b>	<b>226 (61%)</b>	<b>142 (39%)</b>	<b>368</b>

As regards geographic distribution of the HMO-related requests over this period, 331 were in the wards of Royal Leamington Spa, principally Clarendon, Brunswick and Willes. The full details are as follows.

<b>Table 11 – Environmental Protection service requests by ward and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
Leamington Clarendon	72	50	122
Leamington Brunswick	57	42	99
Leamington Willes	68	24	92
Leamington Milverton	10	8	18
Whitnash	5	8	13
Warwick All Saints and Woodloes	3	5	8
Kenilworth Park Hill	6	0	6
Warwick Aylesford	0	4	4
Warwick Saltisford	2	0	2
Kenilworth St Johns	2	0	2
Leamington Lillington	0	1	1
Warwick Myton and Heathcote	1	0	1
<b>TOTAL</b>	<b>226</b>	<b>142</b>	<b>368</b>

The types of HMO from which the reports came were principally "Student Shared House/Flat", "Bedsit" and "Other Shared House/Flat" as Table 12 shows.

<b>Table 12 – Environmental Protection service requests by HMO type and licensable status</b>			
	<b>Licensable</b>	<b>Not Licensable</b>	<b>Total</b>
Student Shared House/Flat	189	84	273
Bedsit	24	34	58
Other Shared House/Flat	10	14	24
Staff Accommodation	2	3	5
Unknown	0	4	4
Owner/Occupier with Lodgers	0	2	2
Hostel	1	0	1
Buildings containing both self-contained and non self-contained flats	0	1	1
<b>Total</b>	<b>226</b>	<b>142</b>	<b>368</b>

As regards the nature of the reports, over two-thirds were noise-related with pets and domestic rubbish accumulations being the other two significant categories.

<b>Table 13 – Environmental Protection service requests by request type and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
Noise	169	81	250
Mice, rats and other pests	25	35	60
Accumulations - domestic	21	13	34
Air	3	5	8
Dog control	2	4	6
Drainage	4	2	6
Licensing Act application - public nuisance	1	2	3
Radiation - light nuisance (domestic)	1	0	1
<b>TOTAL</b>	<b>226</b>	<b>142</b>	<b>368</b>

It is noticeable in the above analysis that there is no appreciable difference between the licensed HMOs and the unlicensed HMOs in terms of the most significant locations, types of HMO and nature of complaint.

### 6.6.2 Private Sector Housing service requests

Over the five years from 2017/18 to 2021/22, WDC has dealt with 152 private sector housing service requests associated with known HMOs. Slightly more of the reports came from licensable (53%) as opposed to non-licensable HMOs. The breakdown by year is shown in Table 14.

<b>Table 14 – Private Sector Housing service requests by year and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
2017/18	30	30	60
2018/19	19	11	30
2019/20	7	11	18
2020/21	15	12	27
2021/22	10	7	17
<b>TOTAL</b>	<b>81 (53%)</b>	<b>71 (47%)</b>	<b>152</b>

As regards geographic distribution of the HMO-related complaints over this period, 124 were in the wards of Royal Leamington Spa, principally Brunswick, Willes and Clarendon. The full details are as follows.

<b>Table 15 – Private Sector Housing service requests by ward and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
Leamington Brunswick	23	22	45
Leamington Willes	26	17	43
Leamington Clarendon	22	7	29
Warwick All Saints and Woodloes	2	6	8
Whitnash	1	5	6
Kenilworth Park Hill	1	4	5
Leamington Milverton	2	2	4
Leamington Lillington	2	1	3
Kenilworth St Johns	1	1	2
Warwick Myton and Heathcote	0	2	2
Bishops Tachbrook	0	1	1
Kenilworth Abbey and Arden	1	0	1
Radford Semele	0	1	1
Warwick Aylesford	0	1	1
Warwick Saltisford	0	1	1
<b>TOTAL</b>	<b>81</b>	<b>71</b>	<b>152</b>

The types of HMO from which the requests came were principally "Student Shared House/Flat", "Bedsit" and "Other Shared House/Flat" as Table 16 shows.

<b>Table 16 – Private Sector Housing service requests by HMO type and licensable status</b>			
	<b>Licensable</b>	<b>Non-Licensable</b>	<b>Total</b>
Student Shared House/Flat	58	31	89
Bedsit	18	23	41
Other Shared House/Flat	2	12	14
Staff Accommodation	1	2	3
Hostel	2	0	2
Owner/Occupier with Lodgers	0	2	2
Unknown	0	1	1
<b>Total</b>	<b>81</b>	<b>71</b>	<b>152</b>

As regards the nature of the requests, more than one-third were related to property conditions, with general enquiries, refuse issues and licence enquiries also showing significant numbers.



<b>Table 17 – Private Sector Housing service requests by request type and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
HMO - HHSRS/conditions complaint	35	23	58
HMO - General Enquiry/Advice	17	26	43
HMO – refuse/curtilage issues	10	9	19
HMO - Licence Enquiry	7	9	16
Student Housing Enforcement	5	2	7
Landlord & Tenant Advice	4	0	4
Overcrowding	1	2	3
Harassment	2	0	2
<b>TOTAL</b>	<b>81</b>	<b>71</b>	<b>152</b>

Again, as with environmental reports, despite some slight variation in rankings, there is little difference between the licensed HMOs and the unlicensed HMOs in terms of the most significant locations, types of HMO and nature of complaint.

### 6.6.3 Waste & Fly-tipping

Over the five years from 2017/18 to 2021/22, WDC has dealt with 504 waste enquiries associated with known HMOs, an average of 101 per year. The breakdown by year and licensable status is shown in Table 18.

<b>Table 18 – Waste and fly tipping service requests by year and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
2017/18	80	40	120
2018/19	115	44	159
2019/20	78	44	122
2020/21	40	15	55
2021/22	37	11	48
<b>TOTAL</b>	<b>350 (69%)</b>	<b>154 (31%)</b>	<b>504</b>

As regards geographic distribution of the HMO-related enquiries over this period, 470 were in the wards of Royal Leamington Spa, principally Willes, Clarendon and Brunswick. The full details are as follows.

<b>Table 19 – Waste and fly tipping service requests by ward and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
Leamington Willes	160	61	221
Leamington Clarendon	94	26	120
Leamington Brunswick	79	39	118
Warwick Myton and Heathcote	3	7	10
Leamington Milverton	3	4	7
Kenilworth Park Hill	0	6	6
Kenilworth St Johns	3	2	5
Whitnash	2	3	5
Leamington Lillington	1	3	4
Warwick All Saints and Woodloes	2	1	3
Kenilworth Abbey and Arden	1	1	2
Warwick Saltisford	1	1	2
Warwick Aylesford	1	0	1
<b>TOTAL</b>	<b>350</b>	<b>154</b>	<b>504</b>

The types of HMO from which the reports came were principally "Student Shared House/Flat", "Bedsit" and "Other Shared House/Flat" as Table 20 shows.

<b>Table 20 – Waste and fly tipping service requests by HMO type and licensable status</b>			
	<b>Licensable</b>	<b>Non Licensable</b>	<b>Total</b>
Student Shared House/Flat	312	97	409
Bedsit	21	34	55
Other Shared House/Flat	16	22	38
Staff Accommodation	1	1	2
<b>Total</b>	<b>350</b>	<b>154</b>	<b>504</b>

The nature of the requests are shown in the following table, the four most significant being general enquiries, accumulations of waste on property, collection issues and fly-tipping. It should be noted that with fly-tipping the data is based upon the location of the fly-tipping incident, which may not be the same as the address of the culprit.

<b>Table 21 – Waste and fly tipping service requests by request type and licensable status</b>			
	<b>Licensable</b>	<b>Non-licensable</b>	<b>Total</b>
General Enquiry	108	70	178
Accumulation of waste on property	121	36	157
Collection Issues	47	20	67
Fly Tipping	42	22	64
Additional Refuse Capacity Request	22	2	24
Complaint Investigation	9	3	12
Not all waste collected	1	1	2
<b>TOTAL</b>	<b>350</b>	<b>154</b>	<b>504</b>

Once again there are some differences in rankings but no difference between the licensed HMOs and the unlicensed HMOs in terms of the most significant locations, types of HMO and nature of complaint.

## **6.7 Case studies**

The following two case studies show just some of the housing conditions that have been found to exist in non-licensable HMOs, through reactive work in dealing with incoming complaints. Further examples have been included in appendix two.

### **Case Study 1 – Leamington Brunswick ward**

The PSH team investigated a complaint regarding a flood at a four-bed HMO. As well as several repair and maintenance issues, the gas boiler was found to be defective resulting in no central heating or hot water supply. When one of the tenants tried to turn the boiler back on, it caused a serious water leak which resulted in flooding and serious damage to the ceiling and floor of the living room and kitchen. An Improvement Notice was issued on the landlord requiring the boiler to be suitably repaired or replaced.

One of the bedrooms was found to be below the legal minimum of 6.51 sq. m for a single adult. A Prohibition Order was issued in respect of the small bedroom to prevent re-occupation.



Penetrating damp to lounge ceiling



Penetrating damp to kitchen wall and ceiling



Bedroom with floor area 6.2 sq. m

## Case Study 2 – Leamington Clarendon ward

A routine inspection identified a four-storey HMO occupied by four individuals above a retail premises. There were potentially five bedrooms but only four were being let out.

The accommodation was in very poor condition. The roof was leaking into one of the bedrooms and rainwater was being collected in a bucket. There was penetrating damp affecting the communal bathroom. The door to the kitchen had been removed, other doors were not fire-rated and there was no working smoke detection in the building.

The landlord was prosecuted for failing to comply with an Improvement Notice and HMO Management Regulations, resulting in a fine of £27,000 including costs. The HMO has since been brought up to standard, managed and licensed by a professional letting agent.



Leaking roof around roof-light in bedroom



Damp and insanitary wall tiling



Defective smoke detector

## **7     Advantages and disadvantages of additional licensing**

In considering the advantages and disadvantages of additional licensing it is worth outlining the benefits that mandatory licensing has achieved since its introduction in 2006 (and extension in 2018) because these benefits could be expected to apply again should additional licensing be adopted.

Mandatory licensing has ensured that the larger HMOs have:

- Been brought up to standard for fire safety;
- Been subject to regular fire safety, gas safety & electrical inspection and certification;
- Had sufficient cooking and washing facilities;
- Had prescribed maximum occupancies;
- Been subject to detailed licence conditions concerning management including anti-social behaviour; and
- Received periodic planned inspection.

There are four key groups of stakeholders that are affected by additional licensing and may be expected to have some intelligence on the pros and cons: local authorities; private landlords; and tenants and residents. It is useful to consider the experiences of other councils that have considered and/or introduced additional licensing and this is covered in section 7.1. The perspectives of local landlords, tenants and residents will ultimately be ascertained through a formal consultation exercise should the council decide to pursue the project. However some information is already available as to the views of local private landlords and this is set out in section 7.2.

### **7.1    Local authority perspectives**

[Recent government research](#) into enforcement in the private rented sector found that “Local authorities were in favour of all forms of private rented sector licensing schemes because of the associated powers to inspect and enforce, and the setting of clear standards. Mandatory licensing had prompted greater focus on historically problematic private rented markets and, as a result, was unanimously thought by case study participants to have helped improve standards and conditions. However, issues with landlord compliance and local authority capacity to monitor compliance means that further efforts may be needed to fully maximise the impact of licensing on private rented sector conditions and standards.”

A number of councils have already introduced additional licensing and a literature review of four such authorities has been undertaken to assess the range of benefits that were expected from its introduction.

Coventry City Council identified five benefits:

- A consistent approach to all Coventry HMOs;
- Appreciation of property values;
- Links with landlords;
- A recognised group of landlords; and
- Pro-active involvement eliminates reactive work.

Salford City Council suggested the following:

- A reduction in the negative impacts for tenants of HMOs

- Reduction in the negative impacts from HMOs that will benefit the whole community
- A wider understanding from HMO landlords and agents of expected management standards
- The better protection of the health, safety and welfare of tenants through improved safety standards within the HMO
- Improved management and improved conditions of privately rented accommodation will provide quality and choice for residents
- Licensing will require absentee or unprofessional landlords to employ a professional property management approach to actively manage their properties and ensure suitable arrangements are in place to deal with any problems that arise
- Good private landlords would also benefit from not having to compete with poorly managed properties that do not meet the required standards
- As with mandatory licensing, additional licensing will bring a significant number of properties to the Council's attention that would otherwise have gone undetected.

In considering the matter, Walsall MBC noted that additional licensing can contribute to:

- "protecting the health, safety and well-being of tenants and communities;
- neighbourhood improvement and the prevention and control of anti-social behaviour;
- easier identification of rogue landlords and enabling action to be taken to respond to their behaviour;
- addressing problems linked to landlords who can easily take their HMOs outside of current scheme definitions – e.g. some landlords illegally evicting tenants to bring the occupation of their rented properties to below the current mandatory HMO occupancy level of 5 people."

For Worcester City Council the benefits to be gained were:

- Improvements to accommodation;
- Improvements to health and safety;
- Sustainable improvements to the areas within the city;
- Better value for money;
- Consistent approach to safety and property conditions for tenants; and
- A level playing field for landlords.

The WDC HMO Task and Finish Group in 2016/17 undertook a survey of four councils that had introduced additional licensing and summarised the findings as:

- "a. Experience has been very beneficial for tenants – small HMOs were too often in breach of minimum safety and health standards.
- b. Landlord accreditation schemes did not work.
- c. After launch period, additional licensing becomes cost-neutral – some upfront investment is needed.
- d. Important to engage properly with landlords – most then appreciate benefits

- e. Best to set charges on a 'polluter pays' basis, with good landlords paying less and with less frequent renewals/inspections. Poor landlords can be licensed year by year.
- f. To manage problems Councils use specific conditions on licences & management orders...prosecutions and withdrawal of licence are certainly applied as 'last resort' measures.
- g. Planning enforcement generally prosecutes landlords who seriously flout the rules on conversions – and the HMO licensing authority is then able to use the conviction in the 'fit and proper person' test."

## **7.2 Private landlord perspectives**

The HMO Task and Finish Group also surveyed local private landlords, asking among other things about the landlords' perspective on the pros and cons of licensing. The responses were:

Perspectives on benefits:

- "Awareness that the property has reached Warwick District Council's requirements for HMO Licensing approval. It helps to improve housing standards in the private rented sector."
- "I currently do not need a licence for my student properties. I have 4 students in each of my properties over two floors. I can't think of any benefits of having a licence other than a further income stream for a cash strapped Council. It appears to me that local authorities often extend schemes to raise funding to counter austerity cutbacks and for local political window-dressing."
- "Keeps on top of landlords managing standards, and keeps on top of safety in properties."
- "Being in the clear as to letting arrangements/standards/compliance reassurance for tenants."

Perspectives on negatives:

- "None."
- "1. The licence standard would be much lower than the standards that I apply to my HMOs, so why do I need a licence? Extending schemes of this kind will see responsible landlords paying for expensive licences, while the criminals will continue to operate under the radar.  
2. Complex regulatory systems are pushing up rents and preventing more investment in the private rented sector at a time when it needs to expand to help tackle the housing crisis. It would increase my rents by at least an additional £20 per month to include fees and my administration charges. As a long distance landlord who manages my own properties, for example, I would travel a round journey of around 360 miles to open a property for the Council to view. Though I am happy for the Council to view my student properties in Leamington.  
3. Criminal landlords often continue to operate as local authorities fail to use their enforcement powers. Let's get the existing legislation working to route out poor quality landlords. Councils already have enforcement powers to take action against those who act illegally and bring the whole sector into disrepute, but are failing to use them, with only 827 prosecutions against landlords over the last five years."

4. Yet more paperwork. Already introduced recently - right to rent booklet, immigration checks, higher taxes etc.

5. The licensing scheme is not fully supported by recognised landlord associations. For example, the RLA objects to local authority proposals for discretionary licensing – particularly with regard to the fee levels imposed and are speaking out against schemes across the country.

6. Local authorities already have the powers needed to effectively monitor landlords through council tax documentation. 96% of councils ask for landlords' data on these forms."

- "Sometimes less important areas are focussed on and still don't cover some fundamental common issues, such as damp & condensation."
- "Costs."

## **8 Assessment of the potential for additional licensing**

This section of the report will take each of the matters set out in the legislation (and summarised in section 3.4 above) to which the council must have regard in deciding whether to introduce additional licensing.

### **8.1 Are a significant proportion of the HMOs to be licensed in the area being managed ineffectively to such an extent as to give rise, or to be likely to give rise, to one or more particular problems either for the occupiers or for members of the public?**

This is a difficult question to answer comprehensively because it is a "Catch 22" situation: the introduction of licensing requires consideration of data that can only be fully collected and analysed if all of the properties are known about, which will only happen once licensing is introduced.

In the absence of full intelligence on the location of all currently non-licensable HMOs a number of proxy-data sources have been presented above to create a picture of the likely current situation. This analysis has been based upon data about currently licensed HMOs, known non-licensable HMOs, findings from the extension of licensing in 2018 and case studies of actual HMOs found during reactive work in dealing with operational complaints. This is now summarised in this sub-section.

Warwick district has one of the highest rates in the country of full-time students as a proportion of households and this has influenced the constitution of the housing stock with high proportions of: flats and maisonettes; converted and shared houses; one and two bedroom accommodation; and private renting.

Overall, as at 28 June 2022, there were 1,409 confirmed HMOs in the district, of which more than half (805 or 57%) were non-licensable. Consistent data to make precise historic trend comparisons is not available. This number may be an under-estimate of the true figure because by definition it cannot include unknown non-licensable HMOs. This could be balanced to an extent by some properties recorded as non-licensable HMOs having reverted to non-HMO use without WDC having been made aware of the fact: small HMOs are liable to falling back to single household properties because their size is well suited to occupation by couples or small families.



Geographically the known HMOs, licensed and non-licensable, are predominantly in Leamington Spa, with smaller, but still significant, numbers in the other towns: Warwick, Kenilworth and Whitnash.

As regards types of HMOs, there are three main categories: "Student Shared House/Flat" (73%), "Other Shared House/Flat" (12%) and "Bedsits" (13%). The profile for non-licensable HMOs differs significantly from licensed, with higher proportions of other (non-student) shared houses/flats and bedsits. This is likely to be a reflection of the fact that student shared houses/flats tend to be for greater numbers of individuals and are therefore licensable.

A snapshot at a point in time of properties being advertised online on the Spareroom website showed that the vast majority of properties advertised were single rooms in an existing arrangement (51 out of 65), with only very small numbers of other types of accommodation. The Spareroom platform is predominantly for people advertising spare rooms and bedsits for professionals and is more suited to non-student accommodation. Geographically there was a reasonable spread across the four postcode districts, but this is in marked contrast to the overall geographic pattern for known HMOs (licensed and non-licensable) which is much more heavily skewed towards Leamington Spa.

Planning applications in connection with HMOs averaged 16 per year over the last five financial years with activity predominantly in Leamington Spa, although the latter point is inevitable because of the Article 4 Direction for parts of the town. As at October 2022, there were 74 non-licensable HMOs which do not have planning permission, and seven licensed HMOs, all of which were under investigation by the Planning Enforcement Team.

The additional HMOs brought into licensing by the 2018 extension were broadly similar to the established pattern of already licensed HMOs in terms of geography and type of HMO. Of those containing five persons, some 75% of properties had three or more defects while only 5% had no defects. It is important to note that this data was recorded at the time of the application for a licence, i.e. after the landlord had done whatever works they considered were necessary to meet the requirements. It is therefore reasonable to assume that this is an under-estimate of the property conditions prior to the extension of licensing.

Furthermore, over two-thirds of all defects (68%) were connected with fire-safety issues and only 12 out of 127 properties (9%) had no fire-safety issues at all. Other significant issues were property disrepair (13%), while basic management failures in not having the correct documentation and/or certificates in place accounted for 8% of defects. Again it should be stressed that this is at the point of application for the licence.

Available data shows that the Environmental Protection Team received an average of 74 service requests per year over the last five years connected with known HMOs, 39% of which were non-licensable HMOs. The highest proportion by some distance was connected with student shared houses/flats (74%), although bedsits (16%) and other shared houses/flats (7%) were also significant in the data. The vast majority of requests came from the three Leamington Spa

wards of Clarendon, Brunswick and Willes (85% in total). As regards the nature of the requests, over two-thirds related to noise issues with pests such as mice and rats and domestic rubbish accumulations being the second and third most prevalent.

Available data shows that the Private Sector Housing Team received an average of 30 service requests per year over the last five years connected with known HMOs, 47% of which were non-licensable HMOs. The highest proportion by some distance was connected with student shared houses/flats (59%), although bedsits (27%) and other shared houses/flats (9%) were also significant in the data. The vast majority of requests came from the three Leamington Spa wards of Clarendon, Brunswick and Willes (77% in total). As regards the nature of the requests, 38% were related to HHSRS/property condition issues with 28% being about general HMO advice, 13% being refuse/curtilage issues and 11% being licence enquiries.

Available data shows that there was an average of 101 service requests per year over the last five years on waste and fly-tipping issues connected with known HMOs, 31% of which were non-licensable HMOs. The highest proportion by some distance again was connected with student shared houses (81%), although bedsits (11%) and other shared houses (8%) were also significant in the data. The vast majority of requests came from the three Leamington Spa wards of Clarendon, Brunswick and Willes (91% in total). As regards the nature of the requests, the most frequent were general enquiries (35%), followed by accumulation of waste on property (31%), collection issues and fly-tipping (13% each).

While all of the above data relates specifically to known HMOs it is important to appreciate that most, if not all of the various issues also impact upon the wider community surrounding the properties where the issues occur and, in fact, it is often residents of the wider community and members of the public who actually contact WDC to make the service request. Furthermore, it should be stressed again that the service request data, while the best available is known to understate the full position due to data collation issues.

One of the most notable aspects of the service requests data from the three relevant service areas is that, despite some differences in ranks, the overall picture was virtually the same for both licensed and known non-licensable HMOs in terms of location, type of HMO involved and nature of service request. The clear inferences to be made from this are first, that non-licensable HMOs actually give rise to the same sorts of problems as licensed HMOs, and second, that the same profile of issues, types of properties and locations can be expected to be prevalent among the unknown non-licensable HMOs.

## **8.2 Is exercise of the power consistent with the council's overall housing strategy?**

In June 2022, the Department for Levelling Up, Housing and Communities published a white paper, "[A fairer private rented sector](#)", which stated in the foreword that "No one should be condemned to live in properties that are inadequately heated, unsafe, or unhealthy." It went on to say that "The reality today is that far too many renters are living in damp, dangerous, cold homes,

powerless to put things right, and with the threat of sudden eviction hanging over them.” The paper sets out the government’s intention of tackling these issues with a mission to “halve the number of poor-quality homes by 2030” through an ambition that:

1. All tenants should have access to a good quality, safe and secure home.
2. All tenants should be able to treat their house as their home and be empowered to challenge poor practice.
3. All landlords should have information on how to comply with their responsibilities and be able to repossess their properties when necessary.
4. Landlords and tenants should be supported by a system that enables effective resolution of issues.
5. Local councils should have strong and effective enforcement tools to crack down on poor practice.

The white paper does not include any specific measures regarding licensing of HMOs but it is clear that licensing could help with addressing a number of the issues raised in the above list. The paper does have a proposal to introduce a new digital “Property Portal” for the private rented sector, with which landlords would be legally required to register their property.

As a key statement of government policy on the private rented sector, the paper is something to which the council should have regard in developing its own policies in this area. However, in point of fact, the Council’s strategic approach to housing over many years has had an objective to tackle unsatisfactory housing conditions in all tenures so that our current policy direction is already very much in alignment with the above ambition.

WDC describes its corporate purpose as “to make our district a great place for everyone; whether they live, work or visit here” and its corporate strategy key aims are that:

“In the Warwick District of 2026:

- everyone will feel safe going about their daily lives
- everyone will be able to enjoy a healthy lifestyle and sense of well being
- everyone will have their housing needs met
- there will be a strong, diverse economy which provides jobs for all”

The introduction of additional licensing of HMOs would assist in achieving these aims because meeting housing needs is not just about providing homes. It is also about ensuring that those homes are well managed and maintained, safe, secure, warm and affordable so as to contribute to the health and well-being of the occupier and the wider neighbourhood.

### **8.3 Would additional licensing be part of a co-ordinated approach to dealing with homelessness, empty properties and antisocial behaviour affecting the private rented sector?**

In 2017 the council carried out a review of all of its enforcement activities, led by the Deputy Chief Executive and Monitoring Officer, to ensure a consistent, co-ordinated and corporate approach within and between departments to tackling issues affecting communities in the district.

A further review was undertaken and a new policy adopted by WDC in August 2022. The policy defines its approach as follows:

“The general principle will always hinge around negotiation, advice guidance, education and support to ensure maximum benefit from minimum resource input, aiming to avoid imposing unnecessary regulatory burdens. Enforcement procedures will always follow statutory requirements and guidance. Whilst court proceedings including prosecution will normally be directed towards those who deliberately fail to comply there will also be occasions where proceedings are deemed to be appropriate in certain other circumstances”.

The policy contains a list of regulatory services to which it applies including the following, which are of relevance to HMO management:

- Anti-social behaviour;
- Environmental protection;
- Licensing;
- Planning enforcement;
- Private sector housing (which includes responsibility for empty properties);
- Waste enforcement.

Implementation and monitoring of the enforcement policy ensures therefore that there is a single corporate approach to empty properties, anti-social behaviour and licensing, mandatory and additional if introduced.

Homelessness is different in that it is not an enforcement issue. In 2021 WDC adopted a new Homelessness and Rough Sleeping Strategy 2021-26, the overall aim of which is to shift the focus towards a much greater use of universal prevention measures while retaining directed prevention and crisis resolution for those who slip through the net. At the same time the strategy seeks to assist those sleeping rough to come in off the streets and rebuild their lives.

The approach to homelessness is therefore very much aligned with the approach to enforcement, albeit in a very different context. It concentrates first and foremost upon prevention, working with, helping and advising customers in order to seek satisfactory outcomes wherever possible while retaining the statutory process as a last resort for those for whom homelessness cannot be prevented.

#### **8.4 Consideration of other courses of action to deal with the problems associated with HMOs**

If the council chooses not to introduce additional licensing then there is a range of other, less comprehensive, approaches that could be adopted.

The first option would be to continue with the present, entirely reactive system whereby non-licensable HMOs only come to the attention of officers when either a tenant contacts the council with a complaint or the landlord proactively contacts the council for advice. As has been seen from the data on HMOs affected by the extension of licensing in 2018 this leaves a great many defects in

properties that go undetected with all the attendant risks and safety concerns as a result.

Other options for a more pro-active regime without requiring licensing are set out in the following table along with the advantages and disadvantages of each system.

<b>Alternatives</b>	<b>Disadvantages</b>	<b>Advantages</b>
A more proactive inspection regime that seeks out non-licensable HMOs	<p>Very resource intensive, with a lot of unproductive work.</p> <p>Limited capacity of existing staff to undertake inspections.</p> <p>Fewer enforcement powers because licence conditions will not apply.</p> <p>Not comprehensive.</p> <p>Difficult to identify 'non-student' HMOs.</p> <p>HMOs will not necessarily receive monitoring inspections and requests for safety certificates throughout their existence.</p>	<p>Will cover more properties than the current system.</p> <p>Will improve standards for tenants of properties found.</p>
Targeted enforcement	<p>Focuses only on those known to have issues in the past.</p> <p>Will not uncover HMOs previously unknown.</p> <p>Resource intensive and relies on local knowledge.</p> <p>Encourages a culture of 'do nothing until told to by the Council'.</p> <p>Could lead to landlords feeling singled out or discriminated against.</p>	<p>Enables known landlords/HMOs with questionable management to be dealt with.</p>
Accreditation	<p>Only 'good' landlords tend to seek accreditation.</p> <p>Can be resource intensive to operate and divert resources away from the worst HMOs.</p>	<p>An effective way of encouraging landlords to set high standards.</p> <p>Popular with landlords if no fees and enables them to have a market advantage.</p>

	<p>Schemes are limited in their scope and lack enforcement capability.</p> <p>Schemes only tend to work if there are no fees associated with them.</p>	
Multi-agency approach	<p>Resource intensive and relies upon all agencies being aligned in their priorities.</p> <p>Likely to only focus on a relatively small number of properties.</p>	<p>Can be effective in dealing with a range of issues at the same time.</p> <p>Useful for dealing with the most serious offences e.g. person trafficking, drug dealing etc.</p>
Landlord training	<p>Requires landlord voluntary engagement.</p> <p>No enforcement powers available.</p> <p>Does not always lead to improved property standards.</p> <p>Already available through other agencies but take-up is relatively low.</p>	<p>Improves knowledge where a landlord is engaged with the authority.</p> <p>Promotes confidence amongst tenants.</p>
Private sector leasing scheme	<p>Requires landlord voluntary engagement and does not improve management standards of landlords who chose not to join the scheme.</p> <p>No enforcement powers available.</p> <p>Likely to be relatively low uptake as landlords self-manage or appoint professional letting agents to manage.</p>	<p>Contributes to homelessness prevention as could be used for allocation to those in housing need.</p>
Targeted use of Special Interim Management Orders	<p>Resource intensive.</p> <p>Does not present a long-term solution to poor management of private rented properties.</p> <p>Does not tackle poor management techniques.</p>	<p>Removes landlord responsibilities and gives it to a responsible nominated agent.</p> <p>Improves standards for tenants and the local community.</p>

	<p>Reactive.</p> <p>An intervention of last resort that can only be used on specific properties where detailed evidence supports the action.</p>	
The Property Portal (see section 8.2 above)	<p>Requires primary legislation by central government</p> <p>No timescale indicated for its introduction</p> <p>Registration schemes tend to be regarded as "light touch" regulation.</p>	<p>Legal obligation for landlords to register their property on an accessible database.</p> <p>Other advantages are unclear until greater detail is announced as to how the portal will work.</p>

## 8.5 Consultation

If the council decides that it wishes to consider additional licensing then a full public consultation will be undertaken and the outcome will be reported to Cabinet for consideration before a final decision on implementation.

## 9 Conclusions and next steps

### 9.1 Will additional licensing significantly assist in dealing with the problems?

It is clear from the datasets summarised in section 8.1 above that the known non-licensable HMOs alone do generate a lot of requests across the Council, from refuse and noise to the condition and management of HMOs. It can also be inferred that unknown non-licensable HMOs are also generating similar types of requests although these are not necessarily being recorded as HMO-related. Many of these issues will have been raised because there are problems which have not been addressed by the landlords, and there will be a link to the absence of any previous inspections or enforcement because of the limits on the Council's powers without licensing controls.

It is to be expected that getting such properties licensed would address many of the issues which cause the requests to be made in a systematic way which is obviously a positive and desirable outcome. It would also improve the physical conditions of the sector to ensure better health, safety and welfare for occupiers, both of the HMOs and of the surrounding communities. Further, it would strengthen the link between Licensing and Planning since all licence applications would be required to satisfy the need for authorised HMO use before licensing can proceed.

The application of Specific HMO licence conditions on management, preventative action and providing information to occupiers on, for example information on putting bins out and tenancy conditions about avoiding nuisance will ensure greater control over the wider environmental issues.

## **9.2 Coverage of any proposed scheme**

As regards geographic coverage, while it is clear from the data that the majority of known HMO-related issues are currently generated in Leamington Spa it is important not to lose sight of the fact that unknown non-licensable HMOs may be more widely distributed. The Sparerroom data is relevant in this respect, as it showed a much more even spread across the towns of the district than the data on known HMOs. To introduce additional licensing in Leamington Spa alone would potentially therefore miss more HMOs than one might expect when looking at the "known" data alone. It could also create a number of problems, such as inconsistency of service to tenants and residents across the district and encouraging growth of HMO numbers in other parts of the district to avoid the licensing regime.

Officers are therefore currently minded to recommend consultation upon a whole-district scheme if members consider that they wish to move forward with proposals on additional licensing.

Specific consideration needs to be given to Section 257 HMOs (as described in section 3.1 above) and whether these should be included in any scheme. As was mentioned earlier these properties are a curiosity within the overall definition of HMOs and the full extent of them is not known at this time. Historically, there has been some proactive work in bringing some of these properties up to modern fire safety standards, whilst others upgrade over time without the Council's intervention when refurbishment programmes are undertaken. Without further information being to hand to confirm that these buildings present a particular problem, it is suggested that they should not be included within any proposed additional licensing scheme at this time.

Purpose-built flats situated in a block of three or more self-contained flats also require specific consideration. As mentioned in section 3.2 of this study, the government specifically excluded such properties from the extension of mandatory licensing in 2018.

There are 116 of these flats currently included in the non-licensable HMOs in this study that are regarded as purpose-built student accommodation. Officers are minded to consult on excluding these properties from additional licensing for a number of reasons:

- The council should have regard to the fact that, as recently as 2018, the government did not consider that this type of property should be subject to licensing;
- The properties are in quite large blocks and therefore highly visible and do not "slip under the radar" like some smaller HMOs;
- Most of the blocks were constructed in the last 20 years and are therefore built to modern standards;
- In officers' experience, fewer complaints are received about these blocks than are received for other non-licensable HMOs.



### 9.3 Next steps

If the Council is minded to go forward with proposals for additional licensing then an indicative timetable for the next steps in the process is as follows.

Activity	Dates
Cabinet report to consider feasibility report	7 December 2022
Public Consultation Exercise	9 January-20 March 2023
Analysis of public consultation results	21 March – 7 April 2023
Further Cabinet report to determine whether to proceed and, if so, to confirm scheme arrangements	July 2023
Recruitment process	July – October 2023
Formal designation of the scheme	July 2023
Additional licensing comes into effect	October 2023

## **APPENDIX ONE**

### **WARWICK DISTRICT COUNCIL, HOUSING ACT 2004, HMO LICENCE CONDITIONS**

*Note: The terms 'licence holder' 'manager' and 'managing agent' are used throughout this schedule. The use of each of these terms in any condition does not imply that none of the others also have legal liability for compliance.*

#### **1. Licence Holder and Manager Notifications**

1.1 The licence holder, and where appropriate the nominated managing agent/s, must inform Warwick District Council, ('the Council') within 21 days, of any relevant changes in their circumstances including: -

- (a) Changes of address of the licence holder and/or managing agent.
- (b) Change of ownership, and or, managing agent of the licensed property.
- (c) Change of mortgagee
- (d) Any substantial changes to the structure or layout of the property

1.2 The licence holder/manager must inform the Council by telephone or email to PSHousing@warwickdc.gov.uk within 24 hours of them becoming aware of the occurrence of a fire within the HMO, or on the next business day. A 'fire' includes any unintended source of ignition inside an HMO, whether or not it involves calling the Fire Service.

1.3 The licence holder must, on request, provide a written statement to the Council setting out the names of persons occupying the property together with the rooms which they occupy, within 7 days of the Council's request.

1.4 The licence holder must provide copies of up to date certification\* on request for the gas and mains wiring installation, portable electrical appliances, fire alarm system, emergency lighting, fire extinguishers/blankets, if installed. All of which must have been obtained within the last 12 months, with the exception of the electrical installation which must be within the last 5 years.

*\* Such certification will only be accepted if it has been issued by a competent person, who can demonstrate their competence through qualification or otherwise. Self-certification of alarm systems which do not have a control panel may be acceptable.*

*Note: If you hold and/or process your tenants' personal data you must be registered with the Information Commissioner's Office (ICO) and pay the relevant fee under current data protection laws.*

1.5 The licence holder must check with the Planning Department to determine whether any works which are proposed will require planning consent or approval under the Building Regulations.

## **2. Fit and Proper Person**

2.1 The licence holder/manager must inform the Council, within 21 days for any of the following: -

- a) Conviction for offences involving Fraud, Dishonesty, Violence, Drugs, Sexual Offences Act (Schedule 3)
- b) Conviction for unlawful discrimination on grounds of age, sex, race, disability, religion, marriage and civil partnerships, gender reassignment, sexual orientation and pregnancy and maternity in connection with a business.
- c) Conviction for a prosecution taken by any Local Authority under any housing or landlord and tenant legislation
- d) Cases where any Local Authority has carried out works in default
- e) Cases where a Management Order under Housing Act 2004 has been made by any Local Authority
- f) Cases where an HMO licence has been refused by any Local Authority, or licence conditions breached.
- g) Cases where a Fixed Penalty Final Notice has been issued by any Local Authority under Housing & Planning Act 2016

NOTE: The Database of Rogue Landlord & Property Agents under Housing & Planning Act 2016 will be checked before an HMO licence is issued.

## **3. Property Details**

### **3.1 WC's**

The following shared toilet provision is required: -

<b>Persons</b>	<b>W.C.'s</b>
1-4	1 permitted within the bathroom
5	1 <b>Separate from the bathroom</b>
6-10	2 permitted within the bathroom
11-15	3 permitted within the bathroom
16-20	4 permitted within the bathroom
21-25	5 permitted within the bathroom
26-30	6 permitted within the bathroom

3.2 Each WC compartment must: -

- (a) have adequate ventilation and artificial lighting,
- (b) be provided with a wash hand basin (with hot and cold water supplies), and adequate drainage and have sufficient splashback tiling or otherwise impervious finish.
- (c) have a smooth impervious floor covering, and be of adequate size/layout, with facilities fit for the purpose

*Note: Persons having access to en-suite facilities will not be counted for the purposes of these ratios. Also a WC must not be more than two floors distant from any occupier. Outside toilets are disregarded for the purposes of this standard.*

### **3.3 Bathrooms**

The following shared bathroom provision is required: -

<b>Persons</b>	<b>Bath or Shower Room</b>
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5
26-30	6

*Note: Persons with en-suite facilities will be disregarded for the purpose of this ratio.*

3.4 A bath/shower (with hot/cold water and waste drainage) must be provided in a suitable room, not more than two floors distant from any occupier. A bath or shower room may contain a WC where there are 5 persons sharing, provided there is also a separate WC.

3.5 Each bath or shower room must: -

- (a) have adequate ventilation, electric lighting and fixed heating.
- (b) have a smooth impervious floor covering
- (c) have sufficient splash back tiling or otherwise impervious finish to each bath or shower area.
- (d) be of an adequate size/layout with facilities fit for the purpose.
- (e) have suitable shower screen/curtain if shower fitted over bath

3.6 Shower units to be fitted with thermostatic temperature controls to prevent scalding.

### **3.7 Wash Hand Basins**

The following provision is required: 1 communal wash hand basin per 5 persons, excluding any basins fitted in bedrooms. Each basin to be provided with suitable supplies of hot and cold water, and have sufficient splashback tiling or otherwise impervious finish.

### **3.8 Kitchens**

Where kitchen facilities are provided within bedrooms, or bedsitting rooms they must have the following: -

- a suitably sized sink and draining board with constant supplies of hot and cold water,  
a fixed impervious worktop, measuring not less than 1.0m x 0.6m, with tiled or otherwise impervious splash back.
- a dry food storage cupboard of 0.18 cubic metres (6.4 cubic feet) wall/base unit (sink units are discounted)
- storage cupboard for crockery and a drawer/container for utensils
- a refrigerator (minimum gross capacity 66 litres or 2.3 cubic feet)
- a 2 ring cooker with oven and grill
- a minimum of two 13 amp twin electric sockets in the food preparation area adjacent to the worktop.
- adequate space, layout, ventilation, artificial lighting, and a suitable impervious floor covering. All facilities must be fit for the purpose.
- A fire blanket

3.9 Where kitchens are shared they should not be more than one floor distant from any user (unless a dining area is provided), and have the following facilities (for every 6 persons): -

- a suitably sized sink and draining board with constant supplies of hot and cold water with tiled or other impervious splashback. (Where there are 7 persons sharing, a dishwasher may be installed in lieu of an additional sink/drainage).
- a fixed impervious worktop, not less than 1.5m x 0.6m with tiled or other impervious splash back.
- dry food storage cupboards of 0.18 cubic metres (6.4 cubic feet) per person wall/base unit or larger (sink units are discounted)
- refrigerator (minimum gross capacity 150 litres or 5.3 cubic feet)
- freezer (minimum gross capacity 120 litres or 4.2 cubic feet)
- 4 ring cooker with oven and grill. Where there are 7 people sharing, an additional 2 ring cooker, (with grill/oven) may be provided in lieu of an additional 4 ring cooker.
- a minimum of four 13 amp electric sockets in the food preparation area adjacent to the worktop, in addition to those provided for major appliances (fridge, microwave, washing machine etc.)
- a fire blanket
- adequate space, layout, ventilation, artificial lighting, and a suitable impervious floor covering. All facilities must be fit for the purpose.

### **3.10 Heating, Lighting and Ventilation**

There must be an effective fixed heating system. It must be safely installed, maintained and be appropriate to the design, layout and construction, such that the whole of the HMO can be adequately and efficiently heated. The occupiers of the HMO must have full access and control over the heating system to ensure they are able to maintain adequate heating as appropriate.

3.11 Written instructions should be made available to occupiers to ensure they are acquainted with the safe operation of any appliances e.g. boilers, immersion heaters, thermostats, cookers, wash machines, tumble driers.

3.12 All habitable (bedrooms, living & dining rooms) rooms: -

- (a) must be equipped with adequate means of fixed space heating.
- (b) must be provided with adequate natural/artificial lighting (this should be unobstructed window(s) having a glazed area of not less than 10% of the room's floor area and suitable electric light point(s)).
- (c) must be provided with adequate natural ventilation. Generally, this should be window(s) having a combined opening area of not less than 5% of the room's floor area.

3.13 Halls, stairs, landings, accessible cellars and external steps and walkways must be provided with adequate artificial lighting.

### **3.14 Thermal Insulation**

Loft spaces must be insulated with a minimum 250mm of insulating material. All water tanks and pipework liable to freezing must be suitably lagged.

3.15 All hot water cylinders must be suitably lagged with an appropriate insulating jacket or factory-fitted insulating material.

3.16 All external doors and windows must be suitably draught proofed.

3.17 Shared house HMOs (not let under separate contracts) must meet Energy Performance Certificate minimum rating of 'E', unless otherwise exempted and registered under Minimum Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

#### **4. Management of the Property**

*Note: When conditions for remedial actions are set, whether that be when a licence is granted, renewed, or as a consequence of an interim inspection, a maximum time limit for compliance will be set and confirmation of completion will be required.*

*Note: Serious Category 1 Health and Safety breaches, persistent breaches of other licence conditions, and failure to take remedial action within agreed timescales, may result in enforcement action and financial penalties up to a maximum of £30,000 under the Housing & Planning Act 2016.*

##### **4.1 Fire Precautions**

Fire alarm systems, including smoke/heat alarms, must be installed and maintained in good order, and checked at intervals of not more than 12 months by a suitably qualified electrician in accordance with BS5839-1:2017, BS5839-6:2013, and LACORS guidance. The licence holder must supply to the Council, on demand, a declaration as to the condition and positioning of such alarms. Grade D type fire alarms (without control panels) can be checked and certified by the licence holder/manager. Licence holders will be responsible for undertaking their own checks at regular intervals.

4.2 All means of escape must be maintained in good order, and kept free from obstruction. This includes staircases, passageways, corridors, halls, lobbies, entrances, paths and yards (internal and external).

4.3 The integrity of all floors, walls, ceilings and doors must be maintained to give the necessary fire resistance required, in accordance with LACORS guidance

4.4 Fire resisting doors must be maintained, in accordance with LACORS guidance, with three 100mm steel hinges, and where appropriate smoke/heat activated seals and self-closing devices.

4.5 Emergency lighting (if applicable) must be maintained in good order and checked at intervals of not more than 12 months by a suitably qualified electrician in accordance with BS5266-1:2016 and LACORS guidance. Licence holders will be responsible for undertaking their own checks at regular intervals.

4.6 All fire-fighting equipment must be maintained in good order and checked at intervals of not more than 12 months by a suitably qualified service engineer in accordance with BS5306-3:2017. Licence holders will be responsible for undertaking their own checks at regular intervals.

4.7 All letting rooms or kitchens that contain cooking facilities must be provided with a suitable fire blanket which complies with BS 6575. The blanket(s) to be provided in a wall-mounted quick release container, which should be positioned at approximately 1.5m from floor level in an unobstructed location remote from any cooker.

4.8 Bedroom doors and other doors on means of escape routes which have locks must be thumb turn locks which do not require the use of a key from within.

4.9 The licence holder/manager must bring to the attention of residents at the beginning of their occupation, information regarding any fire precautions installed in the HMO and instructions for escape in the event of a fire, including instructions for operation and testing of fire alarms, emergency lighting and firefighting equipment. Instructions for panel systems must be displayed adjacent to the panel. A log book must be kept for recording faults, repairs and testing of fire alarm and emergency lighting.

4.10 The licence holder must keep furniture (supplied by them to the occupier) in a safe and reasonable condition and supply to the Council, on demand, a declaration as to the safety of such furniture, to confirm compliance with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

4.11 The licence holder must produce a written fire risk assessment and review at regular intervals. A copy must be made available to the Council on request.

#### **4.12 Gas Installation and Appliances**

Where a gas supply is installed, the licence holder must supply to the Council on demand a copy of a gas safety certificate obtained within the last 12 months and covering each appliance supplied by the landlord. The certificate must be issued by a member of Gas Safe Register who is competent to examine gas appliances. A copy of this certificate must be given to the occupiers and copies of certificates must be retained for 2 years.

#### **4.13 Carbon Monoxide Alarms**

A Carbon Monoxide alarm must be installed in any room used as living accommodation with a fixed combustion appliance other than a gas cooker. Alarms need to comply with BS50291 and positioned in accordance with manufacturer's instructions. Generally, they should be wall-mounted at head height approximately 1-3 metres from the combustion appliance.

4.14 Each Carbon monoxide alarm must be tested on the first day of any new tenancy to ensure they are in full working order and where following a report by a tenant or their nominated representative that an alarm is not in working order during the tenancy the alarm must be repaired or replaced.

#### **4.15 Electrical Installation and Appliances**

The licence holder must supply to the Council on demand, a copy of an Electrical Installation Condition Report (EICR) for the mains wiring installation, carried out by a competent electrician within the last 5 years in accordance with the BS7671:2008 as amended. A copy of this must be made available for the occupiers.

4.16 The licence holder must undertake a full visual examination of the electric wiring installation and portable electric appliances at the end of the each occupier's tenancy period. Any defects identified must be suitably remedied by a competent person.

4.17 The licence holder must keep all electrical appliances (supplied by him to the occupier) in a safe condition, and supply to the Council on demand, a PAT (portable appliance test) certificate issued by a competent person in accordance with the current IET Code of Practice. A copy to be made available for the occupiers. Frequency of testing must be in accordance with IET Code of Practice. The licence holder must retain receipts for appliances which are purchased as new and supply copies on request to the Council.

4.18 Portable electrical appliances left by previous occupiers will assume responsibility of the licence holder, and must be permanently removed or PAT tested.

#### **4.19 Supply of Services**

The licence holder must not unreasonably cause or permit the supply of gas, electricity, water, that is used by any occupier to be interrupted.

#### **4.20 Security**

The licence holder must ensure that external doors, ground floor/basement and other easily accessible windows are fitted with suitable security locks. Doors forming the final exit from a means of escape route must be fitted with locks that can be opened internally without the use of a key. Windows requiring restrictors due to low sill hazards, must be capable of being over-ridden, if specifically required as a means of escape. Occupiers must be provided with sufficient keys to operate all window locks.

#### **4.21 Anti-Social Behaviour (ASB)**

A written statement of the terms and conditions of the tenancy/licence agreement must be provided to all occupiers at the start of their occupation. The tenancy agreement/licence must include a clause about not causing nuisance and anti-social behaviour and include provisions for bringing the tenancy/licence to an end for anti-social behaviour, through the proper legal process.

4.22 Copies of tenancy/licence agreements must be made available to the Council, within seven days of the request.

4.23 On request, the licence holder/manager must demonstrate to the satisfaction of the Council that they have properly managed the property and have taken all reasonable and practicable steps when dealing with complaints of anti-social behaviour made against the occupants. Examples of action which should be taken by the licence holder include issuing warnings, both verbal and in writing and in the event that anti-social behaviour persists, the licence holder/manager must be prepared to take appropriate legal action to regain vacant possession as soon as possible.

*Note: Anti-Social Behaviour, includes noise nuisance including the playing of loud music at any time of the day but particularly between 11.00pm and 8.00am. Anti-social behaviour also includes, but is not limited to, violence and*



*criminal behaviour, domestic abuse, the supply and use of controlled drugs and intimidation or racial harassment. (A racist incident is any incident which is perceived to be racist by the victim or any other person).*

#### **4.24 Repair and Maintenance etc. of Common Parts, Fixtures, Fittings and Appliances**

The licence holder/manager must ensure that all common parts of the HMO are:

- a) maintained in good and clean repair (including where appropriate decorative repair).
- b) maintained in a safe working condition, and
- c) kept clear from obstruction

In particular: -

- i) all handrails and banisters to be kept in good repair, additional handrails or banisters required for the safety of the occupiers must be provided.
- ii) stair coverings must be securely fixed and in good repair
- iii) all windows and other means of ventilation within the common parts must be kept in good repair
- iv) common parts must have adequate light fittings, and be maintained including replacing bulbs
- v) fixtures, fittings and appliances (including all sanitary ware and installations for cooking/storing food) which is in common use by 2 or more households must be maintained in good, safe repair and in clean working order (other than those which the tenant is entitled to remove/outside the control of the manager).
- vi) outbuildings, yards and forecourts must be in a clean safe condition and all gardens must be kept tidy.
- vii) boundary walls, fences, gates and railings must be maintained in a safe condition so as not to constitute a hazard to occupiers or visitors.

4.25 The property together with any associated external space and outbuildings must be regularly inspected by the licence holder/manager and any necessary works to frontage and external décor must be carried out within a reasonable timescale, having due regard to the severity of each defect.

#### **4.26 Living Accommodation**

The licence holder/manager must ensure that the living accommodation and furniture supplied to the occupier are in a clean condition at the beginning of a person's occupation.

4.27 The licence holder/manager must ensure that the internal structure, windows, other means of ventilation, fixtures, fittings, also appliances supplied to the occupier, are maintained in good repair and in clean working order. It is acknowledged that the occupier/s must act in a tenant-like manner and treat the property in accordance with the signed tenancy agreement/licence.

#### **4.28 Water Supply and Drainage**

The water supply and drainage system must be maintained in good order. Any tank, cistern, or similar receptacle for water storage must be kept in a good, clean working condition. The water supply must be potable, of sufficient pressure, and suitably protected from contamination. Water fittings and pipes liable to frost damage must be suitably protected.

#### 4.29 Overcrowding and Privacy

Bedrooms, sitting rooms, and bed sitting rooms must be of an adequate floor area for the number of occupants in accordance with the following: -

Occupancy Type	Floor Area (m <sup>2</sup> )
Single bedroom (child under 10*)	4.64 (note 5)
Single bedroom (child 10+/adult)	6.51
Single bedroom with cooking facility	10.0
Single bedsitting Room	10.0
Single bedsitting Room with cooking facility	13.0
Double bedroom	11.0 (note 7)
Double bedroom with cooking facility	15.0
Double bed sitting room	15.0
Double bed sitting room with cooking facility	20.0

*Note 1: Where the ceiling height is less than 1.52m (5ft) e.g. in a converted attic room, the floor area with headroom less than 1.52m will be disregarded.*

*Note 2: Children under 12 months are discounted for the purposes of the space standards set out above.*

*Note 3: Communal sitting rooms will be expected to be minimum of floor area 1.9 sq.M.(20.5 sq. Ft) per person. There is no requirement for a separate dining area, however if the communal room is a combined kitchen/sitting or kitchen/dining room, consideration will be given to the proportion of practicable useable space. No communal room must be accessed through a bedroom.*

*Note 4: Where there is judged to be inadequate communal space for sitting/dining purposes, sleeping rooms will be regarded as **bedsitting rooms** and the appropriate space standards will be applied.*

*Note 5: Only when let together with a sleeping room of at least 6.51 m<sup>2</sup>.*

*Note 6: Measurements will include all floor space including floor to ceiling fitted wardrobes/walk in cupboards and bays but will exclude chimney breasts.*

*Note 7: National minimum 10.22sq. m. WDC adopted standard is 11 sq. m.*

This licence specifies an occupancy limit for each sleeping room in addition to a maximum occupancy for the HMO as a whole. It is an offence to exceed permitted bedroom occupancy levels and an offence to exceed maximum permitted occupancy as a whole for the HMO.

4.30 No persons over the age of ten (10) years, and of opposite sexes, must be allowed to share the same room, unless they are living as husband and wife, partners, or co-habiting.

4.31 The occupancy levels must not exceed the maximum stated in the licence, but the licence can be varied, with written approval (service of variation order) by the Council. The licence holder must apply before increasing the number of occupiers. Planning permission may also be required.

4.32 Reasonable sound and fire insulation must be afforded between bedrooms, also bedrooms and living rooms. Glazing and doors providing secondary access must be suitably insulated or replaced with fixed plastered studwork where appropriate.

#### 4.33 **Waste Storage & Disposal**

The licence holder is responsible for providing a suitable location for the provision of refuse containers for the HMO.

4.34 The licence holder must provide suitable and sufficient waste containers for the storage of domestic waste and recyclable materials in accordance with the Council's requirements. This must include separate refuse containers for non-recyclable waste, recyclable waste and food waste.

4.35 The scale of provision of containers will be in accordance with the following table, and it will be the licence holder's duty to ensure containers are provided and maintained at their expense throughout the term of the licence, irrespective of any reasonable loss or damage which may arise.

<b>No. of occupants</b>	<b>Refuse containers required</b>	<b>Recycling containers required</b>	<b>Food waste containers required</b>
	3 weekly collections	2 weekly collections	1 weekly collections
1-3	1 x 180 litre grey bin	1 x 240 litre blue lidded bin	1 x 7 litre food caddy (internal use) and 1 x 23 litre food waste bin (external use)
4-5	2 x 180 litre grey bins (or equivalent)	2 x 240 litre blue lidded bins	1 x 7 litre food caddy (internal use) and 2 x 23 litre food waste bins (external use)
6-8	2 x 240 litre grey bins (or equivalent)	2 x 240 litre blue lidded bins	1 x 7 litre food caddy (internal use) and 2 x 23 litre food waste bins (external use)
9+	Allow 60 litres PP, please contact Contract Services to discuss appropriate type of bins	Allow 60 litres PP, please contact Contract Services to discuss appropriate type of bins	1 x 7 litre food caddy (internal use) and 2 x 23 litre food waste bins (external use)

4.36 Where the HMO is on a fortnightly refuse sack collection, it will be the HMO occupiers' responsibility to purchase sacks. Where external space permits, the licence holder must provide a suitable bin store in which to store sacks pending collection. Bin stores to be of sufficient capacity, capable of being readily cleaned and provided with close fitting lids.

4.37 In HMO's where external provision for storage of refuse is inadequate, the licence holder must ensure that satisfactory internal storage is provided, which does not compromise the 'means of escape' in the event of a fire.

4.38 Where garden waste is generated, the licence holder must make adequate arrangements for its collection and disposal, whether through the Council's chargeable garden waste service or otherwise.

4.39 Information setting out the arrangements for the storage and collection of waste and recycling must be clearly displayed in a conspicuous position within the property. This must include information regarding designated 'collection days'.

4.40 The licence holder must ensure that refuse and litter must not be allowed to accumulate within the curtilage of the HMO except where properly stored pending disposal and will be responsible for making regular and frequent checks to ensure that refuse and litter is properly managed. This to also include the return of bins from the public highway to the curtilage of the HMO after waste collection.

4.41 The licence holder must make such further arrangements for the final disposal of refuse and litter from the HMO as may be necessary, including in default of previous/existing occupants, having regard to any service for such collection provided by the Council.

#### **4.42 Information for Occupiers**

The licence holder/manager must ensure that their contact details, i.e.: - name, address, telephone number is conspicuously displayed in a common part, such as the hallway. The HMO licence must also be displayed in the hall or other communal area.

4.43 The licence holder must ensure that occupiers are given clear advice on what to do in the event of an emergency e.g. fire, and have access to contact details.

4.44 The licence holder must maintain comprehensive buildings insurance and property owners' liability insurance in accordance with any approved standards. They should also advise the tenants of their responsibility to insure their own possessions.

4.45 The licence holder must provide occupiers with a copy of any instruction manuals necessary to enable them to operate central heating boilers, cookers and gas fires.

4.46 Except in an emergency, the licence holder/manager must give the occupiers 24 hours written notice of their intention to enter the property. They may be required to demonstrate that they have reasonable cause to do so.

4.47 In HMOs where the rooms are let on individual tenancy agreements, landlords may access the common parts of the HMO (but not any living areas within the HMO's including lounge, dining room, kitchen and bathroom) for legitimate purposes without giving notice to the tenants.

*Note: Even for communal non-living areas it is good practice to still give 24 hours' notice, unless it is an emergency.*

#### **4.48 Training Courses**

The licence holder/manager should, if so required by the Council, attend appropriate training course or demonstrate competence in relation to any applicable Code of Practice under Section 233 Housing Act 2004.

## **APPENDIX TWO**

### **ADDITIONAL CASE STUDIES**

#### **Additional Case Study 1 – Leamington Clarendon ward**

Officers were called to investigate a blocked WC at a 4-storey property which was found to be a 4-bedroom non-licensable HMO being managed by a professional letting agent.

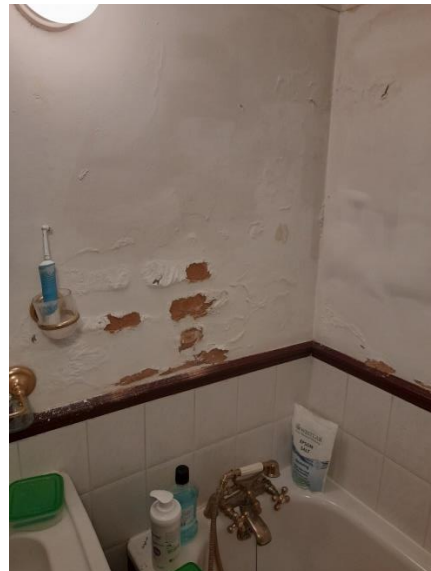
Inspection confirmed that a chronic drainage defect affecting the full height of the rear elevation had resulted in penetrating damp to rooms at basement, ground, first and second floor level.

None of the doors were fire resisting and the basement ceiling was lath & plaster construction with service penetration holes presenting a fire risk. The fire alarm system was found to be inadequate for the size of the property.

Officers worked with the letting agent to undertake a full schedule of works to bring the HMO up to an acceptable standard.



Penetrating damp from defective guttering



Penetrating damp to bathroom



Penetrating damp to bedroom

Non-fire rated panelled door



Service penetration hole in lath & plaster ceiling

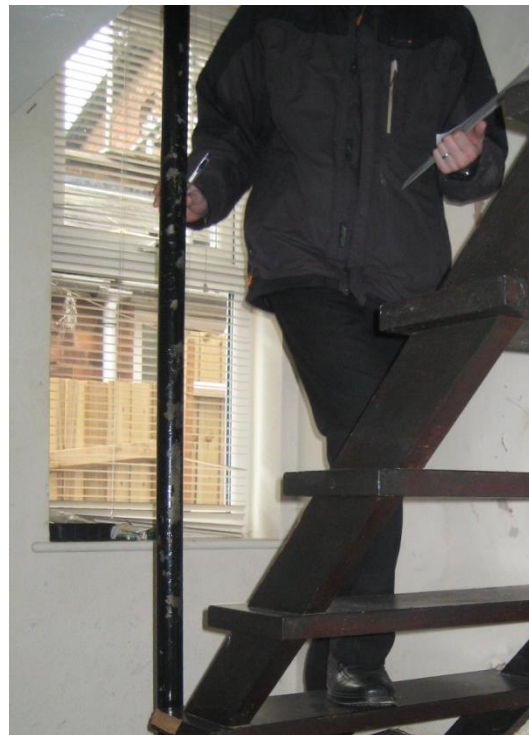
### **Additional Case Study 2 – Warwick All Saints & Woodloes ward**

An anonymous complaint of damp and disrepair prompted an inspection of a TWO-storey HMO located above commercial property.

Inspection identified a large accumulation of combustible material in the cellar, steep staircases lacking handrails and balustrades, poorly positioned cooker and unhygienic surfaces and a leaking shower causing penetrating damp. The landlord acknowledged the defects and brought in a contractor to deal with the issues promptly.



Accumulation of combustible material in cellar



Open sided staircase





Hazardous location of cooker



Damp penetration from leaking shower

### **Additional Case Study 3 – Leamington Clarendon ward**

A fire safety complaint was received from one of the ex-tenants of bedsit-type accommodation above a hot food take-away.



The property was found to contain four bedsitting rooms accessed off a lobby area shared with a take-away food business. The bedsits were of poor quality and contained antiquated cooking and washing facilities. Some of the central heating radiators were not operational.

There was a washing machine located on the escape route at first floor level which presented a fire risk and some fire doors required upgrading and repair. Warwickshire Fire & Rescue Service has enforcement responsibility for the building and has secured improvements. At the same time the occupancy has reduced, and the property is no longer in multiple-occupation.



Poor quality furnishings



Washing machine located on escape route



Cramped kitchen facilities

**Additional Case Study 4 – Leamington Clarendon ward**

The Council Tax team received a tip off that rooms were being used for sleeping accommodation above a hot food take-away.

A joint inspection was undertaken with officers from Warwickshire Fire & Rescue. The upper floor was found to contain rooms being used as sleeping accommodation by members of staff. The bedrooms did not have sufficient means of escape in case of fire as they led directly into the commercial part of the building.

A Prohibition Order was issued, and the occupiers were removed from the upper floor level. The property is no longer an HMO.

## **References**

1. Housing Act 1961
2. Housing Act 1964
3. Housing Act 1969
4. Housing Act 1980
5. Housing Act 1985
6. Housing Act 1996
7. Housing Act 2004
8. The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015
9. Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018
10. Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018
11. The Management of Houses in Multiple Occupation (England) Regulations 2006
12. Warwick District Council, Housing Act 2004, HMO licence
13. Census 2011
14. Census 2021 phase 1
15. Warwick District Council's Enforcement Policy 2022
16. Local Authority Enforcement in the Private Rented Sector: headline report, DLUHC, June 2022
17. A Fairer Private Rented Sector, DLUHC, June 2022
18. Homelessness and Rough Sleeping Strategy 2021-26, WDC, 2021

The text of the Acts of Parliament and regulations set out above can be accessed via [the government website](#)

### **List of tables and maps**

Table 1 – Number and location of known HMOs

Table 2 - Location of known non- licensable HMOs

Table 3 - Types of HMO in Warwick district

Table 4 – Types of HMO by licensable status

Table 5 – Types of accommodation advertised on Spareroom website

Table 6 – 2018 licensing extension five-bed HMO types by postcode

Table 7 – Extended licensing defects profile

Table 8 – Extended licensing defect types by prevalence

Table 9 – Extended licensing fire safety profile

Table 10 – Environmental Protection service requests by year and licensable status

Table 11 – Environmental Protection service requests by ward and licensable status

Table 12 – Environmental Protection service requests by HMO type and licensable status

Table 13 – Environmental Protection service requests by request type and licensable status

Table 14 – Private Sector Housing service requests by year and licensable status

Table 15 – Private Sector Housing service requests by ward and licensable status

Table 16 – Private Sector Housing service requests by HMO type and licensable status

Table 17 – Private Sector Housing service requests by request type and licensable status

Table 18 – Waste and fly tipping service requests by year and licensable status

Table 19 – Waste and fly tipping service requests by ward and licensable status

Table 20 – Waste and fly tipping service requests by HMO type and licensable status

Table 21 – Waste and fly tipping service requests by request type and licensable status

Map One – HMOs in Leamington Spa and Warwick

Map Two – HMOs in Kenilworth

## **Public Consultation Plan**

The Council is bound by Section 56 Housing Act 2004 to consult persons who are likely to be affected by any designation to licence the area or part of their area of their district as subject Additional Licensing.

The Council must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made in accordance with the consultation and not withdrawn.

Consultation to include:-

- A questionnaire designed to seek views on a range of issues
- Group meetings with key stakeholders including landlords and letting agents, tenants, residents, and Warwick University representatives
- Landlord Forum & Steering Group meetings
- Meetings with local residents' association groups
- A range of media communications including WDC website
- Email distribution lists for landlords and letting agents

Distribution List:-

- WDC Internal Teams
- Landlords (current Mandatory HMO licence holders and managers)
- Non-licensable HMO Landlords (email distribution list)
- Local letting/managing agents
- Warwick University- Students Union
- Warwick University Registrar
- Landlord Steering Group (WDC & SDC)
- SoLAR
- Clarendon Neighbourhood Group
- Avenue Rd/Adelaide Road Residents Association
- Warwickshire Fire & Rescue Service
- Warwickshire Police
- Warwickshire Trading Standards
- Coventry City Council
- Rugby Borough Council
- Stratford on Avon District Council
- Solihull Metropolitan Borough Council
- Town & Parish Councils
- NRLA
- CAVA
- CAB

### Timetable for Implementation

Activity	Dates
Cabinet report to consider feasibility report	7 December 2022
Public Consultation Exercise	9 January - 20 March 2023
Analysis of public consultation results	21 March – 7 April 2023
Further Cabinet report to determine whether to proceed and, if so, to confirm scheme arrangements	July 2023
Recruitment process	July – October 2023
Formal designation of the scheme	July 2023
Additional licensing comes into effect	October 2023

**Title:** Future funding for Warwick Visitor Information Centre

**Lead Officer:** Joanne Randall – Strategic Economic Development Officer

01926 456015/ 07887 684059

Joanne.randall@warwickdc.gov.uk

**Portfolio Holder:** Councillor Liam Bartlett

**Wards of the District directly affected:** All

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### **1. Summary**

- 1.1 To consider the Business Plan provided by Warwick Visitor Information Centre (VIC), in conjunction with Warwick Town Council, which sets out the ambition, aims and objectives for the period 2023 – 2026.
- 1.2 Having considered the Business Plan, for Cabinet to continue ongoing financial support to the Warwick VIC for the period 2023-2026 enabling the centre to continue to provide a valuable visitor experience and support the local visitor economy in the town of Warwick and the wider district.

### **2. Recommendation(s)**

- 2.1 That Cabinet notes the contents of the new Business Plan for the Warwick VIC and its aspirations for the period 2023 – 2026.
- 2.2 That Cabinet approves the continued funding of the Warwick VIC to the amount of £25,000 per annum for a further 3-year period from 2023/24 to 2025/26.
- 2.2 That Cabinet agrees that officers work in conjunction with Warwick Town Council to assist with, and monitor, the outcomes and objectives as set out in the Business Plan and that relevant support and guidance is provided as part of the Council's ongoing liaison with Warwick VIC.
- 2.3 That Cabinet agrees that a formulation of a grant agreement between WDC and Warwick Town Council be drawn up with delegated powers of authority for sign-off to be given to Head of Place, Arts and Economy in conjunction with the Portfolio Holder for Place, Arts and Economy.

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### **3 Background/Information**

- 3.1 Warwick VIC is the primary one-stop shop for visitors to Warwick from both regional, national, and international tourist markets.
- 3.2 The VIC offers advice to tourists and visitors on the wide range of attractions in the town centre and the district, including entertainment, food and drink offerings to supplement the tourist hot spots such as Warwick Castle and the Lord

Leycester Hospital.

- 3.3 The aim of the VIC is to be on hand for visitors through the telephone, email and face to face promoting local attractions, businesses, events and selling tickets to a range of attractions. As well as providing tips on 'hidden gems' within the area, which do not have a strong online presence.
- 3.4 Warwick VIC has received grant funding from Warwick District Council over several years. Over the previous funding period from 2020–2023 Warwick District Council has provided £25,000 per annum toward the cost of the service. Warwick VIC is seeking a continuation of the 3-year grant of £25,000 per annum with no uplift.
- 3.5 At the Executive meetings in January 2017 and February 2020 it was resolved that the Head of Development Services, in consultation with the Portfolio Holder, be delegated authority to re-negotiate and agree the payment of the Tourism Grant to Warwick Town Council as a contribution to the running costs of Warwick VIC up to a maximum of £25,000 per annum.
- 3.6 Following that meeting in 2017, the original funding was reduced from £40,000 per annum (which included £15,000 per annum for staffing resources in relation to the Leamington VIC), to £25,000 per annum. As part of the negotiations, Warwick VIC produced a 3-year Business Plan designed to outline their use of the Warwick District Council grant along with the financial breakdown of other contributions to the associated running costs of Warwick VIC.

3.7

#### **4 Alternative Options available to Cabinet**

- 4.1 Not to approve the continued financial contribution of £25,000 and utilise this internally to provide an alternative method of support for tourism in the town of Warwick. This option is not supported as it is recognised by Visit England, the national Destination Management Organisation, that the existence of tailored, physical, and bespoke tourism information within major tourist location sites one the most vital components in terms of the visitor experience, essential to most if not all overseas tourists. Whilst there is an increase in on-line tourism and tourism related activity, the existence of face-to-face local expertise remains a valuable asset to the industry on a local basis.

#### **5 Consultation and Member's comments**

- 5.1 Consultation has taken place between WDC Economic Development Officers and Warwick Town Council Economy and Tourism Committee, Warwick Town Clerk and the Manager of Warwick VIC.

#### **6 Implications of the proposal**

##### **6.1 Legal/Human Rights Implications**

**N/A**

##### **6.2 Financial**

- 6.2.1 The current level of funding to Warwick VIC is already provided for in the tourism budget. There is no current expiration of the ongoing budget allocation. As stated above, funding for Warwick VIC has been in place for several years. This is therefore not a request for new or additional funding, rather than the existing funding that is in place to be continued for the life of the revised Business Plan. No uplift is being sought by Warwick Town Council despite current high levels of inflation, cost of living crisis in particular the energy crisis caused mainly by



the war in Ukraine.

### 6.3 Council Plan

- 6.3.1 In respect of Warwick District Council Business Plan, it must respond to the headings of **People** - Health, Homes, Communities, **Services** - Green, Clean, Safe, **Money**- Infrastructure, Enterprise, Employment, People - Effective Staff, Services - Maintain or Improve Services -and Money - Firm Financial Footing over the Longer Term.
- 6.3.2 Fit for the Future (FFF) The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.
- 6.3.3 The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
<b>Impacts of Proposal</b>		
Given the reciprocal nature of the intended policy, benefits for the wider community should be felt. Here, the increase in the overall tourism offer in terms of activities spearheaded by the Warwick VIC	The operation of the VIC also aims to provide visitors, residents, and businesses with a safe a secure environment in which to enjoy the experience of the town.	Successful implementation of the recommendations will contribute to these outcomes by incentivising and supporting business to increase their performance and their headcount. It seeks to support a more diverse workforce and tackle long-term unemployment issues.
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve</b>	<b>Firm Financial Footing</b>

	<b>Services</b>	<b>over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered, and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services Focusing on our direct needs of customers at the VIC and the tourism industry to support the economy through effective support from WDC officers	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
<b>Impacts of Proposal</b>		
None	None	None

The proposed Policy would directly support Fit for the Future, by encouraging and supporting the local tourism economy.

#### 6.4 **Environmental/Climate Change Implications**

N/A

#### 6.5 **Analysis of the effects on Equality**

N/A

#### 6.6 **Data Protection**

N/A

#### 6.7 **Health and Wellbeing**

N/A

### 7 **Risk Assessment**

The key risk to the recommendations not being supported is that Warwick VIC as it currently stands may cease to operate. Additionally, the revised Business Plan, which is designed to increase and improve on the visitor numbers and their overall experience, may not be viable in the absence of continued financial support from WDC.

### 8 **Conclusion/Reasons for the Recommendation**

#### 8.1 **Reasons for Recommendation 2.1**

- 8.1.1 As the current Business Plan expires at the end of this financial year, 2022-23, officers have requested a new Business Plan to support the aspirations of Warwick VIC and the financial contribution from Warwick District Council going forward. The Business Plan is attached at **Appendix 1** to this report.

- 8.1.2 Following huge success of the hosting of the B2022 Commonwealth Games Men's' and Women's Road Cycle Races in August 2022 and the hosting of a Festival Site in Market Square, Warwick – Warwick was well and truly put on the national and global tourist destination market. The town welcomed thousands of visitors over the period and was televised live across the world. The BBC state they had 57.1 million online streams, 28.6 million viewers in the UK and 1.6 billion viewers worldwide making the coverage of the Games six times higher than any other previous Games.
- 8.1.3 There is significant development of the tourism offer in Warwick either planned, or currently being undertaken, which will enhance Warwick's reputation as a credible and desirable tourist destination and as such greatly supports the need for an active and effective VIC. Notable development within the town (set out in **Appendix 2**) briefly listed here:
- The Lord Lycester Hospital -
  - Warwick Castle Hotel Development
  - Collegiate St Mary's Church
  - Fusiliers Museum
  - St Mary's Lands Masterplan
  - Railway Station improvements
  - Racecourse improvements

## 8.2 **Reasons for Recommendation 2.2**

- 8.2.1 Financial support for Warwick VIC has been in place for many years to ensure that there remains a positive visitor experience and to ensure the future of tourism activities in Warwick Town, recognising that Warwick is a major tourist destination within the District.
- 8.2.2 The revised Business Plan (attached at **Appendix 1** to this report) sets out the financial breakdown in terms of the overall operating costs for the Warwick VIC, demonstrating the dependency of the Warwick District Council contribution currently set at £25,000 per annum. Consideration has also been given to the fact that, as a District, we are a more expensive location to be based within and, in offering this grant funding, we seek to ensure that we remain competitive and clearly appear to be 'business-friendly' and 'welcoming.'
- 8.2.3 The withdrawal of the current grant would present Warwick Town Council with a financial pressure in terms of future operation of Warwick VIC, and this would pose a significant threat to the ongoing operation of the VIC. The SWOT Analysis within the Business Case (Appendix 1, page 6) states that the reduction in funding would detrimentally impact service delivery.
- 8.2.4 Tourism is a major contributor to the economy in the district, generating in 2021 more than £208 million (including multiplier effect) spent in the local area and supporting 3,891 jobs, both for residents and those living nearby. By comparison in 2019 tourism contributed £315 million to the local economy and supported 5,400 jobs in the sector. The industry is still below 2019 trading and currently faces additional challenges. The tourism and hospitality industry has been particularly adversely impacted by the effects of Brexit, Covid-19 and the current cost of living / energy crisis and visitor numbers have still not returned to the pre-Covid levels of 2019. The work of Warwick VIC is more vital now more than ever in supporting the local visitor economy to recover.

- 8.2.5 Warwick VIC provides a valuable service to visitors to the town. Footfall and other visitor usage of the VIC data over 2019 and 2022 to date are shown in the tables in **Appendix 3**. 2020 and 2021 figures are available but not used as a comparison due to the negative impact of Covid-19 pandemic, the restrictions on travel and social distancing during the lockdown periods.
- 8.2.6 Since the last review Warwick VIC has successfully introduced its Town Ambassadors Programme. The Ambassadors greet and assist visitors, directing them to local attractions and local businesses. The service has been very well received particularly in the re-opening of the 'High Street' after the Covid-19 pandemic.
- 8.2.7 Collaboration with Warwick Chamber of Trade has seen great success in creating a dynamic social media presence through #Buyin2Warwick and enhanced by a public relations campaign for the town as part of the Welcome Back Funding has driven much trade to the town.

### 8.3 **Reasons for Recommendation 2.3**

- 8.3.1 There is an ongoing working relationship between officers of Warwick District Council and Warwick Town Council and Warwick VIC, specifically through the Strategic Economic Development Officer, the VIC Manager and Town Clerk. This ongoing dialogue has proved successful in creating a meaningful collaboration between the different stakeholders.
- 8.3.2 This ongoing liaison and monitoring will ensure that the funding is being utilised with specific aims of improving the visitor experience and sustaining the economic benefits of the tourism industry in the Town of Warwick.
- 8.3.3 Officers have continued to work in close liaison with Warwick VIC, and Warwick Town Council throughout the period of the previous Business Plan to provide advice, support, and guidance (where needed) in improving the visitor experience at Warwick VIC and to monitor footfall in terms of visitor numbers.

### 8.4 **Reasons for Recommendation 2.4**

- 8.4.1 Delegated authority to the Head of Place, Arts and Economy and the Portfolio Holder for Arts and Economy to re-negotiate and to agree a continuation of £25,000 per annum grant funding to Warwick Town Council in contribution to the running costs of Warwick VIC. There has been no uplift in grant funding since 2017 and Warwick Town Council is not requesting an uplift for this 3-year period of 2023-2026.
- 8.4.2 Given that a considerable level of financial support to Warwick VIC is being provided, it is felt prudent that WDC officers continue to meet on a regular basis with the VIC manager and the Town Clerk to review progress against the Business Plan, and any Grant Agreement if authority is given to do so, to provide relevant advice, assistance, and signposting to other organisations to optimise the use and effectiveness of the VIC.
- 8.4.3 Whilst there are no specific KPIs being put in place, as this could leave the Council open to a procurement challenge on the basis that the funding arrangement could constitute a formal contract for services, the purpose of the grant funding is that it will be utilised in relation to tourism and visitor activities provided by the Warwick VIC and the ongoing liaison and monitoring

processes will ensure this is the case which would be enhanced by a Grant Agreement if given authority to do so.

**Background papers:**

Tourism Economic Impact Assessment for Warwick District 2021 **(available on request)**

**Supporting documents:**

Appendix 1: Warwick Visitor Information Centre Business Plan 2023-2026

Appendix 2: Tourism Development with Warwick

Appendix 3: Warwick Visitor Information Centre Visitor Statistics

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December 2022	
<b>Title of report</b>	Future funding for Warwick Visitor Information Centre 2023-2026	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		All
<b>Portfolio Holder WDC &amp; SDC *</b>		Cllr Liam Bartlett
<b>Financial Services *</b>		Andrew Rollins
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>		Chris Elliott
<b>Head of Service(s)</b>		Philip Clarke
<b>Section 151 Officer</b>		Andrew Rollins
<b>Monitoring Officer</b>		Andrew Jones
<b>CMT (WDC)</b>		Chris Elliott/ Andrew Jones
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		BID Leamington
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to: Cabinet / Council
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes
<b>Accessibility Checked?</b>		No N/A



# Warwick Visitor Information Centre Business Plan 2023-2026



*'Community, Culture & Heritage'*



## APPENDIX 1

### Foreword

The purpose of this Business Plan is to present the aims and objectives of the Warwick Visitor Information Centre over the next three years, until 2026. Warwick Visitor Information Centre is located within the heart of Warwick within The Court House, which is also home to Warwick Town Council and The Warwick Yeomanry Museum. In 2014 the 'Unlocking Warwick' project transformed The Court House with the support of a large grant from the Heritage Lottery Fund.

Over the past eight years the Visitor Information Centre has reached out and broadened its appeal to local visitors and tourists alike. The Visitor Information Centre is lucky to have a wealth of experience of local attractions, businesses and events. Uniquely, the Visitor Information Centre team are ably supported by the 'Unlocking Warwick' group. The group is formed and operated with thirty dedicated volunteers that creates, operates and assists with a number of local projects and initiatives which include; tours of the town, research projects into local history and landmarks, local exhibitions and cultural activities including plays and local led talks and events. In addition to this work, the group also provide dedicated volunteer support to the day-to-day operations of the centre.

Since the last review period, a key aspect of development was the enhancement of the website and a review of the current offering of the centre. During the COVID-19 pandemic, Warwick Town Council took the opportunity to use staff resource to undergo a small refurbishment of the centre, which involved re-decoration, the removal of a rotunda and other displays in order to rationalise the offering and make it a more open and inviting space where visitors would use more of the floor space, this has been met with positivity from visitors and locals alike. Further consideration is going into how the second phase of the offering can be improved to enhance the visitor experience, although there are a number of ideas being explored. This includes the use of interactive information and means of telling the story of the Town to visitors throughout the year and local schools out of season. In addition, the ongoing development of the website, online shop and the Box Office is also seen as key areas going forward, together with a streamlined and professional social media presence. Integral to this success is working with the Chamber of trade through the #Buyin2Warwick platform.

Warwick Visitor Information Centre is also seeking to continue to develop the current offering by continuing with #LoveLocal Craft Fayre's and the Town Ambassador Project, which has been operating over the past two year's employing locals to greet visitors and provide guidance and assistance directing many to local businesses and attractions, but also to the wider area including Leamington Spa. Warwick Visitor Information Centre has the support of Warwick Town Council. The Economic & Tourism Committee are committed to delivering required changes to ensure Warwick Visitor Information centre remains vibrant and fit for purpose going forward.

Cllr Richard Edgington  
Chair of Economic & Tourism Committee



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<b>2.0</b>	<b>Appendices – Job Role Profiles</b>
<b>3.0</b>	<b>Appendices – Testimonials</b>

## **APPENDIX 1**

### **1.0 Introduction**

Warwick Visitor Information Centre (WVIC) offers a year-round service providing information and advice to local, regional, national and international tourists and visitors. The team at The WVIC are a close-knit team who are passionate about Warwick and the wider District, with close links to Leamington Spa, Stratford upon Avon, Kenilworth and the surrounding countryside in particular. The aim of The WVIC is to be on hand for visitors through the telephone, email and face to face promoting local attractions, businesses, events and selling tickets to a range of attractions. As well as providing tips on 'hidden gems' within the area, which do not have a strong online presence.

One of the greatest attributes of the WVIC is the passion for what Warwick and the wider area has to offer. As such the team seek to be the 'first stop' and ensure that visitors have a positive perception of the thriving local area on cultural, social and economic levels. As a team, there is a distinct and unique passion to provide a warm and friendly customer service and a 'Warwick Welcome'.

WVIC is managed and run by Warwick Town Council and currently comprises a core team of;

- 1 full time manager
- 1 part time assistant working 28 hours per week
- 1 part time assistant working 21 hours per week
- 1 zero-hour contract
- Volunteers from Unlocking Warwick as and when required

WVIC has received a grant from Warwick District Council over a number of years, the past six years Warwick District Council has provided £25,000 per annum toward the cost of the service.

### **1.1 History of the Court House & Origins of The Warwick Visitor Information Centre**

The Court House, the home of Warwick Town Council and the WVIC is a Grade I Listed Building situated in the heart of Warwick within the main High Street. The location stands at the central crossroads of Warwick, originally called 'High Cross'. There's evidence of a building on the site from 1340.

In 1694, the 'Great Fire of Warwick' destroyed a large part of the town centre. The Corporation found its Court House surrounded by smoking rubble and 'somewhat scorched'. Francis Smith was commissioned to design a new courthouse constructed in sandstone. It was opened in 1728 and immediately became the fashionable centre of Warwick life, with balls, assemblies, dinners and public meetings, and soon became used as the Town Hall.

The building was reopened in 2014 after a major restoration funded by the Heritage Lottery Fund and Warwick Town Council. It now houses a new Visitor Information Centre, the Warwickshire Yeomanry Museum of military artefacts, the Town Council Chamber and Offices and a magnificent Regency Ballroom. Behind the building, the Pageant Garden is a haven of calm in the centre of town.

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With its central town location on the pedestrian route from the Castle to St Mary's Church, the Court House is ideally situated for visitors exploring the town. A small office was established in 1975 in offices behind the Council Chamber, and in 1994 the Tourist Information Centre moved to the larger space of the room to the right just inside the front door on Jury Street.

By 2009 the building was in need of significant repairs, together with alterations to improve accessibility. The refurbishment project saw the building reopen in 2014 as a cultural centre for the Town.

WVIC has been successful since the refurbishment, although it is recognised that the Tourism sector is facing difficult challenges through changing customer attitudes and behaviours and the increasing popularity of online bookings and tourism guides, changes to visitation patterns have also been apparent as a result of the COVID-19 pandemic. A summary of just some of the key service provision is indicated within Figure 1. As such, WVIC is seeking to continue to respond to the changing sector and challenges facing tourism to ensure WVIC remains a relevant hub which has a diverse offering.



Figure 1 – Current Offering Matrix

### 1.2 Vision & Objectives

Building upon the history and challenges of Tourism, the vision of WVIC has always been to welcome, inform and encourage visitors to stay and explore the town and local area. This is achieved through the provision of relevant information, assistance and services, whilst generating income to keep operating costs to a minimum. Over the business plan period however we have a series of objectives which form the overall vision of **'offering a unique customer experience to visitors and developing WVIC into a social and community space which exhibits the 'Best of Warwick''**, the ten key objectives to deliver this vision are presented as follows:

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1. Generate additional income to ensure the sustainable future of WVIC, whilst increasing operations through attendance at events and the Town Ambassador programme.
2. Expand and develop the audience to the VIC through exhibiting local artists, businesses and tourism focused events.
3. Continue to support the Events Team to promote The Court House as a venue, which has successfully achieved additional footfall.
4. Develop the existing box office to establish WVIC as the main box office for local events.
5. Continue to develop a strong level of customer service and explore options to provide online communications through social media.
6. Enhance the visitor experience within the centre through the use of technology.
7. Introduce historical displays to create an excellent, and changing, customer experience.
8. Continue to promote local businesses within Warwick Town Centre.
9. To respond to changing needs of tourism and operate pro-active tourism campaigns at regional events and launching pro-active tourist information initiatives.
10. To reach out to the local community by promoting activities and events.

### 1.3 Visitor Information Centre Opening Hours

The Visitor Centre is open seven days a week from Easter to December and closes for one week over the Christmas period. The VIC closes on Sundays from December to Easter, this is monitored very closely and is adaptable to suit the business needs of the VIC. Should there be an increase in footfall, or a prominent event within the town during this period, then provisions are made for the WVIC to be open. Sunday hours operate on bank holidays and should the VIC stay open late, staff are given time off in lieu. In addition, on events WVIC also opens during the evening, such events include Victorian Evening and summertime events on a case by case basis. Staff also attend Town Events as required to meet visitors and 'point them in the right direction', Staff also seek to promote the town and what it has to offer to a range of visitors such as those attending the Saturday market, Warwick Folk Festival to name a few as well as more occasional events such as Pub in the Park. Town Ambassadors also attend the array of well supported events of the summer months around Warwick to provide a service to visitors.

<b>Monday</b>	09.30-16.30
<b>Tuesday</b>	09.30-16.30
<b>Wednesday</b>	09.30-16.30
<b>Thursday</b>	09.30-16.30
<b>Friday</b>	09.30-16.30
<b>Saturday</b>	10.00-16.30

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<b>Sunday</b>	10.00-16.00 (Closed Mid Dec – Easter)

### 1.4 Stakeholders

There are a number of stakeholders associated with Warwick Visitor Information Centre, whilst all visitors are regarded as stakeholders, local businesses and locals are important to Warwick Visitor Information Centre. The development of the rapports with local businesses are key to the economic success of the Warwick and the aim of WVIC to exhibit the offerings of local businesses. Other key stakeholders include:

- Shakespeare's England
- Unlocking Warwick
- Warwick Castle
- Warwick District Council
- Warwick Rotary
- Warwick Racecourse
- Hill Close Gardens
- Mill Gardens
- Chamber of Trade and other local businesses
- Lord Leycester Hospital (closed until 2023)
- Warwick Town Council
- Court Leet
- Community Organisations and Local Charities
- Volunteers
- Warwick's Military Museums including the Yeomanry Museum, Queen's Own Hussars and the forthcoming Royal Regiment of Fusilier's Museum (which is to be located next door within Pageant House)

Warwick Visitor Information Centre is seeking to develop these rapports further, particularly with local businesses, volunteer networks and residents. WVIC identifies that local businesses and residents are a fundamental part of Warwick's success and a thriving Town Centre with dedicated business owners whom are independents are a unique selling point for Warwick alongside the historic built environment and array of Tourist Attractions.

WVIC has also traditionally had a close relationship with Warwick Castle which is also invaluable going forward to the success of WVIC and the Town, the Management of the Castle attend Town Council Meetings and work with us to promote both the Castle and the Town.

With regards to the Lord Leycester Hospital, the hospital is currently undergoing a comprehensive series of works which, when complete, will further attract more visitors to Warwick. WVIC also has a good rapport with the Lord Leycester Hospital as one of Warwick's

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main attractions and will provide support in raising awareness to the cause to visitors in the way of displays and stock in the VIC. Consideration is also being given between the Lord Leicester and WVIC to the re-launch of the Lord Leicester following its re-opening.

### 1.5 SWOT Analysis

As part of the business plan, a SWOT analysis has been undertaken which is provided below:

Strengths	Opportunities	Weaknesses	Threats
Regular in-house training and familiarisation visits to local attractions	Staff development and develop rapports with local attractions	Specialist IT skills to further develop the website and corporate social media presence to promote the attractions through in-house social media	Reduced staffing resource may reduce ability for time to network with local attractions.
Established Souvenir Sales	Ability to attract locals and visitors to purchase unique locally sourced products and identify a range of new lines of sales, local products will also reduce minimum order issues currently experienced with some suppliers	As existing, there is an issue with GP margins given the low quantities ordered at a given time, thus being unable to use stronger buying power from some suppliers, thus making products more expensive at cost	If footfall decreases sales would potentially decrease too
Social Media Knowledge  We have over 8,000 followers on the VIC related sites	To increase followers on the box office social media sites to reach out to a larger audience to promote events and therefore sell tickets.  Work with in-house WTC's Events Team to develop Social Media presence, and use volunteers to cover whilst inhouse training can take place	Due to the size of the team within WVIC there is limited time and resource to develop a more comprehensive skills base to fully use social media to the advantage of WVIC	Limited resources to have regular training sessions given the part time nature of the events team.  Staff changes may result in a loss of basic social media knowledge in-house.
Tourism Ambassador Programme	Re-introduced in 2018, employment for local people throughout the summer. To run the service for a longer period and develop the programme to use ambassadors at key visitor attractions such as Stratford Upon Avon and Birmingham	Staff are employed for a short time and do not gain a full product knowledge	Loss of funding for the ambassador programme.
Visitors receive excellent customer service and are offered a friendly helpful experience.  A well trained and	Look at new publicity, literature and new Warwick App which is under development	Time constraints given the number of visitors at peak times	Loss of funding for VIC may result in spending reductions which may have consequences on the service provision due to need to lower costs

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informative team with extensive knowledge of the destination	Use the ambassadors to assist with the development of the service		
The quality of Information on offer through the VIC and online	<p>Quality information and literature is provided on the local area, regionally and nationally. The Internet is a valuable source for supplying this information to visitors</p> <p>Visitors feel confident and are interested in what we say to help them find their answers</p> <p>Unlocking Warwick volunteers have and source a wealth of excellent local information</p>	IT skills curtail the articulation of some information at present	Budgetary constraints given the costs to promote and operate website and hard copies
Website	<p>Sharing our knowledge online via our informative website. Free listings for all businesses</p> <p>Providing immediate information</p> <p>The visitor is able to access online information prior to their visit to further enhance their experience</p> <p>Ability to use the online shop and expand the offering, as only started in 2022</p>	With the amount of information, events and news being continually renewed and updated, the small team face challenges to keep the website up to date during busy periods.	Loss of key staff who currently have the skills to update the website.
Presentation The visitor feels welcome and confident	<p>The Visitor Centre is kept clean, tidy and well stocked at all times. To work with local shops and display their goods</p> <p>Re-design and refurbishment will further develop the high levels of presentation and appeal to a wider audience</p>	To reach out to a larger audience in the current form	<p>Loss of man hours</p> <p>Loss of funding</p> <p>Redesign not taking place</p>
Introduction of the walk-in Town Box Office in 2018	<p>To sell tickets for local events and to add more venues. Bridge House Theatre and St Mary's Church</p> <p>Work closely with WDC to promote local events and enhance the box office offering for WDC.</p>	Ticket sales, other than for Warwick Words need to improve	More people buy online

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	Incentivise buying tickets in the VIC through promotion of tourist events or offers		
Volunteering opportunities	<p>Increase the number and quality of volunteering Opportunities</p> <p>Create an extra resource in providing information. The volunteers are often local people with an extensive knowledge of the area</p>	Volunteers not needed on a regular basis, in-house training is key so there is little time to achieve this	Loss of volunteers
Constantly looking at ways to improve the centre	Re-development of centre. Introduce social history to enhance the customer experience and look at future sustainability	Time constraints	Funding not available. Unlocking Warwick not available to provide valuable research

The SWOT analysis highlights a number of strengths of Warwick Visitor Information Centre, notably the quality of the information on offer to visitors and the establishment of the website. However, as part of the business plan period Warwick Town Council is seeking to address a number of the issues identified by providing training and assistance on social media networks. The information within social media and online will include information of what's on in Warwick, but also will work with #Buyin2Warwick via the Chamber of Trade, and local businesses to help promote shops within Warwick.

In addition, the continuation and growth of the Town Ambassador project seeks to provide additional support during the busy months which, from feedback has been very well received and beneficial to local attractions and businesses within Warwick, particularly this year as the town has continued to recover and thrive following the pandemic.

There is also an identified weakness in the form of the size of the team and the limited capacity for additional projects and initiatives to be operated and run from Warwick Visitor Information Centre. In addition, there are considered to be a number of threats to the current operation including the further reduction of footfall as a result of tourism facilities online. Internally there are also threats with regards sickness and absences which may result in increased wages and accrued leave by colleagues. In addition, reviews to ticket sales commission from partners such as Warwick Castle is also a threat to the income of the VIC which would leave potentially a significant funding gap. However, within the plan period, the development of the offering and rationalising of the service seeks to mitigate the funding gap, therefore ensuring sustainability of the service into the future.

The key opportunities for Warwick Visitor Information Centre are the rationalising of the current offering to create an open visitor 'hub' which provides a range of information and guidance for those visiting locally. There is also opportunity to build on the craft fairs which regularly run throughout the year and expand such events by working with external partners,



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as well as expanding the online offering, including an online shop. This is also considered to assist with the wider promotion of WVIC going forward.

The network of volunteers also has a proven track record of their commitment to the success of Warwick Visitor Information centre, and their valuable time and resource for Warwick Visitor Information Centre is highly valued. Their continued commitment going forward is identified as an opportunity to promote tours of Warwick and provide visitors a glimpse of unusual quirks within Warwick's history which you could not find online!

Over the next three years WVIC will look to enhance its excellent reputation by continuing to work closely with key partners and to provide information of the highest standard to the visitor, whilst addressing the issues identified in the SWOT Analysis. Each year, a review of the operation will also be undertaken and the SWOT re-evaluated accordingly.

### 1.6 Warwick Visitor Information Centre Performance

A summary of the performance of the WVIC over 2019 and 2022 is provided below for counter, communications and footfall. 2020 and 2021 figures are available but not used as a comparison due to the pandemic.

Month	Footfall	
	2019	2022
Jan	1302	1021
Feb	1284	1643
Mar	1834	2232
Apr	2601	2409
May	3083	2740
June	3244	2433
July	4079	3317
Aug	4429	
Sep	2915	
Oct	2701	
Nov	2423	
Dec	1863	
Total	31758	
To date	17427	15800

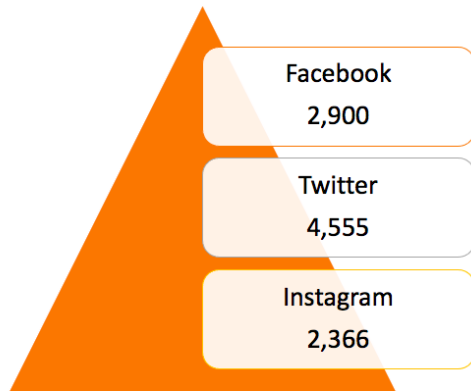
Month	Website	
	2019	2022
Jan	4718	6040
Feb	5276	15238
Mar	5948	5213
Apr	7034	6978
May	7831	8905
June	6139	11723
July	7218	10534
Aug	8110	4188
Sept	5733	
Oct	5739	
Nov	4778	
Dec	3832	
Total	72356	
To date	44164	68819

From the statistics thus far, it is considered that the footfall has been stable and comparable to 2019. There have been a number of factors which have impacted figures at times of the year. Good weather in the summer months provided a relatively stable footfall in house, the figures within the VIC's performance is largely consistent with other main attractions within the Town such as Warwick Castle which has experienced a number of factors which have made footfall challenging over the last two years year including political uncertainty with

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Brexit and the global pandemic. The growth of the Town Ambassador programme also allowed the VIC to assist more visitors within and around the town.

It must be noted that footfall over a longer period has changed significantly as visitor behaviours have moved online. However, the stabilising of footfall since the pandemic is encouraging given that the footfall demonstrates there is an ongoing demand for the service, together with the popularity of the town ambassadors.



*Figure Two - Total Social Media Followers*

The priority for Warwick Visitor Information Centre is to continue to deliver the service for the core visitation but develop the offering to increase the footfall. The purpose of this plan is to present ways to expand the existing offering of Warwick Visitor Information Centre and increase footfall over the next three years.

Figure two shows the total number of followers on social media which continues to grow at a steady pace. Warwick Visitor Information Centre does not pay for any social media advertising or post boosts and posts are therefore shared through local page groups and sharing and liking pages and posts from other attractions. With the development of social media, options to have a small budget to boost posts may be explored during the summer months to identify whether there is benefit. The Town Ambassadors have access to an Instagram page to post their 'Day around the Town' and to add reels.

### 1.7 Products and Services

The Warwick Visitor guide is the key source of information on arrival to the destination after the Visit Warwick website. A lot of day visitors are primarily here to visit Warwick Castle, WVIC plays an active role in attracting visitors to have a look around the town and other attractions and places of interest on offer.

Providing information on;

- Accommodation
- Attractions
- Eating out
- Shopping
- History and heritage
- Parks and gardens
- Outdoor activities

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- Local events
- Warwick town map and visitor guide
- Transport (bus and train)
- Area maps
- Fully comprehensive website
- Supporting local businesses
- Box Office service, supported by Warwick District Council

Additional services provided include:

- A fully stocked shop offering souvenirs, gifts and books for sale
- Displaying artwork by local artists, including Warwickshire Open Studios
- Using the space to support local events
- Warwick Outlet for the Cards for Good Causes
- Box Office
- Use of VIC for craft fairs
- The main point for annual allotment income
- Issuing the Mayor's Vouchers
- All administration for the Dedication Tree

### 1.8 Product & Service Development

In addition to the service development discussed within the development of the existing rapports with partners and stakeholders, social media and Town Ambassadors. The Council, through the Economic and Tourism Committee are committed to ensuring that the offering of WVIC remains relevant and vibrant in order for the facility to remain both viable and sustainable. A working group comprising the Chair of Economic and Tourism, Town Clerk and staff of the WVIC is operational and are having productive meetings to discuss and map potential changes.

At the time of writing, projects are being considered to promote the history of the building itself. Warwick Town Council is also seeking to re-design the space to create a changing selection of information, and invite local groups and historians, and indeed those with items of interest to use the space to create changing exhibits, and include topical dates within the year, for example Guy of Warwick Day. The overall aim of the re-design is to ensure that WVIC can respond to the changing landscape of tourism and exhibit what Warwick has to offer culturally, socially and economically.

With regards timescales for the project, the first part was completed in 2021, and we are finalising the remainder of the works over the coming months. Warwick Town council has allocated £7,500 for the extent of these works, and will be fully in place for the 2023 season.

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### 1.9 Marketing & Promotion

A summary of the existing marketing and promotion methodology is provided as follows:

- Warwick Visitor Information Centre has a fully comprehensive website which receives in the region of 7,000 visits per month with the events section being one of the most visited pages. An in house very well received town guide is funded annually by WDC with an equal amount being distributed to Warwick Castle to encourage the visitor into the town. This is produced in house by WVIC.
- WVIC Facebook, Twitter and Instagram pages are regularly updated in house with some 8000 followers across the 3 sites
- The WVIC manager liaises regularly with other VICs, WCC, WDC, Shakespeare's England and other tourism bodies to investigate how the service can be improved
- To continue to work with local artisans and to encourage outside agencies to use the VIC for displays to encourage footfall
- Promoting events and local businesses on the Visit Warwick website
- Working closely with the DMO to assist in the promotion of Warwick
- Taking WVIC to external events
- To introduce new locally sourced product lines to sell
- Press releases

Going forward Warwick Visitor Information Centre as previously indicated is seeking to promote more online through social media channels. In addition to the website and Social Media pages, additional low cost boosted advertisements during the summer are to be tested in 2023 with 'Vlogging' during the summer months at key events by the Town Ambassadors. The objectives of these small clips will be to provide visitors with a taste of various attractions and businesses to promote a range of products within the Town.

In addition, during quieter months training on social media will be provided to staff and volunteers in house. As part of the rationalisation of the Visitor Information Centre advertising screens showcasing local businesses and events are proposed to be installed, external signage opportunities are also being discussed within Conservation and Planning Officer's to enhance the presence of the Visitor Information Centre within the High Street.

### 1.10 Financial Information

The operating costs (and income) of the Warwick Visitor Information Centre is presented as follows (2020/21):

Income	£	Expenditure	£
WDC Grant	25,000	Salaries	74,216
Sales	28,531	Training	58
Ticket Sales	25,137	Admin	6,501
WTC Contribution	51,857	Telephones	905

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		Insurance	2,552
		Printing	745
		Utility Costs	2,841
		Website	930
		Internet	304
		Leasing	348
		Bank Charges	753
		Cost of Stock	19,896
		Cost of Ticket Sales	20,476
<b>Total</b>	<b>130,525</b>	<b>Total</b>	<b>130,525</b>

As presented within the aforementioned figures, Warwick Visitor Information Centre with the existing grant from Warwick District Council, Warwick Town Council's contribution and sales as existing breaks even (including the total value of stock). The threat to Warwick Visitor Information Centre is with the shortfall of funding, the savings will have to be found through a reduction of costs which at this stage may impact upon the service and operations of Warwick Visitor information Centre. This is especially pertinent due to continual rising costs, particularly around energy and staffing costs.

There is to be a capital cost to Warwick Town Council for the rationalisation works to Warwick Visitor Information Centre which is estimated to be circa. £7.5k in the 2022/2023 budget. Warwick Town Council is aware of the issues facing Warwick Visitor information Centre in the form of the current offering and constraints and changing attitudes of tourists. The aim of Warwick Town Council over the plan period is to reduce the gap between expenditure and income by creating a space which is more versatile and flexible, which can promote town events and history in a flexible manner. In addition, the rationalising of the shop and development of the box office will cumulatively be intended to reduce WVIC's reliance on the grant funding of the present and past. As part of these proposals, a re-structure is being considered of staff to maximise the efficiency of staff. This time is deemed an ideal opportunity as two long standing permanent individuals are moving on from WVIC after a number of years of dedicated service. As part of this re-structure, there is going to be work undertaken to employ individuals with online sales and promotional skills to further develop the sales offering.

To achieve this in an effective manner, Warwick Town Council requires time to implement changes, which also accord with the conditions on the Heritage Lottery Funding Grant Funding.

### 1.11 Benefits of Warwick Visitor Information Centre

Whilst the aim of Warwick Town Council over the plan period is to reduce the reliance on grant funding to operate Warwick Visitor Information Centre, with the view in the long term to make the service as sustainable as possible. WVIC is ultimately a service provided by local taxpayers for the benefit of Warwick given that Tourism is a key economic and social contributor to the Town.

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The objective of WVIC is to therefore deliver value for money for this service as opposed to making a profit per se, although with additional resource through self-funding will enable WVIC to deliver additional benefits and services to assist in raising the profile of tourism within Warwick and Warwick District. There are ongoing reviews of the service offering, and engagement between staff at Warwick Visitor Information Centre and local stakeholders has been established over a number of years. There is a benefit within the WVIC that all of the existing staff are dedicated employees who have been part of the team for a number of years and know a vast array of information about Warwick, and individuals within stakeholder groups. This enables positive and ongoing engagement on both personal and professional levels, thus having a positive impact on information sharing and collaborative working.

Stakeholders have identified gaps and opportunities within the Warwick Visitor information Centre's offering which form the basis of the plan to rationalised WVIC going forward. However it must be noted that as existing there are very positive reviews of WVIC, and where improvements are identified WVIC works to address these issues where possible, for example in 2018 Town Ambassadors were excellent but with two employees were spready to far afield, in response 2019 saw a total of six employees which provided additional cover and service for visitors which was greatly received.

With regards the testimonials for the Visitor Information Centre itself three examples are provided below (Complete testimonials are provided within the appendices);

*"We work in partnership with Warwick Visitor Information Centre to promote the castle and wider area, with the objective of drawing more visitors to the region from the rest of the UK and further afield. We're excited to continue to grow this partnership into the future to ensure Warwickshire is a "must see" region; offering new products and preferential rates to support the Visitor Information Centre and wider community."*

**Katy Potten, Trade Manager, Warwick Castle**

*"Warwick Visitor Information Centre has given much needed support to Hill Close Gardens through good information and understanding of what we / they offer. The new visitor map of Warwick has been updated allowing visitors to Warwick to get good up to date information about a number of attractions."*

*The last two years has seen Warwick ambassadors busy making sure we have leaflets and have been a real help collecting leaflets and spreading the word locally about us along with many other attractions."*

*The team are always happy to help and communication has been excellent. The Warwick events guide is well put together and information is collected in a timely and efficient way. Links between the chamber of trade are good and we are always kept in the loop."*

*The 'Visit Warwick' website is clear and informative and the link with Shakespeare's England I feel is positive, as we are also a member this brings together a wider reach and allows for greater support both through engagement and promotion."*

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*In summery – friendly and efficient – a really useful information service for visitors to Warwick with the perfect positioning in central Warwick. Online presence is good and appreciated”.*

### **Richard Hayward, Centre Manager – Hill Close Gardens**

*“The Lord Leycester Hospital is a Warwick medieval heritage site in the centre of town.*

*In 2016 this remarkable Heritage site with 700 years of unbroken history was attracting a mere 5000 tourist’s year. For a site that is a unique national treasure this was a low footfall that required attention and improvement. A new business plan looked at the potential and realised that with capital investment in the offering and refurbishment of the fabric, the footfall of the Lord Leycester could be raised over a five year period to 35,000 annually.*

*Raising footfall exponentially would also require support and help from the Town – particularly the Warwick Visitor Information Centre (VIC). Two years ago we approached the VIC and asked them for help to promote the Lord Leycester to tourists and visitors to Warwick. Since then we have been delighted at the increase in numbers of visitors to our site. In 2019 we reached 12,000 visitors.*

*With a recently successful National Lottery Heritage grant to help improve our Heritage offering we have every expectation that with the continuing help from the VIC we will be able to meet our 35,000 an increase footfall goal. This is a win for us as a Charity, a win for the VIC but it also is a win for the town of Warwick – an increase of 30,000 tourists a year can only have a positive economic impact for the town”.*

### **Heidi Meyer – Master of Lord Leycester Hospital**

## **1.12 Summary & Recommendations**

Overall, Warwick Visitor Information Centre is considered to provide a valuable service to visitors to Warwick and Warwick District. Whilst there are challenges facing the tourism sector as a result of online capabilities and developments, in Warwick, there remains a friendly personal approach to assisting tourists and locals alike. Warwick Visitor Information Centre has an established customer base which has seen footfall figures stabilise. However, in order to remain relevant changes and updating is required over the plan period.

Warwick Town Council continues to work with Warwick Visitor Information Centre employees and the Town Clerk to rationalise the existing space and make more effective use of the space as an area which can be multi-use. The intention is to work with Unlocking Warwick partners to develop the tour offering and promote the space to educate local school children during off-peak months. The flexibility of the space also seeks to ensure that the space can be used to exhibit ‘the best of Warwick’ and have topical displays and events which change year-round.

In addition, the development of internal skills in the form of IT and social media is also an intention for the plan period to assist in raising awareness of the WVIC to locals and visitors

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alike. The continuation and development of the Town Ambassador programme to use 'Vlogging' and other social media posts to promote gems within the Town.

Working with local businesses and suppliers, amendments within the shop to sell locally sourced items is intended to achieve a higher gross profit, alongside the expansion of the Box Office and ticket sales it is anticipated that income generation can be increased to improve the sustainability of WVIC so that it can continue to deliver a valuable service.



## **2. Appendices – Job Role Profiles for Staff and Volunteers**

### **2.1 Volunteers - Overview and Key Duties**

To welcome visitors in a friendly and manner and provide assistance.

- Answer telephone enquiries
- Record visits to the VIC for statistical reporting by the manager
- Respond to requests for information
- Assist with opening and closing the premises if on duty
- Assist with the day to day running of the VIC

### **2.2 Town Ambassadors – Overview and Key Duties**

A temporary summer role promoting the town out and about.

- To be the friendly and reliable representative of the VIC
- Be a visible presence patrolling the streets in Warwick, to include both train stations
- Deal helpfully and knowledgeably with queries or requests from members of the public
- Build positive relationships with local attractions
- Hand out leaflets and give directions
- Drive footfall to the VIC
- Promote the VIC and Box Office
- Participate in promotions and visitor centre/partner events as required

### **2.3 Visitor Information Centre Assistant – Overview and Key Duties**

To work in the Visitor Information Centre (WVIC) for Warwick Town Council, to provide tourist and local information to all visitors in person, e-mail, letter and telephone enquiries at Warwick Visitor Information Centre.

#### **Main Duties**

- Liaising with the VIC Manager to ensure the website is kept up to date and amending where necessary
- Keeping up to date the local events list and proof-reading either for WDC or WVIC
- Keep up to date and well stocked all leaflets and posters on display in the VIC and re-order when necessary
- Dealing with customer cash transactions, using the PDQ machine, cashing up the till and putting data on to the till spreadsheet
- Keeping up to date brochures and leaflets produced in house
- Update Facebook, Twitter and Instagram on a regular basis.

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- Stock taking sale items and souvenirs. Liaise with VIC Manager and re-order where necessary.
- Assist in the operation of the VIC postage fund, operating franking machine and taking post to the post office when necessary.
- Taking the VIC out and about to town centre events and further afield
- Leaflet distribution
- General housekeeping
- Any other duties that may arise

### **Assistance as required by Warwick Town Council – responsible to the Town Clerk:**

- Managing allotment waiting list.
- Upkeep of allotment database, tenant list and mailings
- Sending out reminders and collection of allotment rent, to include recording monies received.  
*Please Note: Warwick Town Council is currently working towards devolved management which will likely relieve these duties.*
- Administration work as requested by WTC, WDC and Shakespeare's England, to include databases.
- All administration for the Tree of Lights for Warwick Rotary to include collection of donations, design and display of dedications.
- Issuing Mayor's Vouchers annually.
- Any other duties that may arise.

## **2.4 Visitor Information Centre Manager – Overview and Key Duties**

To oversee the running of Warwick Visitor Information Centre (TIC) for Warwick Town Council. Develop and maintain alternative income for the VIC.

- Publicising services and implementing strategies to raise the profile of the centre.
- Gathering information and working with local businesses and attractions
- Researching and visiting attractions
- Keeping up to date with changes in tourist activities and events
- Ensuring the centre is well presented and easy to use
- Communicating with members of the public and dealing with enquiries.
- Producing guides and other marketing literature
- Liaising with accommodation establishments
- Assisting with developing the commercial and community use of the Court House and encouraging public participation
- Daily management of the Visitor Centre
- Drive high levels of customer service
- Preparing and presenting reports for the Economic and Tourism Committee and attending meetings with a variety of people, including senior managers and tourism businesses
- To undertake other similar activities

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- To oversee all allotment administration to include site visits and preparing reports for committee meetings
- Responsibility for HR related matters in the Visitor Centre
- To act as deputy in the absence of the Town Clerk

### 3.0 Testimonials

#### 3.1 The Mill Garden Trust

‘We would like to thank all the staff for their continuing support for our garden. We usually get several people daily from your recommendation which all goes towards our money we give to thirty charities annually. From what we hear from people, it contributes a great deal to the area (That is to say, the Visitor Centre). **Julia Russell**

#### 3.2 Warwick Rotary

We are happy to provide you with a testimonial attesting to the support which your staff provides to the Rotary Club and by extension to the local community in Warwick.

The Rotary club organises a number of events in the town centre throughout the year, some are for the enjoyment of the community, and others are fundraising.

Your office always displays our posters and leaflets, and sells our tickets, together with the Town Clerks office which ensures that the Mayor is available. Importantly you follow us on social media and “share” our posts and events which give them a wider circulation.

The year starts with our Pancake races in the Market Square, a Thai Festival of food and culture in early June, the school’s concert, Chernobyl children’s visit, Town Bonfire, and finally the Lights of Love on the Christmas tree. This latter your whole team helps us with sending out flyers to a mailing list, making the cards for the tree and putting them onto it’s branches, they also distribute the flyers around local shops, pubs and churches, and collect the completed forms. It would not be possible to run this campaign, which raises around £2,000 for Myton Hospices and the Mayors charities without their support.

All your team give us cheerful support, advice and feedback, we have a good partnership, and I thank you for your leadership. **Jackie Crampton – Secretary**

#### 3.3 Warwick Fusilier Museum

The staff at the Centre are always friendly, helpful and professional. They display our publicity material and sign post visitors to the museum.

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We had a one to one chat with them to see how they could support us further. They have assisted our move within Warwick by talking to the management consultant company preparing our business plan for our future sustainability. When the museum does move to Pageant House, right next to the Centre, it is hoped that the two organisations will forge a stronger alliance and work together more closely.

They engage with the museum and promote our attraction on social media. They offer an inclusive service for smaller attractions rather than just focusing on larger businesses. We are included in the town guide leaflet, which is an important resource for tourists. They make a real difference and benefit local attractions.

### 3.4 St. Mary's Church

The Collegiate Church of St Mary, Warwick, is pleased to provide a Testimonial for the Warwick Visitor Centre and all the staff.

The Collegiate Church of St Mary, Warwick, enjoy an excellent-working relationship with the Warwick Visitor Centre that promotes the lovely town of Warwick and the many sights and attractions that it offers.

Our Visitor Team signpost new and returning visitors to Warwick using the "Warwick Visitor Guide" leaflet, that was developed by the Manager, Liz Healey, of the Visitor Centre which guides tourists around the many historic buildings and attractions that Warwick has to offer.

The visitor Centre displays leaflets promoting various events at St Mary's Church, including the very popular Annual Christmas Tree Festival.

The Warwick Visitor Centre website also advertises and supports our many events, church services and exhibitions. The 'Ambassador' scheme is superb and works very well for people who visit Warwick. We welcome the Ambassadors to tour our beautiful Church, climb the Tower and visit the stunning historic Beauchamp Chapel. The Ambassadors can then give visitors a first-hand insight into how much we have to offer and the other wonderful sights of Warwick. The success of our partnership has been developed further by Liz, offering a range of souvenir items that are stocked in the Visitor Centre gift shop, depicting notable images of places of interest in Warwick, including images of St Mary's Church.

We very much value our excellent working relationship with the Manager and the Team at the Warwick Visitor Centre and look forward to a continuing productive future for St Mary's Church and Warwick town centre. ***Felicity Bostock, Parish Administrator - The Collegiate Church of St Mary, Warwick.***

### 3.5 Park Cottage, Warwick

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My husband and I have operated our small Bed & Breakfast business in Warwick now for over 18 years.

During that time we have always found our local Tourist Board to be invaluable to us and a significant support to our business. Liz Healey and her team have always been extremely friendly and helpful towards us. They keep us informed of events taking place in and around the area, so that we can communicate this to our guests. Albeit their role has changed over time from directing accommodation bookings to us, I now find that as my market has moved from more business customers to holiday makers (all year round) I am sending my customers who are staying for a 2-3 night break to the Tourist Information for perhaps, further details on a walk, that I have heard about but know that Liz and her team will have a brochure on or can discuss with the customer in more depth.

I find it difficult to keep up-to-date on all information and for that reason I will direct the visitors to the Tourist Information Office. My customers are very happy to utilise this service (and have always been pleased with the service they have received), it enhances their stay and ensures that they make the most of their visit to the area. This, in turn, leads to them returning or recommending our town to friends and family.

The Tourist Board provide a face to face contact for the customer and are located in a superb central location, just outside the castle grounds, so visitors leaving the castle can pop in and be given plenty of advice and information on Warwick Town. This is exactly what we need for our visitors! ***Janet Baldry - Park Cottage, Warwick***

### 3.6 Lord Leycester Hospital

“The Lord Leycester Hospital is a Warwick medieval heritage site in the centre of town.

In 2016 this remarkable Heritage site with 700 years of unbroken history was attracting a mere 5000 tourist's year. For a site that is a unique national treasure this was a low footfall that required attention and improvement. A new business plan looked at the potential and realised that with capital investment in the offering and refurbishment of the fabric, the footfall of the Lord Leycester could be raised over a five year period to 35,000 annually.

Raising footfall exponentially would also require support and help from the Town – particularly the Warwick Visitor Information Centre (VIC). Two years ago we approached the VIC and asked them for help to promote the Lord Leycester to tourists and visitors to Warwick. Since then we have been delighted at the increase in numbers of visitors to our site. In 2019 we reached 12,000 visitors.

## APPENDIX 1

With a recently successful National Lottery Heritage grant to help improve our Heritage offering we have every expectation that with the continuing help from the VIC we will be able to meet our 35,000 an increase footfall goal. This is a win for us as a Charity, a win for the VIC but it also is a win for the town of Warwick – an increase of 30,000 tourists a year can only have a positive economic impact for the town”. **Heidi Meyer – Master of Lord Leycester Hospital**

### 3.7 Warwick Castle

“We work in partnership with Warwick Visitor Information Centre to promote the castle and wider area, with the objective of drawing more visitors to the region from the rest of the UK and further afield. We’re excited to continue to grow this partnership into the future to ensure Warwickshire is a “must see” region; offering new products and preferential rates to support the Visitor Information Centre and wider community.” **Katy Potten, Trade Manager, Warwick Castle**

### 3.8 Hill Close Gardens

“Warwick Visitor Information Centre has given much needed support to Hill Close Gardens through good information and understanding of what we / they offer. The new visitor map of Warwick has been updated allowing visitors to Warwick to get good up to date information about a number of attractions.

The last two years has seen Warwick ambassadors busy making sure we have leaflets and have been a real help collecting leaflets and spreading the word locally about us along with many other attractions.

The team are always happy to help and communication has been excellent. The Warwick events guide is well put together and information is collected in a timely and efficient way. Links between the chamber of trade are good and we are always kept in the loop.

The ‘Visit Warwick’ website is clear and informative and the link with Shakespeare’s England I feel is positive, as we are also a member this brings together a wider reach and allows for greater support both through engagement and promotion.

In summery – friendly and efficient – a really useful information service for visitors to Warwick with the perfect positioning in central Warwick. Online presence is good and appreciated”. **Richard Hayward, Centre Manager – Hill Close Gardens**

### 3.9 Warwickshire Yeomanry Museum

## APPENDIX 1

“The Warwickshire Yeomanry Museum Trustees place on record their grateful thanks to all concerned with the smooth running of the Warwick Visitor Information Centre which provides far more than just an information service as evidenced by your Business Plan.

Our Museum was established in the basement of the Court House, Warwick in April 1981 and over the past 38 years our Museum Team has continued to build a unique friendly relationship with the Centre’s Staff and Volunteers, which maximises opportunities to encourage people to visit Warwick and it’s many varied attractions including our Museum by way of the Centre’s excellent Town Map.

Your Centre also makes best use of the internet and social media and this coupled with our Museum website and our social media activity has seen increased visitor numbers in more recent years.

The Staff and Volunteers within the Centre are to be commended for the highly effective way in which they respond to customer enquiries, undertaking their duties in a most proficient manner. ***Philip Wilson - Warwickshire Yeomanry Museum Trustee and Archivist***





**Produced by Warwick Town Council and Warwick Visitor Information Centre**

**October 2022**



## **APPENDIX 2: OVERVIEW OF TOURISM DEVELOPMENTS WITHIN WARWICK TOWN**

Following a summer of activity in Warwick there is also much development being undertaken, or planned, in the town to enhance the tourism and hospitality offer to residents and visitors and the VIC plays an important part in the promotion of such attractions and events. The following is a list of some of the major developments:

- 1. The Lord Lycester Hospital** – is undergoing major capital works and improvements following a £4.5M investment including a £1.8M grant from The National Lottery Heritage Fund. The grant will be used to transform The Lord Leycester into a modern, authentic visitor attraction and is due to open in Summer 2023.
- 2. Warwick Castle Hotel Development** – planning has been granted to Merlin Entertainment to extend the accommodation offering at Warwick Castle to develop a two storey, 60 bed 'medieval-themed' hotel in the main car park of The Castle. This will be in addition to the 28 wooden lodges, glamping tents and 2 'chambers' within The Castle and thereby offering overnight and longer stay opportunities to visitors to enjoy Warwick Town and the wider area.
- 3. Collegiate St Mary's Church-** restoration of St Mary's Tower; celebration of 900<sup>th</sup> anniversary of the foundation of the college of St Mary in 2023 and the 550<sup>th</sup> anniversary of the consecration of the Beauchamp Chapel are significant events in the Church's calendar to celebrate. The Church is marking the occasions in several ways including the launch of a published book 'Faire and Goodly Built' on 27 April 2023 and a series of seminars and musical events. St Mary's is one of the country's hidden treasures as it enshrines much of the history of England and is home to significant and beautiful medieval artefacts and architecture which are considered some of the finest examples in Europe.
- 4. Fusiliers Museum-** following grant funding the museum is moving from its current site to a new central location in Pageant House, Warwick.
- 5. St Mary's Lands Masterplan** – plans to make best use of the land for recreation, biodiversity, and economic uses in line with the adoption of the masterplan are being developed alongside current uses and needs of tenants, community organisations, sports clubs, and residents. Many milestones have already been achieved with the development of a multi-use 2.5K perimeter track available on non-race days and the multi-use games area.
- 6. Railway Station improvements** – has seen extensive improvements which will continue next year with the installation of two lifts to make the station a welcoming and fully accessible entrance to the town.
- 7. Racecourse improvements** – new catering and conferencing facilities have been launched at the racecourse to offer a range of event options catering

for up to 160 delegates. The site also has plans for the development of a hotel offering additional overnight and longer stay accommodation for visitors to the venue, town, and wider district.

### **APPENDIX 3: WARWICK VISITOR INFORMATION CENTRE (VIC) VISITOR STATISTICS**

In 2021 the Visit Warwick website was re-designed, and the table below indicates the popularity of the new website. The peak in February is thought to be due to a combination of videos and trails being added to the site together with the relaxing of facemask wearing and a return to more visitors to the town.

From the statistics to date, it is considered that the footfall has been stable and comparable to 2019. There have been several factors which have impacted figures at times of the year. Good weather in the summer months provided a relatively stable footfall in house, the figures within the VIC's performance is largely consistent with other main attractions within the Town such as Warwick Castle which has experienced several factors which has made footfall challenging over the last two years year including political uncertainty with Brexit and the global pandemic. The growth of the Town Ambassador programme also allowed the VIC to assist more visitors within and around the town.

It must be noted that footfall over a longer period has changed significantly as visitor behaviours have moved online. However, the stabilising of footfall since the pandemic is encouraging given that the footfall demonstrates there is an ongoing demand for the service, together with the popularity of the town ambassadors.

Footfall		
Month	2019	2022
Jan	1302	1021
Feb	1284	1643
Mar	1834	2232
Apr	2601	2409
May	3083	2740
Jun	3244	2433
Jul	4079	3317
Aug	4429	
Sep	2915	
Oct	2701	
Nov	2423	
Dec	1863	
<b>Total</b>	<b>31758</b>	
<b>To Date</b>	<b>17427</b>	<b>15800</b>

In addition, Warwick VIC hosts a website providing information and guidance to visitors in terms of local tourist attractions, associated businesses, accommodation and food and drink outlets. This is designed to drive footfall into the town from overseas and domestic visitors attracted primarily by the castle but in a concerted effort to promote the wider tourism offering of the town of Warwick and the wider district. Warwick Town Council, with partners, also launched a media campaign 'Visit Warwick' which was hugely successful with

coverage in National and International press and was a contributory factor in the raised website visits leading to increased business in the visitor economy. An analysis of website "hits" is shown below.

Website Visits		
Month	2019	2022
Jan	4718	6040
Feb	5276	15238
Mar	5948	5213
Apr	7034	6978
May	7831	8905
Jun	6139	11723
Jul	7218	10534
Aug	8110	4188
Sep	5733	
Oct	5739	
Nov	4778	
Dec	3832	
<b>Total</b>	<b>72356</b>	
<b>To Date</b>	<b>44164</b>	<b>68819</b>

**Title:** Voluntary and Community Sector Contract Extension

**Lead Officer:** Bernadette Allen

**Portfolio Holder:** Councillor Judy Falp

**Wards of the District directly affected:** All

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## **Summary**

The purpose of the report is to ask the Council's Cabinet approval to change from the existing funding arrangements via contracts to providing the investment in the voluntary and community sector through grant aid/ service level agreements. In addition to seek approval to allow an exemption from public contract regulations to enable a variation of the Voluntary and Community Sector (VCS) Contracts so they can be extended for a further 3 months.

## **Recommendation(s)**

- (1)** That Cabinet approves the proposal to transfer from providing its investment in the voluntary and community sector from contracts to grant aid/ service level agreements.
  - (2)** That Cabinet agrees to an exemption of the public contract regulations to enable the extension of contracts with the voluntary and community sector for a further 3 months. This will allow time of the new funding arrangements, to be put in place.
  - (3)** That Cabinet agrees that £70,000 is included in the Medium Term Financial Strategy so that the cost of the extension can be reflected in the 2023/2024 Budget.
- 

## **1 Background/Information**

- 1.1** Warwick District Council has made a longstanding commitment to helping its most vulnerable residents to improve their lives and circumstances. Following on from the then Sustainable Community Strategy, the Council has reaffirmed this commitment in its Corporate Strategy 'Fit for the Future'. Although there is no statutory requirement to provide this type of support, the rationale for supporting the voluntary and community sector is that, in addition to improving the quality of life of its residents, the investment allows the delivery of social and financial inclusion services for the most vulnerable members the communities we serve. This can improve the capacity and resilience of communities and helps to reduce the pressure on other public services provided by the Council and its partners, not least by expanding the capacity of voluntary and community sector (VCS) organisations and improving the wellbeing and self-reliance of individuals.
- 1.2** The Council has continued its investment into the VCS approved in February 2018 by the then Executive through a 3 year contract with the ability to extend

for 2 years conditional on satisfactory performance. In addition to the approval to continue the investment in the VCS, it was agreed at the end of the contract period to undertake a review of the funding arrangements to ensure that providing funding by contracts was the most appropriate and effective way to provide our investment in the voluntary and community sector.

- 1.3** A review of future funding arrangements was undertaken in 2021-22 in conjunction with Procurement and it was concluded that the time and expense in undertaking a full procurement exercise was not advisable due to the limited number of organisations we have or would potentially attract to apply to deliver contracts of this nature. In addition, to respond to unforeseen events such as COVID-19 or the Cost of Living Crisis, the arrangements with the VCS require some flexibility to enable a more timely response to local community need and therefore it is no longer appropriate to issue funding via contracts.
- 1.4** The outcomes of the review were reported to the Community Protection Programme Advisory Board in February 2022 who were tasked with overseeing the performance monitoring the contracts.
- 1.5** To allow the time to undertake work to transfer the funding arrangements from contracts to grants with Service Level Agreements it is proposed to extend the current contracts for a period of 3 months.

## **2 Alternative Options available to (name of Committee/Cabinet etc.)**

- 2.1** The contracts could cease. However, this would affect the ability of WDC to provide specific services to the deprived communities, which have been identified as priority neighbourhoods.
- 2.2** The Council would have to 'pick up the tab' if there were no VCS provision and the impact would be that, the Council will be unable to deliver its commitment to social value. The Council would be unable to demonstrate its recognition of the value of volunteering and the important contributions it makes to developing and supporting communities and potentially there could be a loss of services.
- 2.3** The perception of Council if funding was to be withdrawn particularly post Covid; its ability to deliver its social responsibility; its partnership reputation; and its support to the most vulnerable members of our community would all suffer.
- 2.4** The Council could retender the work and draw up contracts, however this has proven to not deliver the optimum benefit for the authority.

## **3 Consultation and Member's comments**

- 3.1** A report went to the meeting of the Safer Communities, Leisure and Environment Programme Advisory Board on 22<sup>nd</sup> November 2022, who are supportive of the proposal to transfer from contracts to grants/ Service Level Agreements.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

**4.1.1** The proposal to transfer our investment in the voluntary and community sector from commissioned contracts to grant aid/ service level agreements was discussed at length with the Procurement Team. It was agreed that due to the nature of the service provision that the proposal provides the best option for delivering on our investment.

## **4.2 Financial**

**4.2.1** The current budget for VCS contracts has been set for 2022/23 at £282,000.

**4.2.2** The proposal is to extend the current contracts from the 1<sup>st</sup> April 2023 until 30<sup>th</sup> June at a cost of £70,000 to enable work to be undertaken to make the transfer from contracts to grants.

**4.2.3** For the new Grant Aid/Service Level Agreements there is a proposed start date of 1<sup>st</sup> July 2023, which means that the new funding arrangements will run for a period of 2 years and 9 months at a total cost of £658,000 based on the current level of funding. This is subject to Council's approval of the 2023/2024 Budget.

## **4.3 Council Plan**

### **4.3.1 External impacts of proposal**

**People - Health, Homes, Communities** – The recommendations seek to deliver interventions that will have a positive impact on outcomes relating to Improved health for all and cohesive and active communities.

**Services - Green, Clean, and Safe – None identified**

**Money- Infrastructure, Enterprise, Employment** – The recommendations seek to deliver interventions that support a positive impact on our local economy and deliver outcomes which support the needs of our communities including returning to the work environment.

### **4.3.2 Internal impacts of the proposal**

**People - Effective Staff** – None identified

**Services - Maintain or Improve Services** - The recommendations seek to ensure that contracted voluntary support services are targeted in the correct manner to ensure that they are fit for the demands of those whom they support and who may require access to them.

**Money - Firm Financial Footing over the Longer Term** - The recommendations seek to ensure that the VCs contracts are robustly evaluated to ensure the ongoing value of the investment.

## **4.4 Environmental/Climate Change Implications**

**4.4.1** There are no identified implications in relation to the environment/ climate change.

## **4.5 Analysis of the effects on Equality**

**4.5.1** An Equality Impact Assessment has been undertaken as part of the review and no negative impacts were identified.

#### **4.6 Data Protection**

**4.6.1** There are no implications on data protection of the proposal.

#### **4.7 Health and Wellbeing**

**4.7.1** The rationale for the Council commissioning the contracts with the VCS is to improve the quality of life of its residents. This investment in social and financial inclusion services can improve the capacity and resilience of communities and helps to reduce the pressure on other public services provided by the Council and its partners. The investment also helps expand the capacity of VCS organisations and improve the wellbeing and self-reliance of individuals

### **5 Risk Assessment**

**5.1** Without a review of the outcomes required by the contracts, there is a risk that the changing needs of vulnerable residents are not addressed by the service provision. In the development of the contract specifications the needs were carefully considered through research and consultation. The contracts provide flexibility to enable service providers to tailor provision to the needs of their clients. The proposed approach ensures that there is sufficient flexibility and outcome measures to tackle the additional COVID impacts experienced by clients.

**5.2** In not extending the contracts there is a risk that the reduced support for vulnerable communities at this current time would be perceived unfavourably and detrimentally affect the Council's reputation. Care has been taken to ensure that the contracts focus resources where they are most needed, including addressing issues that are of increasing importance. With the COVID pandemic service providers have continued to focus their resources to support the areas of greatest need

**5.3** Service providers as part of the contracts provide evidence of the positive impact they achieve for residents and as with the review of outcomes, the Council can be reassured of evidenced positive impacts in the current climate.

### **6 Conclusion/Reasons for the Recommendation**

**6.1** Built into the original decision by the Council Executive on 7<sup>th</sup> February 2018 was the ability to extend the contracts for a period of 2 years.

**6.2** In order to develop the new funding arrangements, transferring from contracts to grants and service level agreements and to consider the TUPE implications for the current contract holders approval is sought from the Cabinet to extend the contracts by 3 months.

### **7. Background papers:**

- Executive VCS Commissioning report, 8<sup>th</sup> February 2018
- Executive Contract Extension to the VCS, 10<sup>th</sup> December 2021





## Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	Cabinet – 7 <sup>th</sup> December 2022	
<b>Title of report</b>	VCS Contracts Extension	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		All
<b>Portfolio Holder*</b>	16.11.22	Cllr Judy Falp
<b>Financial Services *</b>		Andrew Rollins
<b>Legal Services *</b>		
<b>Other Services</b>	16.11.22	Rebecca Reading
<b>Chief Executive(s)</b>		Chris Elliott
<b>Head of Service(s)</b>	15.11.22	Lisa Barker, Head of Housing Services
<b>Section 151 Officer</b>		Andrew Rollins
<b>Monitoring Officer</b>	16.11.22	Andrew Jones
<b>CMT</b>	16.11.22	Chris Elliott, Andrew Jones
<b>Leadership Co-ordination Group</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to :Cabinet / Council .....Committee
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		No

<b>Accessibility Checked?</b>		File/Info/Inspect Document/Check Accessibility
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Title: Asylum Seeker Dispersal Scheme  
Lead Officer: Lisa Barker  
Portfolio Holder: Councillor Matecki  
Wards of the District directly affected: Potentially all

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## Summary

The purpose of this report is for Cabinet to determine the response to be provided to the West Midlands Strategic Migration Partnership (WMSMP) in relation to government proposals in respect of the dispersal of asylum seekers within the district.

## Recommendations

- (1) That Cabinet confirms a preference for the WMSMP model rather than the proposed dispersal arrangements preferred by the government and its accommodation agent.
  - (2) That Cabinet notes the previous decision taken by the Chief Executive using his emergency powers in consultation with Group Leaders to support the dispersal plans of the West Midlands Strategic Migration Partnership
- 

## 1 Background/Information

### National Context – Asylum seekers

- 1.1 The asylum accommodation system is under enormous pressure because of the sustained and significant increase in asylum intake over the last 12 months or so which together with the Covid-19 legacy measures placed unsustainable pressure on a limited number of authorities who were accommodating asylum seekers in their areas. Historically, asylum seekers have been dispersed in cities in Unitary or Metropolitan Councils. More recently some cities have been vocal in suggesting that all Councils should play a part and a small handful commenced legal action against the government. The then Minister for Safe and Legal Migration, Kevin Foster MP wrote to all authorities in April of this year, expressing commitment to move to a fairer distribution of asylum seekers and that with immediate effect, all local authority areas in England, Scotland and Wales are expected to participate in a new system of full dispersal to allow the move from hotels to less expensive and more suitable dispersed accommodation. There are now over 30,000 asylum seekers being housed in temporary contingency accommodation such as hotels at a significant daily cost.

The proposal was to achieve dispersal through three key interventions:

A. To reduce and eliminate the use of hotels for asylum seekers by moving to a full dispersal model for asylum accommodation. This means expanding the existing approach of using private rental sector housing to all local authority areas across England, Scotland and Wales.

B. In May 2022, following the local elections, the Home Office would launch an informal consultation with local government to inform how this model will work

across England, Scotland and Wales and within regions and nations. The consultation was to explore how asylum dispersal can better take account of the other impacts on local authorities, of resettlement and the care of unaccompanied asylum-seeking children.

C. Providing specific funding to recognise the existing contribution of local authorities and for new dispersed accommodation. Government stated that it would continue to work with local government to capture and evaluate data to understand the impact of asylum dispersal on local authorities going forward.

To support the implementation of a full dispersal model, as part of the consultation process, the Home Office has committed to undertaking a new burdens assessment. This is said to be an opportunity to better understand the costs associated with asylum dispersal and engage with the local government sector. Where genuine additional and ongoing costs are identified, these will be addressed in line with the New Burdens Doctrine and subject to a post-implementation review.

- 1.2 To recognise the existing contribution and longstanding support from local authorities, each local authority in England, Scotland and Wales which was accommodating asylum seekers on 27 March 2022 was to receive a £250 one off payment per asylum seeker. Payments apply only to accommodation under the following categories:

- Dispersed Accommodation (DA)
- Overflow Dispersal Accommodation (OAD)
- Initial Accommodation (IA)
- Contingency Accommodation – Hotels and Other.

Officers are in the process of checking if WDC qualifies for this funding as it is understood that Contingency Accommodation in the form of a hotel was commissioned by SERCO prior to this date.

In addition, further funding has been made available for 2022/2023 to provide £3,500 for each new dispersal bed space occupied, in both new and existing dispersal areas, between 28 March 2022 and 31 March 2023. This funding can be used to implement and/or bolster services in both new and existing areas. The Home Office state that this will alleviate some pressures on local authorities and will ensure every local authority plays its part in this important work.

- 1.3 SERCO is the Government appointed agency delivering the full dispersal of asylum seekers. It is now actively seeking accommodation in all areas of the country and it has a defined model to do so which is attractive to landlords and property owners. There is an expectation that local authorities will work to support local level plans to support full dispersal. Initial numbers allocated should be delivered by December 2023. It is recognised that the market will be more challenging in some areas if the current Home Office/ SERCO model is used. Over time a place-based approach is proposed but the more immediate aim is to find accommodation urgently to reduce reliance on hotel accommodation.

- 1.4 Key dates for the move to a full dispersal system

- Ministerial instruction received on the 13th of April with LA funding agreed for 2022/23 financial year
- May: Regional workshops & online informal consultation

- May/June: 121 meetings with all new areas. SERCO progressing with procurement with procurement for the first property in Leamington started
- August/September: The Home Office asked all Strategic Migration Partnerships to work with local authorities and the accommodation provider (SERCO) to agree localised plans on how the regional percentage would be divided. The request was for the agreement to be signed off at Leader level and for these plans to be returned to the Home Officer by the 7<sup>th</sup> September. Regional allocations proposals produced by WMSMP showing potential allocations by Local Authority. The Chief Executive Officer used his emergency powers under delegation CE (4), in consultation with the Group Leaders to provide a decision endorsing the approach of WMSMP
- September/October: Home Office ask the accommodation providers to prepare a separate plan
- October: Home Office share the accommodation provider version and version analysis. In all regions there has been variance between the provider and SMP/LA plans. Home Office now requests Local Authority leader agreement but also states that such agreement is not necessary. The implication is that work will progress whatever the local determination. The Home Office then asked all SMP's to reach back out to LA's and obtain agreement by the end of the month. The Home Office has reiterated that should we not be able to align the plans then the backstop position could be implemented either by local authority or regionally. It is still not clear what the backstop position is. Warwick District Council (WDC) is amongst those authorities who have advised that the matter needs to go before Cabinet for a decision to be reached. The Home Office had anticipated finalising regional/national plans by the end of October – with backstop implemented if required.
- December 2022: Asylum Dispersal scheme proposals to be considered at the WDC Cabinet meeting.
- December 2023: The date timeline for SERCO to procure the initial bedspaces in Warwick District. Further detail is provided in paragraph 3 below and specifically, in the confidential appendices.

1.5 Over and above the challenges being presented through these new asylum dispersal arrangements, there remain other active pathways for migrants as follows:

1.5.1 New arrangements are in place for refugees from Afghanistan. They will be made 2 reasonable offers of accommodation by the Home Office. If these are refused, they will be expected to find their own accommodation or seek assistance from a housing authority.

The Government has sought an increased commitment from local authorities to provide accommodation for refugees from Afghanistan.

1.5.2 Arrangements for refugees from Ukraine are by way of sponsorship. Sponsors were asked to commit to provide accommodation and support for 6 months. Refugees from Ukraine who have arrived with a visa as part of the Homes for Ukraine Scheme have permission to stay for 3 years and have full recourse to public funds. At the end of 6 months, they will stay with the sponsor, find their own accommodation or seek housing from a Local Authority. A national exit housing strategy for these households is not in place.

- 1.5.3 In addition to these groups Councils are being asked to continue to support refugees from Syria and, where required, from Hong Kong.
- 1.5.4 Whilst there are nationally prescribed arrangements in place for these groups there is an impact/pressure on
- 1.5.5 There is a county wide arrangement in place to help support migrants.
- 1.6 Currently, asylum seekers in Warwickshire are being accommodated in hotels in Rugby, Warwick & Stratford. In addition, a hotel is being used to accommodate unaccompanied children.
- 1.7 The impacts/pressures of asylum/migration on Local Authorities and partners are numerous and include impacts on all local services including Voluntary and Community services, primary and secondary health care, family support services, education and the housing market. Although SERCO, the accommodation provider is responsible for management of the property and support for the asylum seeker this ends once their immigration status is confirmed and Leave to Remain is granted. Once this takes place, the asylum seeker is referred to the local authority homeless team and a 28-day notice is served. In practice it transpires that some will migrate elsewhere in the country to reunite with already settled friends and/or family however, many remain in the host area.
- 1.8 It should be noted that although government in April 2018 increased the timeline for statutory homeless interventions to commence from 28 days to 56, the Home Office is standing firm with just 28 days' notice. Once leave to remain is granted, the asylum seeker receives full entitlement to public services and becomes able to work or claim benefits. This in turn releases the bedspace for a new asylum seeker to occupy. Inevitably this means that over time the Council will be faced with finding accommodation for an increasing number of former asylum seekers. The successful claimant will receive a letter confirming the exact date that asylum support will end. It can take time to move on from asylum support however the Home Office will be unable to extend support beyond 28 days
- 1.9 In addition, the Council uses private sector accommodation to discharge its homeless functions. SERCO will be in competition with the Council for properties at the lower end of the rental market. This could over time, as SERCO develops its portfolio, impact on the ability of the Council and homeless applicants to secure low rent value property in the private sector.

## **2 Asylum Seeker Regional Allocations**

- 2.1 Following a delay on the part of the Home Office, the West Midlands Strategic Migration Partnership received the regional asylum allocations at the beginning of August 2022. The information shared with the Council is contained in confidential appendix 1.
- 2.3 Following meetings of the WMSMP and discussions with the Home Office a model was proposed for the distribution of asylum seekers across the region.

## **3 The Models and impact across Warwickshire**

- 3.1 The model for the region proposed by WMSMP and shown at confidential Appendix 2, uses data modelling based upon the following key principles.
- An upper limit for each local authority of no more than 1 asylum seeker per 200 of the host population. The 1:200 rule is recognised by the Home Office, and this would be an upper limit per Local authority regardless of the bedspace requests.

- A weighting was added so that any local authority that was at 75% of its 1:200 limit would see procurement stop in that area.
- Local authorities with contingency/hotel accommodation would have those bedspaces included as part of the 1:200 figure.
- Finally, an additional weighting has been added to those local authorities who have been dispersal areas since 1999. The weighting reduces the amount of procurement by half in these areas.

- 3.2 The allocation of the projected required bed spaces was established using each local authority's percentage of the 'remaining' regional capacity, established after the above weightings. It is understood that the model was widely supported by authorities although their individual responses to the Home Office may not have expressed this view. The implicated numbers for Warwickshire authorities are shown in Confidential Appendix 3.
- 3.3 The model for the region proposed by the accommodation provider is shown at Confidential Appendix 4. It is based on the levels of accommodation across the west midlands that the provider believes that the market can provide. They do not believe that they can secure accommodation that is equally distributed as identified within the WMSMP model. It should be noted that the WMSMP numbers included within Appendix 2 vary considerably from the WMSMP numbers included within Appendix 4. This is due to that model identified a figure net of numbers in hotels, and at the times when the data was captured, there were fluctuations in numbers accommodated in hotels.

Authorities have been asked to indicate if the local authority agrees with the accommodation provider figure

- 3.3 There are well established governance arrangements on a countywide level to support the various migration channels.

#### **4 Alternative Options available to Cabinet**

- 4.1 The Cabinet could decide not to offer a view on the model.

Pros: The public might conclude that the Council is not working with the government in respect of the proposed dispersal plans.

Cons: The risk of doing this is that the Home Office could determine that WDC is ambivalent about numbers and therefore increase the bedspaces commissioned locally. Alternatively, they could apply the backstop position though there is no information to suggest what any backstop might look like.

The public might conclude that the Council should take a strong view on the proposals, either for or against.

- 4.2 The Cabinet could decide to express a preference for the WMSMP model

Pros: This would be supportive of the regional approach. The number of bedspaces to be procured in WDC would be fewer which in turn, would reduce the number subsequently turning to the Council for help with housing once leave to remain is granted.

The public may conclude that the Council is playing its part in helping vulnerable people

Cons: The accommodation provider has already indicated that the WMSMP model is unachievable.



It is likely to lead to increased homelessness over time and therefore increase officer workload and costs to the authority.

The public may conclude that the Council should not offer support and that Cities/other places are better placed with infrastructure to accommodate people claiming asylum.

- 4.3 The Cabinet could decide to endorse the Accommodation Providers proposed model.

Pros: Would garner favour with the Home Office

The public may conclude that the Council is playing its part in helping vulnerable people

Cons: Will lead to increased homelessness over time and therefore increase officer workload and costs to the authority.

The public may conclude that the Council should not offer support and that Cities/other places are better placed with infrastructure to accommodate people claiming asylum.

## **5 Consultation and Member's comments**

- 5.1 Officers discussed the matter with, and sought the views of the Leadership Co-ordination Group in relation to the required response and the proposal for the Chief Executive to use emergency power
- 5.2 The Portfolio holder for Housing and Assets has been consulted in the preparation of this report and is keen for Cabinet to have the available facts in order to debate and form a decision in respect of the required feedback to the Home Office.

## **6 Implications of the proposal**

### **6.1 Legal/Human Rights Implications**

- 6.1.1 Government is requiring all Local Authorities to play their part in the dispersal of asylum seekers. It is for the Home Office to determine the status of applications made by people seeking asylum. Once applicants have a positive decision, they are provided with a notice to leave that accommodation within 28 days. If they require settled housing in the area, applicants can approach the Council and apply for Housing under the provisions of the Homeless Legislation.

### **6.2 Financial**

- 6.2.1 WDC will receive £3,500 for every bedspace procured by SERCO up to the end of March 2023. If all bedspaces are procured by this time, the Council should receive £563,500. It is likely that the income would be ringfenced to support the additional cost of this scheme.
- 6.2.2 There are possible revenue costs associated with the proposals. So far, these have been contained within existing resources however, the situation will be monitored and kept under review

### **6.3 External impacts of the proposal**

#### **People - Health, Homes, Communities**

The proposal will see that Asylum seekers who receive settled status then are considered for a home where a family life can be achieved. Existing applicants may however feel aggrieved if they perceive former asylum seekers to be 'queue jumping' when securing affordable housing in the district.

## **Money- Infrastructure, Enterprise, Employment**

Skilled former asylum seekers will contribute towards local jobs, health services and the local economy.

### **6.4 Internal impacts of the proposal**

#### **People - Effective Staff, Services**

There is the potential for further pressure to be placed on the homeless team who are already experiencing high levels of service presentations.

### **6.5 Environmental/Climate Change Implications**

There are no direct environmental/climate change implications associated with the proposals within this report

### **6.6 Analysis of the effects on Equality**

The proposals positively impact one of the most disadvantaged and marginalised populations in our society. Achieving settled status and obtaining secure housing will greatly contribute to providing a stable base from which to rebuild lives. The new communities will add a rich diverseness to the district.

### **6.7 Data Protection**

There are no data protection implications associated with the proposals in this report.

### **6.8 Health and Wellbeing**

This impacts positively on health and wellbeing for those seeking asylum and for those who have settled status.

### **6.8 Risk Assessment**

6.9.1 We have not seen a hotel exit plan and additional bedspaces do not automatically result in the closure of local hotels. The Council does not receive an additional funding for households in hotel accommodation. This could lead to there being increased pressures on local services, particularly health and the voluntary and community sector.

6.9.2 The Council uses private sector accommodation to discharge its homeless functions. Serco will be in competition with the Council for properties at the lower end of the rental market. This could over time, as Serco develops its portfolio, impact on the ability of the Council and homeless applicants to secure low rent value property in the private sector

6.9.3 There could be additional pressures placed on the Homeless Team should the rate of case resolution increase.

6.9.4 Waiting times for one-bedroomed secure accommodation in the social sector could increase as could the number of applicants waiting on the housing register. There could be a knock-on increase in the use of temporary accommodation provided as a homeless relief duty as a consequence of longer wait times for secure accommodation.

6.9.5 The additional funding of £3,500 per additional bedspace ends in March 2023 and there is no indication that it will be rolled forward to 2023/2024 financial year. The timeline for SERCO to procure the bedspaces in WDC is December 2023 and therefore, Warwick may miss out on vital funding to support new communities.

6.9.6 Those who do not receive leave to remain may stay in the district and sleep rough once the appeal process has been exhausted. Crisis consider that the costs to the public purse of a person sleeping rough for 12 months are £12,128.

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December	
<b>Title of report</b>	Asylum Seeker Dispersal Scheme	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder WDC &amp; SDC *</b>	17.11.22	Cllr Jan Matecki
<b>Financial Services *</b>	16.11.22	Victoria Bamber
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>	13.11.22	Chris Elliott
<b>Head of Service(s)</b>	Author	
<b>Section 151 Officer</b>	16.11.22	Andrew Rollins
<b>Monitoring Officer</b>	14.11.22	Andrew Jones
<b>CMT (WDC)</b>		
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Final
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		Confidential Appendices 1 to 4
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes, Forward Plan item – scheduled for 21 September 2022
<b>Accessibility Checked?</b>		File/Info/Inspect Document/Check Accessibility