

# WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 9 July 2008, at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Mrs Falp (Chairman); Councillors Mrs Blacklock, Boad, Mrs Bunker, Caborn, Coker, Copping, Crowther, Davies, De-Lara-Bond, Ms Dean, Dhillon, Malcolm Doody, Michael Doody, Edwards, Mrs Gallagher, Gifford, Gill, Mrs Goode, Mrs Grainger, Guest, Hammon, Harris, Hatfield, Heath, Mrs Higgins, Illingworth, Kinson, Kirton, Mrs Knight, MacKay, Mrs McFarland, Mobbs, Pratt, Mrs Sawdon, Mrs Scarrott, Shilton, Vincett, Weed and White.

## 195. **APOLOGIES**

Apologies for absence were received from Councillors Barrott, Mrs Mellor, Pittarello, Rhead and Mrs Tyrrell.

## 196. **MINUTES**

The Minutes of the meeting of the Council held on the 25 June 2008, were taken as read, approved and signed by the Chairman, subject to the deletion of Councillor Guest as having been present.

## 197. **COMMUNICATIONS AND ANNOUNCEMENTS**

- (A) The Chairman referred to her charity sponsored event in which she had set herself a challenge to swim, run, walk or cycle a distance of 72 miles, being the distance around the district's boundary. She invited Members to sponsor her or participate in the event.
- (B) The Chairman referred to the "Cruise and Dine" event to be held on 3 August 2008 at 12 noon on the floating restaurant moored in the canal in Offchurch. The event was in support of her charities and a few tickets remained available.

## 198. **MEMORIALS AND PETITIONS**

Councillor Mrs M McFarland presented a petition regarding the upholding of the open plan restrictive covenant on the Percy Estate, Warwick.

In accordance with the Council's Procedure Rules, Mr George Phipps made a presentation regarding the petition.

**RESOLVED** that the petition be referred to the Executive.

## 199. **QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 7 (2)**

- (A) From Councillor Mrs E Higgins to Councillor M Doody, Leader of the Executive:

“Has the Council considered using the new Regulation of Investigatory Powers Act (RIPA)? If so, in which case, or cases, would the Council consider using these new powers?”

Councillor Doody replied:

“The Regulation of Investigatory Powers Act 2000 (RIPA) came into effect in October 2000 and the Council's Standards Committee adopted a policy regarding the use of the powers in March 2003 which was then revised in June 2005.

The Council cannot fetter its discretion so as to say it will never use statutory powers. However the last inspection found that officers had not had cause to use the RIPA powers in the previous twelve months. Interviews took place with officers in Benefit Fraud, Environmental Health, Legal Services, Licensing, and Housing Tenancy Enforcements. Training on the subject had been given *"very commendable attention"* according to the inspection report, and the Inspector concluded *"I have no doubt that staff have access to sound advice whenever it is needed..."*

Except during government consultation exercises, it is usually a matter for members rather than officers to comment on the efficacy and value of legislative provisions."

In a supplementary question, Councillor Mrs Higgins enquired about the investigations which cost £800 to carry out:

In reply, Councillor Doody said:

“I believe that when we have used the powers, which is very sparingly, it has been in relation to spaces rather than identifying particular places. Therefore, on that basis, I am quite happy we are not infringing people's liberties as long as they are playing the game properly.”

## 200. **EXECUTIVE**

It was moved by Councillor Doody, duly seconded and

**RESOLVED** that the reports of the Executive dated 22 May and 4 June 2008, be approved and adopted.

## 201. **REGULATORY COMMITTEE**

It was moved by Councillor Mrs Gallagher, duly seconded and

**RESOLVED** that the reports of the Regulatory Committee dated 26 February and 22 May 2008, be approved and adopted.

202. **MEMBERS/TRADES UNIONS STRIKE CONSULTATION AND SAFETY PANEL**

It was moved by Councillor Kirton, duly seconded and

**RESOLVED** that the reports of the Members/Trades Unions Joint Consultation and Safety Panel dated 16 April and 17 June 2008, be approved and adopted.

203. **STANDARDS COMMITTEE**

It was moved by Councillor Mrs McFarland, duly seconded and

**RESOLVED** that the reports of the Standards Committee dated 16 April and 11 June 2008, be approved and adopted.

204. **OVERVIEW AND SCRUTINY COMMITTEE**

It was moved by Councillor Gifford, duly seconded and

**RESOLVED** that the reports of the Overview and Scrutiny Committee dated 22 May and 3 and 16 June 2008, be approved and adopted, subject to the deletion of the name of Councillor Pratt as being present at the meeting on 16 June 2008.

205. **AUDIT AND RESOURCES SCRUTINY COMMITTEE**

It was moved by Councillor Mrs Knight, duly seconded and

**RESOLVED** that the report of the Audit and Resources Overview and Scrutiny Committee dated 3 June 2008, be approved and adopted.

206 **EMPLOYMENT COMMITTEE**

It was moved by Councillor Coker, duly seconded and

**RESOLVED** that the report of the Employment Committee, dated 23 June 2008, be approved and adopted.

207. **PLANNING COMMITTEE**

It was moved by Councillor MacKay, duly seconded and

**RESOLVED** that the reports of the Planning Committee dated 9 and 30 April, 20 May and 18 June 2008, be approved and adopted, subject in Minute 170 (Declarations of Interest – Minute 181 - W08/0626 – Cedar Pools, 3 Myton Crescent, Warwick) to the addition of the following:

“Councillor Mrs Higgins declared a personal interest because she was the owner of the property”.

208. **NOTICES OF MOTION**

(A) It was moved by Councillor Mrs A Blacklock and duly seconded:

“Warwick District Council believes the low take-up of second green bins should be a matter of concern.

The success of recycling in the District has been in part due to the policy of providing free extra red boxes, whereas the £30 charge for providing a second green bin is seen by many as unfair and has led to the low take-up of green bins. The policy of charging for the extra green bins encourages unnecessary car journeys to civic amenity sites which already suffer traffic congestion.

This Council requests the Executive to reconsider the £30 charge for a second green waste bin”.

In accordance with Council Procedure Rule 5 (6), it was moved and seconded that the Motion proposed by Councillor Mrs Blacklock be considered at the meeting.

On this being put to the meeting, it was declared carried.

Following discussion, the motion was then put to the meeting and, on a vote being taken, was declared lost.

209. **PLANNING COMMITTEE**

**RESOLVED** that Councillor Davies be appointed as a member of the Planning Committee to replace Councillor Mrs Bunker.

210. **COMMON SEAL**

It was

**RESOLVED** that the Common Seal of Warwick District Council be affixed to such deeds and documents as may be required for implementing decisions of the Council arrived at this day.

(The meeting ended at 7.40 pm)

CHAIRMAN

20 August 2008