

A meeting of the Cabinet will be held in the Town Hall, Royal Leamington Spa on Thursday 27 May 2021, 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 M Noone

Councillor A Rhead

Also attending (but not members of the Cabinet):

Chair of the Finance & Audit Scrutiny Committee

TBC

Chair of the Overview & Scrutiny Committee

TBC

Green Group Observer

Councillor I Davison

Liberal Democrat Group Observer

Councillor A Boad

Labour Group Observer

Councillor M Mangat

Emergency Procedure

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

Agenda

1. 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.

Part 2

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

2. Minutes

To confirm the minutes of the meeting held on 22 April 2021

(Pages 1 to 15)

3. Local Development Scheme (LDS) update

(Pages 1 to 14)

To consider a report from Development Services

4. Use of Delegated Powers - Decarbonisation of Council Buildings - addition to the Capital Programme

(Pages 1 to 5)

5. Use of Delegated Emergency Powers

(Pages 1 to 5)

To consider a report from the Chief Executive

6. 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
7,8, 9	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

7. Confidential Appendix to Item 5 – Use of Delegated Emergency Powers

(Pages 1 to 4)

To consider confidential appendix from the Chief Executive

8. Minutes

To confirm the confidential minutes of the meeting held on 13 April 2021

(Pages 1 to 14)
(Not for publication)

9. Minutes

To confirm the confidential minutes of the meeting held on 22 April 2021

(Pages 1 to 13)
(Not for publication)

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Executive

Minutes of the meeting held remotely on Thursday 22 April 2021 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

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

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

115. **Declarations of Interest**

There were no declarations of interest made in relation to the Part 1 items.

116. **Minutes**

The minutes of the meeting held on 18 March 2020 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)

117. **Health and Well-Being Strategy and Associated Processes**

The Executive considered a report from the Chief Executive which sought the approval of the new Warwickshire wide Health and Well Being Strategy, requested that Members noted the Director of Public Health's annual report, and sought support for the development and implementation of a South Warwickshire Place Plan concerning health and well-being issues.

Since October 2020, local government, health bodies and partner agencies had been working to develop a new Warwickshire wide Health and Well-Being Strategy for the period 2021 to 2026. This process had included public consultation, and the resultant Strategy was attached at Appendix A to the report. It was proposed that this be recommended to Council for approval and to form part of the Council's Policy Framework. An easy to read version which very effectively summarised the Strategy was attached at Appendix B to the report.

Alongside the Strategy, the Warwickshire Director of Public Health had recently published her annual report. It contained a number of recommendations to improve the health of the Warwickshire population and to reduce the inequality of health. These recommendations would require a separate consideration and report.

The health and social care system that had been established for the Coventry and Warwickshire sub region had two Health and Well Being Strategies – one for Coventry and one for Warwickshire and had also identified four places within its overall system; these being Northern Warwickshire (North Warwickshire and Nuneaton and Bedworth Borough Council areas); Rugby (Rugby Borough Council's area); Coventry (Coventry City Council's area); and South

Warwickshire (Stratford upon Avon and Warwick District Council areas). These “places” reflected the different places that existed from a health geography perspective within the sub region.

It was expected that most of the work to deliver the Warwickshire Health and Well Being Strategy would need to be delivered at Place level. The overall approach was to use the Kings Fund model as a framework within which agencies would seek to integrate tackling the pre-determinants of poor health as well as improving the health and social care sector services. There were several multi-agency groups which had been put in place over the past two years to try to take this approach forward.

Progress had been made in the past year on a South Warwickshire Place Plan, which focused on proposals involving the local health and social care sector led by South Warwickshire Foundation Trust (SWFT). However, discussions had led to the development of a proposal at Appendix C to the report, which would lead to a Place Plan for the population of South Warwickshire, spanning all four quadrants of the Kings Fund model and would integrate some of the existing multi-agency groups.

This approach, if agreed, would take the next year to put in place and would enhance joint working locally across a number of agencies for the benefit of the local community. There could also be potential organisational benefits in terms of sharing costs, premises etc. SWFT had also set up a South Warwickshire place website so that the joint work of agencies involved could be easily accessed.

The next year would see work on an action plan developed and that would involve the Council’s services and projects. This process would then feed into the Councils’ service area planning and budget setting processes.

The Council could decide not to adopt the Health and Well Being Strategy, but given the extent of work upon it, that was not a course of action that was recommended. In respect of the Annual Report from the Director of Public Health, there were no real alternative actions to consider at this stage.

The Council could consider not agreeing to the proposal at Appendix C to the report, but this would leave a multi-agency structure that was duplicating and overly burdensome on staff and Portfolio Holder time. Given the added emphasis to deliver the wider Strategy at a place level, then a more effective approach was needed as was proposed.

Councillor Falp thanked the Chief Executive for the amount of work he put into the report. She then proposed the report as laid out.

Recommended to Council that the Warwickshire wide Health and Well Being Strategy at Appendix A to the minutes, be agreed, and forms part of the Council’s Policy Framework.

Resolved that

- (1) the Director of Public Health’s Annual Report for 2020/21, be noted; and

- (2) the proposal to develop the South Warwickshire Place Plan concerning health and wellbeing matters, as set out at Appendix C to the report, be supported.

(The Portfolio Holder for this item was Councillor Falp)
Forward Plan Reference 1,217

118. **Homelessness Strategy 2021-26**

The Executive considered a report from Housing. A homelessness strategy was a statutory document and the most recent for Warwick District was adopted in 2017 to run for three years, until 2020.

The report presented two complementary documents for adoption as the new strategy to direct work on homelessness for the period 2021 to 2026.

In accordance with the Homelessness Act 2002, Local Housing Authorities had a duty to carry out a review of homelessness in their District from time to time and to prepare and publish a strategy in response to the findings. A homelessness review needed to consider, for that District:

- (a) the levels, and likely future levels, of homelessness;
- (b) the activities which were carried out for the purpose of: preventing homelessness; securing that accommodation was or would be available for people who are or may become homeless; and providing support for people who are or may become homeless, or who had been homeless and needed support to prevent them becoming homeless again; and
- (c) the resources available to the authority, the social services authority, other public authorities, voluntary organisations and other persons for such activities.

The Homelessness Strategy should have then be directed towards ensuring sufficient and satisfactory provision for preventing homelessness, and for securing accommodation and support provision for people who become homeless.

The previous review was carried out in 2016 and the strategic response was incorporated into the Housing and Homelessness Strategy 2017-20. During 2020, a new homelessness review had been undertaken and the results of this, together with the forward plans for dealing with the issues identified, were incorporated into the new Homelessness and Rough Sleeping Strategy.

A number of broader cross-cutting themes linked to homelessness had been identified over recent years that could better be addressed by a partnership response at a County level. The Council therefore worked with the County Council and the four other District and Borough Councils in Warwickshire to produce a joint countywide Homelessness Strategy: "Preventing Homelessness in Warwickshire: a multi-agency approach, 2021-2023". This work was assisted by the Strategic Homelessness Board that, as well as the Councils, included:

- HM Prisons & Probation Service;
- p.h.i.l. (Preventing Homelessness Improving Lives);
- The Police and Crime Commissioner for Warwickshire;
- South Warwickshire NHS Foundation Trust;
- Warwickshire Police;

- Warwickshire & West Mercia Community Rehabilitation Company; and Warwickshire Cares.

The joint Countywide strategy sat alongside, and was complementary to, this strategy in providing a comprehensive and holistic approach to the issues of homelessness and rough sleeping for Warwick district and beyond. It covered a shorter period of time, reflecting the greater degree of complexity of the issues and uncertainty involved in such a partnership approach, which had not been tried before. However, it was this “Warwick-only” strategy, as it was based upon a homelessness review, that was strictly speaking the statutory document with the joint strategy in a supporting role.

Homelessness was a dynamic issue, influenced by Government policy and legislation. Impacts could be felt immediately or might take more time to bed in. Responses to changes driven by external factors such as the ‘Everyone in Initiative’, needed to be swift to enable measures to be put in place that tackle the issues at hand and ensure that homeless people got the support and services that they needed.

In terms of alternative options, not adopting a new strategy had been considered, but this had been rejected because a homelessness strategy was a statutory obligation.

The option of developing the whole strategy on a countywide basis was considered. However, given the demographic differences between the five Council areas of Warwickshire, it was considered that such a document would be too unwieldy. It was therefore more appropriate to have a countywide strategy focussing on the key issues that could better be addressed on the wider geographic scale, alongside the localised strategy tackling the District issues. A decision on whether to renew the countywide strategy in 2023 would be taken closer to the time, once an assessment of its success has been carried out.

The option of developing a strategy for South Warwickshire was considered but not adopted at this time because currently the two areas experience quite different housing market and service pressures and the required service provision needs to reflect this. The countywide strategy above already picked up and highlighted those issues that could best be dealt with across borders.

The option of having separate strategies for homelessness and for rough sleeping had been considered. However, the Ministry of Housing, Communities and Local Government had indicated a strong preference, and a potential future statutory requirement, for combined strategies. To have produced separate strategies could therefore jeopardise funding bids for future central government housing and homelessness programmes.

Councillor Matecki proposed the report as laid out.

Recommended to Council that

- (1) the “Warwick District Council Homelessness and Rough Sleeping Strategy 2021-26” attached as Appendix One to the minutes; be approved.

- (2) the "Preventing Homelessness in Warwickshire: a multi-agency approach, 2021-23", attached as Appendix Two to the minutes, be approved as a supplementary and complementary strategy; and
- (3) authority be delegated to the Head of Housing Services, in consultation with the Housing and Culture Portfolio Holder, to review and amend the action plan of the strategy from time to time during the lifetime of the strategy.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,183

Part 2

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

119. United Kingdom Resettlement Scheme

The Executive considered a report from Housing which provided an update on the United Kingdom Resettlement Scheme (UKRS) for refugees, which replaced the Syrian Vulnerable Persons Resettlement Scheme (SVPRS). The report proposed that a further number of families should be resettled within Warwick district under the new scheme.

The Council had successfully resettled six Syrian refugee families under the previous resettlement programme (SVPRS). Local authorities in the UK had been asked by the Home Office to make pledges as to how many refugee households they could settle within their areas under the new resettlement programme (UKRS). Warwick District Council had pledged in line with the majority of other Warwickshire District and Boroughs. Levels had been agreed with WCC to ensure that they had sufficient funding to support all new arrivals across the county.

Warwickshire County Council (WCC) received the government funding for this work and the current budget was in a financially strong position. The longer-term funding, beyond the 2021/22 financial year, was dependent on the outcome of the Government's spending review.

In terms of alternative options, the authority could choose not to re-settle any further refugees. This was likely to come under pressure from local groups that supported the new resettlement scheme and the broader humanitarian situation. The resettling of higher numbers of households was considered but this would detract from the Council's ability to house homeless families and others in housing need in the District.

Councillor Boad informed the Executive that he had met with the resettled families and said that they were grateful. He welcomed the scheme and said that there were not enough people provided for within it. He asked if there was any information on the Government Spending because the longer-term funding of the Resettlement Scheme was subject to the Government spending review. Councillor Matecki was hopeful for a positive outcome from the review in future and moved the report as laid out.

Resolved that

- (1) the work undertaken during the previous SVPRS, be noted;
- (2) the resettlement of a further four refugee households under the new UKRS, between April 2021 and 31 March 2025, be approved; and
- (3) this commitment was dependent on the continuation of the property funded arrangements being in place to manage and settle refugees, be noted.

(The Portfolio Holder for this item was Councillor Jan Matecki)

120. Motion in Relation to Fireworks

The Executive considered a report from Health and Community Protection, that provided the information requested by Council, on 25 November 2020 when it agreed a motion in relation to Fireworks.

The Motion agreed by Council on 25 November 2020 was as follows:

- requested that a report was brought to the Executive, before the end of August 2021, on the ability for the Council to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- requested that the Executive brought forward proposals actively to promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- would write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- requested that the Executive write to Warwickshire County Councillors within Warwick District to consider what action Warwickshire County Council would take to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display."
- This report was the response to that motion which provided the appropriate details in relation to the motion and some additional background information in relation to how the impact of fireworks was minimised.

The Council could not require all public firework displays to be advertised in advance but could make it a requirement of any displays taking place on Council owned land. For any other land the Council could only request this "good practice" was undertaken.

The Council operated a voluntary safe firework and bonfire registration scheme and lists registered events on the Council website. This service

would assist residents with particular concerns and identify when and where events were taking place. However, this registration scheme was not a statutory service and could be affected in any operational/financial review made in future.

In addition to the organisers of events volunteering the information to the Council, officers would become aware of events if organisers enquired about licensing issues or requested advice relating to event safety. Should an event involve amplified music or the sale of alcohol it would require a Premises Licence from the Council. In addition to this, Council officers formed part of The Warwick District Safety Advisory Group (SAG). This group provided independent advice to the organisers of "large scale public events" and was composed of officers from various public safety organisations. The group would provide advice in relation to events which over three thousand people would attend, or an event with a specific inherent risk. Firework events which the SAG was supporting would be detailed on the Council's website.

The main legislative controls relating to Fireworks were contained in the Fireworks Regulations 2004 (made under the Fireworks Act 2003). These regulations were enforced by the Police and placed restrictions on when Fireworks would be sold and used. These restrictions were aimed at ensuring Fireworks were not an issue other than around the times of specific "celebrations". As such Fireworks could only be sold between 15 October and 10 November, between 26 December and 31 December and on the three days up to and then including both Chinese New Year and Diwali, which was in total 38 days each year. It was also against the regulations to set fireworks off between 23:00 and 07:00 except on 5 November (00:00) and New Year's Eve, Diwali and Chinese New Year (all 01:00). There were restrictions in place in relation to types of fireworks that could be sold, where they could be set off and certain age restrictions. In addition, retail outlets wanting to sell fireworks were required to be licensed by County Council Trading Standards.

The British Fireworks Association issued a Code of Practice to members promoting legislative adherence. They promoted two publications from the CBI Explosives Industry Group entitled "Working together on Firework Displays" and "Giving your own Firework Display", which were available free of charge. In all these guidance documents event organisers were actively encouraged to advise the public in relation to the event so that any necessary precautions could be made.

The Council's website contained several pages of information relating to the issues, detailed above, and links to relevant external websites.

In relation to an awareness raising campaign, the Council, as detailed on its website, recommended being a good neighbour and advised neighbouring residents of the use of fireworks so that they would take any relevant precautions. There was no specific budget for any detailed campaign.

Regulations limited the level of fireworks (legitimately sold) to 120 decibels (dB), This was generally considered to be equivalent to a thunderclap. For reference 90dB was considered to be equivalent to the noise from a lawnmower. A petition was logged with the Government in 2020 requesting that the level be reduced to 90dB, however it gathered little support. The

letter agreed by Council to the Government on this point was sent on 21 January 2021 and was included at Appendix 1 to the report.

Licensing arrangements ensured the 2004 Regulations were followed by retailers. Failure to comply with the Regulations would result in prosecution with possible sentences of a fine of up to £5,000, a prison sentence of up to three months, or both. As with the advertising of events, it could only be a request from the County Council that retailers sell quieter fireworks. The letter, on this point, agreed by Council in November was sent on 21 January 2021 and was set out at Appendix 2 to the report.

It was Officer's view that no further action was required, but that the O&S Committee could decide whether it wished to undertake any further scrutiny of this issue in the lead up to, or after, 5 November this year.

In terms of alternative options, there were no alternative options considered.

Councillor Falp proposed the report as laid out.

Resolved that the contents of the report, be noted and no further action be taken in response to the motion agreed by Council.

(The Portfolio Holder for this item was Councillor Falp)

121. **Review of Assets at Adelaide Bridge / Club land**

The Executive considered a report from the Assets Steering Group regarding the Warwick District Council owned land at the Adelaide Road/ Clubland site.

The site incorporated eight buildings, which included a sub-station, held by a variety of third-party interests comprised of long leaseholds and traditional leases, most of which were about to expire. The Council decided to undertake a review of the site because of the poor condition and general aesthetic value of some of the properties and the site.

Appendix One to the report provided a general overview of the site which included a review of lease interests and a summary of the condition of the buildings. It sets out a review of the organisations, currently occupying a property on the site. The report also included future plans and an assessment of how those plans could affect the available options for how the site was used in the future.

Appendix One provided the basis for which all the recommendations were agreed on by the Asset Steering Group.

The Ahmadiyya Muslim Association (AMA) had occupied Site 3 since 2007 when the former Warwickshire Clubs for Young People was sold on long-lease and subject to significant works to provide a new Mosque funded by the Association. They had also occupied the former-RNA Site since 2018, with an opportunity to take a short lease. These enabled an expansion of AMA's activities to include major functions, meeting spaces, activities for

women, a public Islamic exhibition centre and potential accommodation for a local Imam.

The AMA had calculated that they had undertaken works to a value of around £25,000 since taking the lease, with the Council having spent a further £20,000 to resolve historic defects, installed a fire alarm and resolved compartmentation issues. A statement of intent had been provided by the AMA with proposals for the future use of the former-RNA building, which included plans for benefits that would be provided to the local Ahmadiyyan Muslim community as well as other local community groups. Specific reference was made to seek agreement to allow LAMP to continue the use of the building.

Whilst the AMA understood that there was interest in the Former-RNA site from other organisations, they believed that some assurances had been given by the Council regarding their future on the site, with the consolidated benefit with their existing building (Site 3) already presenting proof of concept.

At present the Association believed that their only option was the acquisition of Site 2 on a long-term basis, either as a 99-year lease or freehold purchase. They would like to redevelop the site through refurbishment or rebuild with funding.

The Royal Leamington Spa Canoe Club (RLSCC) had been located on the site since the early 1970s. They had 250 members, with a plan to increase membership. It was a highly successful club with important community outreach and vision to become a leading centre of excellence within UK. It had a significant history in national and international racing, and it was part of the UK talent pathway programme. They had highlighted that their current location (Site 4, Figure 1) was ideal for access into various parts of the River Leam, enabling a wide variety of canoeing activities. They had confirmed that the Former-RNA building (Site 2), at a higher elevation above the river, which was far less suited to their activities, as such was not part of their future plans.

The club was looking to expand membership and enhance access to the river including improved facilities for para canoeing. The current building was no longer fit for purpose if the club was to expand. It required additional storage and welfare facilities plus general refurbishment and Mechanical & Electrical upgrades.

The club had a plan to expand current pontoons/ jetties alongside Sites 2 and 3 (the AMA, Former-RNA) and Site 5 (St Patrick's Irish Club) if agreement could be reached. A Business Plan had been shared which included drawings to add an additional floor level to the current site plus other refurbishments. In order to do so, the club indicated the need for the gift of the freehold or a long-leasehold at a minimal / peppercorn rent but the current document amounted to more of a statement of intent and required more details regarding costs for redevelopment, funding strategies before the Council would make a final decision. The limited remaining lease term (currently less than 1yr, secured tenure) had hindered the club's funding opportunities.

LAMP had been a tenant since 2012, an alternative education provider for young people with autism or high anxiety currently seeking Independent School status. Its existing building runs to capacity, with additional teaching and examination space licenced from Site 2 (the AMA in the former RNA building). Development of the existing building to increase space and range of teaching facilities (requisite in terms of future expansion of age groups, numbers and requirements of an Independent School curriculum) was limited by planning constraints in a conservation area and of the existing building layout.

LAMP had approached the Council to move to or expand operation into the former RNA Club but acknowledged that there were limited funds available to refurbish the former-RNA into an educational establishment as set out at Appendix 4 to the report. The Atkins study commissioned by the Council had suggested approximately £1.6M to meet Building Bulletin (BB) 104 standards). Their Business Case, provided to the Council in 2018 regarding their plans for the Former-RNA, was a statement of intent, which lacked clear financial, redevelopment, and asset management data but suggested that current short lease terms on LAMP building had limited their access to funding.

LAMP had been open to the prospect of moving to more suitable premises off-site, though market rents appeared unaffordable. The Council had assisted with meeting with WCC's Public Estate team.

Leamington & Warwick Sea Cadets (LWSC) had been in existence for over 75 years, having had a presence in Clubland for 50 years. They provided a Sea Cadets 'franchise' existing as an independent charity, with trustees overseeing the groups own assets, finances and development. The Marine Society and Sea Cadets (MSSC) provided advice to the group regarding property matters and fundraising, and also provided small funds for annual maintenance when required.

The Sea Cadets previously occupied Site 6. LAMP had vacated the space during a drop in membership with the currently occupied building leased when the Sub Aqua club moved out. LWSC currently had 35 members between the ages of 10 to 18 years, and 15 volunteers. Numbers had dropped slightly during non-active recruitment due to COVID-19, but the Sea Cadets were keen to expand their numbers.

The current building houses a first-floor meeting room or Main Deck with-capacity for just about 35 members) and classroom facilities, WCs, showers and changing facilities. There was limited disabled access, with only stair access to the first floor and the meeting space was not large enough to undertake a marching drill, with external areas around the Sea Cadets building, provided an alternative in good weather.

The group had planning approval in place to expand the current building over the adjacent Sub Aqua Club garage in order to provide additional space. This was deemed to be the best option at the time, but work did not proceed following the inclusion of Clubland into the Cultural Quarter project (since excluded, giving uncertainty regarding the future of Clubland). In addition to this, a lack of clarity regarding permission to build above the Sub Aqua garage, lead to a loss of available grant funding.

The group had invested in the existing building, having undertaken roof repairs, the installation of PV panels, new WCs, showers, kitchen, replacement windows and internal decorations. The Sea Cadets had an aspiration to expand the floor space of the existing building or relocate to another building, though their preference was to remain in the Clubland area. The Sea Cadets had a long history of working in the community to help young people, including those from a disadvantaged background, developed in a safe and friendly environment. An external impact assessment report had recently been published that detailed their successes in this area.

Improved access to the river would be mediated by improvements to the north bank of the Leam that borders the Clubland site and the addition of specialist pontoons and jetties would enhance access for disabled persons. Such improvements would be significantly enhanced by the proposals to introduce a new 'Commonwealth Bridge' linking the adjacent Riverside Walk and Adelaide Road sites to Victoria Park and Bowls Pavilion.

An associated bank-side habitat management plan would enable the maintenance of the built assets alongside the adjacent habitat. The Environment Agency had confirmed that a bespoke flood risk activity permitted would be necessary for such work.

It was proposed to investigate the benefits of a community asset transfer assets. This would involve a review with the long-term aim to transfer the Council held Clubland assets via a Community Asset Transfer. This would also transfer management and ownership at less than market value to enable regeneration of the area given that Planned and Preventative Maintenance liabilities appear to exceed asset valuations.

In terms of alternative option, a continuation of short-term lease arrangements could be considered. This would have the downside of not providing organisations with the security of tenure needed to secure external funding.

Councillor Matecki moved the motion as laid down in the report

Resolved that

- (1) officers investigate the mechanism, financial & strategic context of the Ahmadiyya Muslim Association acquiring the Former-RNA site in order to refurbish or redevelop the site, with findings to be presented to a future Executive meeting and that in the mean-time the Council offered to extend the existing lease by 5 years;

- (2) a further detail from the Royal Leamington Spa Canoe Club be requested to support their aspiration to acquire their current site for refurbishment or redevelopment with findings to be presented to a future Executive meeting and that in the mean-time the Council offers to extend the existing lease by 5 years;
- (3) Leamington LAMP be advised of its intent, with a view to LAMP being encouraged to relocate to off-site accommodation more appropriate for an Independent School, assisted where possible by the District and County Council and in the mean-time Council offers to extend the existing lease by 5 years;
- (4) the Council continues to work with the Leamington & Warwick Sea Cadets in view of their existing lease end date (2027) and expansion plans involving the neighbouring Sub Aqua Club site;
- (5) the Council explores how to expand existing river access from the north bank by examining and revising existing demises or future;
- (6) the long-term benefits and mechanisms of a Community Asset Transfer be investigated, and the findings reported back to a future meeting of the Executive;
- (7) the contents of Appendix one to the report, be noted.

122. **Warwick Gates Community Centre Extension**

The Executive considered a report from the Chief Executive which sought approval to drawdown allocated Community Infrastructure Levy (CIL) funding of £150,600 as a contribution towards the cost of the extension to the community centre at Warwick Gates. As the body undertaking the works was a voluntary organisation, it was proposed that the drawdown be managed on similar terms as Rural/Urban Capital Initiative Scheme (RUCIS) and other large financial contributions made by the Council to community led works in addition to the usual agreement required by all agencies receiving CIL monies from the Council.

The Executive agreed at its meeting held on 18 March 2021 the proposed CIL Schedule for 2021/22. This Schedule included the provision of £150,600 toward the cost of an extension to the community centre for the Warwick Gates area of the District. The proposed extension had been designed and had planning permission. The voluntary group leading the work had been out to tender to be clear about the proposed costs. Including this CIL contribution the community group now had all the funding necessary and committed to pay for the proposed works, except for £15,000 which had been effectively promised on confirmation of the Council

committing £150,600. The tender price however remained valid for a limited time only so the CIL award was sought for drawdown to allow the works to proceed this September.

In all other cases the CIL Schedule proposed awarding funds to either the District Council or other public statutory bodies. In each case the template, set out at Appendix A to the report, was required to be completed. In addition, as the proposal involved the extension to the community centre at Warwick Gates and was the only case where the award was proposed to a community organisation, there were additional proposed requirements. In other cases, where the Council had been awarded significant funds to a community group it required a robust business plan to be submitted and assessed to ensure that the capital funds would result in a facility that would be well run.

It was therefore, proposed that the same requirement was required in this case and similarly that the Council had assurance over the governance arrangements in order to ensure that the funds were going to a facility that was run by the community, and would remain accessible to the community. Significant work had already gone into the evolution of a business plan and the governance arrangements and the latest version was attached at Appendix B to the report. Other administrative processes that were usually deployed where the Council made significant contributions to community schemes including payment of invoices in arrears should also be deployed in this case.

In order to ensure the issues identified above were dealt with swiftly it was proposed that the authority would agree the business plan and the governance arrangements would be delegated to the Chief Executive in consultation with the Heath and Community Protection, Development Services and Finance Portfolio Holders.

Councillor Falp said that as part of Warwick Gate was in Whitnash, this would help support some of the residents in Whitnash and since they had benefited from the Councils support it was appropriate to support the Warwick Gate Community Project. Councillor Falp proposed the report as laid out.

Resolved that;

- (1) the drawdown of the allocated CIL money of £150,600 as a contribution toward the cost of the extension to the Warwick Gates community centre be approved, subject to:
 - i) the completion of the template agreement attached at Appendix A to the report;
 - ii) the submission of a robust and satisfactory business plan;
 - iii) a satisfactory governance plan;

- iv) the administrative processes for dispensing the Council contribution being similar to the ones deployed for RUCIS schemes and where the Council had made similarly large financial contributions to community led schemes, including for example, invoices being paid monthly in arrears; and
- (2) authority to agree (1) (ii) and (iii), above, be delegated to the Chief Executive in consultation with the Health and Community Protection, Development Services and Finance Portfolio Holders.

123. **Public and Press**

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

Minutes	Paragraph Number	Reason
124 & 125	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The minutes of the following Items will be detailed within the confidential minutes of the Executive.

124. **Costs Associated with the Specification Upgrades at Oakley Grove Phase II**

The Executive considered a report from Housing.

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,182

125. **Community Stadium & Associated Developments**

The Executive considered a report from Culture.

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,162

(The meeting ended at 7.01pm)

CHAIRMAN
27 May 2021

Cabinet
27 May 2021

Title: Local Development Scheme (LDS)
Lead Officer: Lorna Hale; Andrew Cornfoot
Portfolio Holder: John Cooke
Public report
Wards of the District directly affected: All

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: Yes

Included within the Forward Plan: Yes

Equality Impact Assessment Undertaken: Yes, as part of the Local Plan 2011-2029

Consultation & Community Engagement: Not required

Final Decision: Yes

Accessibility Checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	27.04.21	Chris Elliott, Bill Hunt
Head of Service	26.04.21	Phil Clarke
CMT	27.04.21	Chris Elliott, Andy Jones, Bill Hunt, Dave Barber
Section 151 Officer	27.04.21	Mike Snow
Monitoring Officer	27.04.21	Andy Jones
Finance	27.04.21	Mike Snow
Portfolio Holder(s)	14/5/21	John Cooke

1. Summary

- 1.1 This report seeks approval for a refreshed Local Development Scheme (LDS) with the inclusion of the production of the South Warwickshire Local Plan. 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. It is updated annually.

2. Recommendation

- 2.1 That Cabinet notes the content of the LDS (Appendix 1) and agrees to adopt the LDS and its proposals for delivery of planning documents over the forthcoming 3 years.
- 2.2 That Cabinet delegates authority to the Head of Development Services, in conjunction with the Portfolio Holder, to draw down up to £30,000 from the Planning Reserve to cover the additional costs associated with preparing the Climate Change & Sustainable Buildings DPD

3. Reasons for the Recommendation

- 3.1 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.
- 3.2 The Warwick District Local Plan (2011–2029) was adopted in September 2017, and as such a revision of the LDS is required to detail the Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that are required to support the Local Plan and add further detail for applicants and decision makers.
- 3.3 Much of the programme of work is driven by commitments within the Local Plan. As well as these commitments, additional work will arise in response to either local planning issues or changes in national legislation. Where possible these are factored into the Scheme, and a refreshed LDS is produced annually to reflect progress made and any new areas of policy being worked on.
- 3.4 The 2020 LDS was adopted by Cabient in March 2020. Prior to this in November 2019, an amendment was made to the 2019 LDS to allow for the introduction of a significant new DPD related to climate change and the rearrangement of other areas of work.
- 3.5 The proposed revised LDS makes a number of changes to the work programme of the planning policy team. This is a result of several factors; the impact of the pandemic on the team's ability to progress certain work areas during 2020, technical challenges with certain projects and – most importantly – new areas of work which have emerged since the LDS was last updated.

- 3.6 The following comments can be made about specific projects within the proposed LDS.

Health Impacts Supplementary Planning Document (SPD)

- 3.7 It is proposed to remove this as it is considered to be more expedient and appropriate to provide a guidance note for Development Management staff.

Review of the Local Plan: The South Warwickshire Local Plan (SWLP)

- 3.8 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 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. The scoping of this plan has already commenced with most of the policy team involved. Some initial presentations were made to various stakeholder groups in January and February 2021 and an initial public consultation on a Scoping Report, as well as a "Call for sites" is currently underway.
- 3.9 The SWLP was not anticipated as an immediate priority this time last year and so did not appear within the currently adopted LDS. It has previously been anticipated that work on the Local Plan review would commence in late 2021 or 2022. The need to progress this work more urgently has come, largely, from a requirement on Stratford District Council to commence a review of its Core Strategy immediately. Work on the SWLP has therefore become a top priority for the team. This significant additional task has impacted on the other current priorities including the DPDs on Climate Change and also Purpose Built Student Accommodation (PBSA).
- 3.10 Work on the South Warwickshire Local Plan is in its infancy and given that the timescale for its delivery is subject to change, it should be noted that the LDS programme accompanying this report is an interim timetable pending more information with regard to the Plan programme overall. This will be subject to the results of the Scoping consultation, which commenced on 10 May and the anticipated response of the government to their consultation on the Planning White Paper, due later this year. It is likely, therefore, that a revised timetable for the SWLP will need to be produced later in 2021. This will need to be agreed both by this Council and Stratford District Council as an update to this LDS.

Climate Change & Sustainable Buildings DPD

- 3.11 Work continues on this document however it has proven harder to deliver than first envisaged. This is due to the need to identify a suitable standard to adopt and for technical expertise and advice, which we are currently seeking from consultants. The challenge with this document has been to find an approach which satisfies the Council's ambitions, is technically deliverable and – importantly – is practical and affordable to implement on a daily basis by planning officers in determining planning applications.
- 3.12 Because there is a need for technical expertise to carry this work forward, the Climate Emergency Action Fund is being utilised to support additional

specialist technical advice to support remaining stages of producing the DPD. In addition to this however, funds from the Planning Reserve will be needed including to fund the Examination in Public. Whilst approval for some of this has already been given previously by Cabinet, recommendation 2.2 above requests a further £30,000 to enable the work on the DPD to proceed.

Purpose Built Student Accommodation (PBSA) DPD

- 3.13 The PBSA DPD has slipped due to priority being given to the climate change work and SWLP and to the fact that as a result of the pandemic, the numbers of overseas students has been impossible to predict this year and into next year. This has a major impact on our understanding of the need for student accommodation and PBSA in particular. The challenges faced by the University in predicting student numbers makes it very difficult to have a reliable evidence base on which to prepare a PBSA DPD and on which its soundness would depend.
- 3.14 The team has been in active and positive dialogue with the University to explore how the University can support the Council in bringing this document forward at the earliest opportunity. The proposed LDS does show a slippage in the production of this document from the previous LDS, however it is hoped that with support from the University it may be possible to expedite this piece of work.
- 3.15 Linked to work on PBSA is policy H6 (Houses in Multiple Occupation and Student Accommodation) in the current Local Plan. The scope of the PBSA DPD will include consideration of whether policy H6 needs to be reviewed and updated.

Canalside DPD

- 3.16 This has been held up due to a Regulation 19 consultation needing to be carried out to progress to submission to the Secretary of State for a formal Examination in Public. The pandemic has greatly restricted access for the public to consultation material and we were awaiting the advice of the Planning Inspectorate to progress. This has now been resolved and the Statement of Community Involvement has been amended to take account of times when it is not in the public interest to have contact with hard copies of documents or submit paper representations. The Regulation 19 consultation has subsequently taken place.
- 3.17 The current resources within the planning policy team are described in the background information section later in this report. The pressure on the policy team, particularly with both Senior Planners working solely on the South Warwickshire Local Plan, has resulted in other work having to be moved further back in the programme over the last year.

Resources to deliver the Local Development Scheme

- 3.18 Members should note that when the decision was made to commence work on the SWLP, no additional staffing resources were identified for this. Whilst this is perfectly reasonable (the review of the Local Plan would have become the major work commitment for the team over the next couple of years regardless of whether we were working jointly with SDC) this does impact on the team's capacity to undertake other work. This is particularly relevant as there is an urgency to commence the work on the SWLP.
- 3.19 At the last review of the Warwick District Local Plan, the planning policy team was larger than it is currently. Other work was put completely on hold whilst the entire team were engaged in the work for the Plan and no other documents were produced during that time. Currently the smaller team is involved in producing a number of other documents including several DPDs, all of which follow exactly the same procedure as the Local Plan with the same stages and consultations attached, culminating in an Examination in Public (EIP).
- 3.20 As work progresses on the SWLP, the team will face additional challenges in providing the service that Members and the public have come to expect. All officers will be involved to a greater or lesser extent, and initial work on the SWLP has suggested that this will consume team resources beyond any dedicated team that is due to be created to focus on the delivery of the Plan. This will have an impact on officer capacity to deliver other elements of the LDS next year. Officers will therefore carefully manage team resources to deliver items in the LDS, and where necessary, prioritise and look at ways of securing additional resources.

4. Policy Framework

Fit for the Future (FFF)

- 4.1.1. 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. This report shows the way forward for implementing a significant part of some of the Council's Key projects."
- 4.1.2 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 table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.
- 4.1.3 The SWLP will allow the future planning of the wider area, bringing together the teams at Warwick and Stratford district councils with the first major piece of combined work. With many similarities, particularly in geography, between the two districts, it is considered that it will benefit both communities to prepare a plan which will cover a longer time period, allowing for better planning of infrastructure and a vision stretching to 2050.

- 4.1.4 With this council having declared a climate emergency, it is considered that preparing a Climate Change & Sustainable Buildings DPD is key to ensuring that new developments are built to such a standard that the council's target of net zero carbon or as close as possible by 2030, is met.

4.2 Supporting Strategies

- 4.2.1 Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands. The LDS details the delivery of commitments made within the Local Plan.

4.3 Impact Assessments

- 4.3.1 There are no equalities or environmental impacts associated with the proposals in this report.

5. Budgetary Framework

- 5.1 Some additional funds are being drawn down from the Climate Emergency Action Fund to pay for additional expert advice to support the remaining stages of preparing the Climate Change DPD. In addition to this, there is already provision within the Planning Reserve for officers to draw down funds to support work on the LDS documents. It is considered, however, that further budget will be required to complete the Climate Change DPD including, importantly, the costs associated with the Examination in Public. An estimate of £30,000 has been made for this. It is therefore requested that a further £30,000 is drawn down from the Planning Reserve to cover costs associated with this DPD.

6. Risks

- 6.1 There are no specific risks associated with approving the LDS.

7. Alternative Option(s) considered

- 7.1 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. Therefore, this option has been discounted. The preparation and maintenance of a LDS is a requirement of the Planning and Compulsory Purchase Act 2004.

8. Background

- 8.1 The Warwick District Local Plan (2011-2029) was adopted in September 2017. This comprehensive Plan sets out the required additional planning documents which form the basis of the Local Development Scheme.
- 8.2 The production and maintenance of a LDS is a requirement of the Planning and Compulsory Purchase Act 2004 and has in the past few years principally

focussed on the adoption of the Local Plan and production of Supplementary Planning Documents.

- 8.3 The Climate Emergency Action Plan (CEAP) confirms the timelines for a plan review to take place by 2022, with work commencing this year. Alongside statutory considerations, such as conformity with the NPPF and the delivery of sufficient housing, the South Warwickshire Local Plan now proposed, will embed combatting the climate emergency within the Plan's new policies.
- 8.4 The Planning Policy team has delivered six SPDs in the last two years and have worked with Qualifying Bodies to produce a number of Neighbourhood Development Plans which are at various stages; all moving toward adoption. The Authority Monitoring Report and the Infrastructure Funding Statement have also been produced in a timely manner and according to regulations. The South Warwickshire Local Plan and each of the DPD's require substantially more work than SPD's, the majority of which have now been delivered. There are more stages for public consultation and a full examination in public with a Planning Inspector, to be undertaken in addition to the early preparation and consultation stages required for a SPD. This takes a considerable amount of additional time and stretches resources.
- 8.5 The DPDs that have slipped from previous iterations of the LDS are the Climate Change and Sustainable Buildings DPD; the PBSA DPD; and the Canalside DPD. Work on the Gypsy and Traveller DPD is likely to be subsumed into the SWLP.
- 8.6 The Policy team currently comprises a Principal Planning Policy Officer, a full time and a part time Senior Planner, a Planning Assistant and the Development Monitoring Officer. The work on the South Warwickshire Plan is currently taking up all of the time of the two Senior Planners and there is additional input from the Principal Officer and the Business Manager for Policy and Site Delivery. The Planning Assistant and the Development Monitoring Officer are both training under the council's apprenticeship scheme and are therefore not yet qualified and are currently effectively part time due to University commitments. In addition, a senior planner in the team will be working part time (namely 3 days per week) effective July 2021.

Appendix 1

Warwick District Council

Local Development Scheme 2021

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 Development Services, a department within the Council, has prepared this LDS. The overall project manager is the Head of Development Services. 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), and these are detailed below. 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. The following documents have been produced since the adoption of the Local Plan.

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

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

The priorities over the next 3 years (i.e. 2021-2023) are:

Title	Details	Delivery
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	Adoption Q1 2022
Climate Change and Sustainable Buildings DPD	Sets out additional policy and requirements in relation to climate change mitigation and the development of sustainable buildings	Adoption Q4 2022
Purpose Built Student Accommodation DPD	Sets out the relevant policies for the development of purpose built student accommodation in the District	Adoption Q3 2024
South Warwickshire Plan	A strategic development document produced for South Warwickshire by the joint planning teams from Stratford District Council and Warwick District Council	Adoption Q3 2025

The anticipated delivery plan for each of these priorities can be found at the end of this document.

NB. The Health Impacts SPD previously listed in this document, will no longer be produced in that format as it is considered to be more expedient and appropriate to provide a guidance note for Development Management staff.

Existing Plans

- 2.1 This section provides an overview of the planning documents that cover Warwick District at the present time, including those prepared by other planning authorities.

Adopted Plans

- 2.2 The Warwick District Local Plan 2011-2029 was adopted by Warwick District Council in 2017, and is the principle document guiding planning decisions in the District.
- 2.3 Policy DS19 of the Local Plan commits the Council to “a comprehensive review of national policy, the regional context, updates to the evidence base and monitoring data before 31st March 2021 to assess whether a full or partial review of the Plan is required”. Therefore, the review work would have been programmed into the following work schedule, however, there is to be a different approach to the production of the next Plan. A note regarding the DS19 review has been added to the Council’s website.
- 2.4 A decision has been made to produce a new South Warwickshire Plan that will cover the geographic areas currently administered by Stratford District Council and Warwick District Council. This plan will decide on the strategic policies and allocations for the whole of the combined area. This work replaces the review of both of the district’s local plans and is included in the delivery plan at the end of this document to demonstrate that.
- 2.5 Warwickshire County Council is responsible for producing minerals and waste plans. These are specific topic-based Development Plan Documents (DPD) that relate to minerals extraction and dealing with waste development including the use of land for landfill and incineration. More information about these can be found at <https://www.warwickshire.gov.uk/mwds>.

Neighbourhood Plans

- 2.6 Neighbourhood Plans are brought forward by local Qualifying Bodies, often Town and Parish Councils. These Plans 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. An up-to-date record of ‘made’ Neighbourhood Plans is maintained on our website https://www.warwickdc.gov.uk/info/20444/neighbourhood_plans
- 2.7 The Royal Leamington Spa NDP and the Radford Semele NDP are both going to referendum in May this year. The Bishop’s Tachbrook NDP is progressing with the draft of the Examiner’s report now received for comment and action. The Burton Green NDP is currently subject to examination.

Authority's Monitoring Report (AMR)

- 2.8 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.
- 2.9 It should be noted that the AMR is not a Local Development Document (LDD) and therefore is not included within the following work-plans. The AMR will, however, be included within the LDF and be published on our website. The Infrastructure Funding Statement has been concluded and was submitted to the government department by the deadline of 31 December 2020.

Political Management of the Local Development Framework

- 2.9 The Council's decision making arrangements are as follows.

Document	To include	To be approved by
All Development Planning Documents	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.
Statement of Community Involvement		Cabinet
Local Development Scheme		Cabinet
Supplementary Planning Documents	Supplementary guidance, development briefs and other documents identified in this and future LDSs as SPD.	Cabinet
Authority's Monitoring Report		Published on website
Custom and Self-build Progress Report		Published on website

Contact details

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

Policy & Delivery Team,
Development Services
Warwick District Council
PO Box 2178, Riverside House
Milverton Hill,
Royal Leamington Spa
CV32 5QH

Tel: 01926 456525

Email: planningpolicy@warwickdc.gov.uk

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

Delivery Plan

Year	2021				2022				2023			
Quarter	1	2	3	4	1	2	3	4	1	2	3	4
Canalside DPD				S		Ex		A				
Purpose Built Student Accommodation DPD								C		C		S
Climate Change and Sustainable Buildings DPD		C		C	S		Ex	A				
Health Impacts SPD												
South Warwickshire Plan*		C			C							C
Statement of Community Involvement Review				A								

Key:

- Please note that this is an interim timescale

C = Consultation

S = Submission

Ex = Examination

A = Adoption

Production



Publication



Quarters

1 = January – March

2 = April – June

3 = July – September

4 = October – December

NB. The Health Impacts SPD is currently being considered as an advice and guidance note and will not appear in the programme in future

Title: Use of Delegated Powers - Decarbonisation of Council Buildings – addition to the Capital Programme

Lead Officer: Dave Barber

Portfolio Holders: Alan Rhead/Jan Matecki

Public report

Wards of the District directly affected: Leamington Clarendon;
Kenilworth St John's

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: Yes

Included within the Forward Plan: no

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: No

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	27/4/21	Chris Elliott
Head of Service	27/4/21	Dave Barber
CMT		
Section 151 Officer	27/4/21	Mike Snow
Monitoring Officer	27/4/21	Andrew Jones
Finance	27/4/21	Victoria Bamber
Portfolio Holder(s)	27/4/21	Alan Rhead

1. Summary

- 1.1. Under the Code of Financial Practice, prior to a new scheme be incorporated in the Capital Programme, a business case for the scheme should be presented to the Cabinet.
- 1.2. This report seeks agreement to incorporate the Public Sector Decarbonisation Programme in to the Capital Programme following a successful bid to the Public Sector Decarbonisation Fund.

2. Recommendation

- 2.1. The Cabinet is recommended to formally note the approval of the incorporation of the Public Sector Decarbonisation Fund programme (involving Jubilee House, the Glasshouse Restaurant and Temperate House; and the Newbold Comyn Sports Pavilion) in to the General Fund Capital Programme

3. Reasons for the Recommendation

- 3.1. The Chief Executive, in consultation with the Group Leaders, has used his delegated powers to approve the inclusion of the Public Sector Decarbonisation Fund (PSDF) programme in the General Fund Capital Programme. Following the approval of the Council's bid to the PSDF in March and the subsequent appointment of contractors, it was necessary to take this decision urgently to enable the planning for the works to commence promptly. This reflects the funder's deadline of 30th September for completing the PSDF works.
- 3.2. Paragraph 9.2 of the Council's Code of Financial Practice states "Prior to a scheme being incorporated in the Capital Programme, a business case for the scheme must be presented to the Cabinet. The business case must include details of:-
 - How the scheme will contribute towards the Council's priorities and its Fit for the Future Programme, as set out in other policies and strategies, and service plans
 - a robust estimate of the capital cost of the scheme
 - The revenue implications
 - proposed funding for the scheme, both revenue and capital
 - VAT implications
 - Analysis of risks and mitigations.
- 3.3. In March 2021, the Council received confirmation from Salix Finance that its application to the Public Sector Decarbonisation Fund (PSDF) had been successful. This involved a grant of £744,829.67 towards decarbonisation works for Jubilee House, the Glasshouse Restaurant and Temperate House; and the Newbold Comyn Sports Pavilion. The grant relied on match funding of £157,193.78 from the Council (to be funded from the Climate Action Fund), providing a total works programme worth £902,023.45.
- 3.4. It is proposed that this programme be incorporated in to the Capital Programme based on the case set out below.

- 3.5. **How the scheme will contribute towards the Council's priorities:** the proposed works provide an important part of the Council's response to the Climate Emergency. In particular, they make a significant contribution to the ambition of becoming a carbon neutral the Council by 2025. The proposed works are expected to reduce the Council's carbon emissions by 138 tonnes CO2e per annum, representing around 8% of the Council's carbon emissions.
- 3.6. **Estimate of the capital cost of the scheme:** the scheme has been worked up by the Council's technical consultants, in accordance with the requirements of the PSDF including detailed works and costings. The proposed schemes have been tested and verified by Salix Finance who administer the PSDF on behalf the Government.
- 3.7. **The revenue implications:** In the short term, the proposed works are expected to increase the cost of heating within the three buildings by a total of approximately £25,000 per annum, with the vast majority of this falling on Jubilee House. This is because the schemes involve replacing gas heating systems with electrical heat pumps. Although the total energy demand of the new schemes is lower, electricity prices are currently significantly higher than gas prices. This results in an increased revenue cost. Whilst it is not possible to be certain about future energy costs, the Government energy strategy seeks to phase out gas heating systems and replace them with low carbon systems such as electric heat pumps. In this context it would be reasonable to expect the cost gap between electricity and gas to narrow in the next few years and potentially for gas prices to be higher than electricity. If that were to occur, the increased revenue costs would be for a limited period only. It is therefore proposed that the increased revenue costs for 2021/22 and 2022/23 are not passed on to the tenants of these buildings and are covered by the Climate Action Fund.
- 3.8. **Proposed funding for the scheme, both revenue and capital:** As set out in 3.2 above, the vast majority of the capital costs will be covered by a grant from the Public Sector Decarbonisation Fund with the match funding coming from the Climate Action Fund. As set out in 3.6 an increase in in revenue costs for 2021/22 and 2022/23 at Jubilee House and the Glass House/Temperate House as a result of the switch from gas to electricity will be covered by the Climate Action Fund at a cost of approximately £12,500 for 2021/22 and £25,000 for 2022/23. Thereafter, whilst it is hoped that the costs differential will be minimal, any ongoing cost increases will be covered by the service area and/or the tenants
- 3.9. **Analysis of risks and mitigations:**

- Energy prices: there is a risk that the differentials in energy prices between gas and electricity do not narrow as anticipated in 3.6 above. In that case, the proposed works will have ongoing revenue implications which will need to be covered through a combination of increased service budgets and where tenants are in place, passing the costs on to the tenants. The more immediate impacts will be mitigated as set in 3.7 above.
- Cost of works: the capital costs of the works have been derived from a thorough assessment by professionals and have been verified by Salix Finance. It is therefore expected that they represent an accurate picture. The overall costs include a contingency of 8%.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. These are the words to use:

4.1.2. "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. This report shows the way forward for implementing a significant part of one of the Council's Key projects."

4.1.3. External impacts of proposal(s)

People - Health, Homes, Communities – the proposals will deliver improved facilities for three of the Council's buildings

Services - Green, Clean, Safe – To support the Council's ambition of becoming a carbon neutral Council by 2025, the proposals will deliver significant carbon savings as set out in paragraph 3.4 above.

Money- Infrastructure, Enterprise, Employment – undertaking these works will support local jobs and will provide low carbon facilities for the tenants and users of the buildings

4.1.4. Internal impacts of the proposal(s)

People - Health, Homes, Communities – the proposals will deliver improved facilities for three of the Council's buildings

Services - Green, Clean, Safe – To support the Council's ambition of becoming a carbon neutral Council by 2025, the proposals will deliver significant carbon savings as set out in paragraph 3.4 above.

Money- Infrastructure, Enterprise, Employment – undertaking these works will support local jobs and will provide low carbon facilities for the tenants and users of the buildings

4.1.5. Supporting Strategies

Each strand of the FFF Strategy has several supporting strategies. In this case, the proposals are directly linked to the approved Climate Emergency Action Programme and provide a key element towards the implementation of the CEAP.

4.2. **Changes to Existing Policies**

There are no changes to existing policies

4.3. **Impact Assessments**

There are no equalities impacts associated with these proposals

5. Budgetary Framework

- 5.1. The funding for the capital works is as follows: a grant of £744,829.67 from the PSDF and match funding of £157,193.78 to be funded from the Climate Action Fund for which approval has already been established under delegated authority.
- 5.2. The £744,829.67 Grant has been received in advance and the £157,193.78 match funding is in place to create a total £902,023.45 Capital Budget which will be added to the Councils General Fund Capital Programme for the 2020/21 financial year.
- 5.3. The anticipated increases revenue costs (over and above increases in gas prices that may occur anyway) as set out in paragraph 3.7 will be funded from the Climate Action Fund during 2021/22 and 2022/23. The exact cost of this will be assessed in March 2022 and March 2023, with relevant adjustments being made from the Climate Action Fund at that time, based on the net increase in costs.

6. Risks

- 6.1. The key risks associated with these proposals are set out in paragraph 3.8 above

7. Alternative Option(s) considered

- 7.1. The Cabinet could choose not to accept the PSDF grant and not to undertake the works proposed. This would save the required match funding and would avoid the likely short-term increases in revenue costs described in paragraph 3.7. However, this course of action is not recommended as it will pass up the opportunity for significant external funding towards the Council's stated climate change ambitions.

Cabinet
27 May 2021

Title: Use of delegated emergency powers

Lead Officer: Chris Elliott

Portfolio Holder: Andrew Day

Public report

Wards of the District directly affected: All

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: Yes

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: None

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive	14.05.21	Chris Elliott
Head of Service		
CMT	14.05.21	Chris Elliott; Andrew Jones
Section 151 Officer	14.05.21	Mike Snow
Monitoring Officer	14.05.21	Andrew Jones
Finance	14.05.21	Mike Snow
Portfolio Holder(s)	14.05.21	Andrew Day; Jan Matecki

1. Summary

- 1.1 This report asks Cabinet to note a decision taken under delegated power CE(4), after appropriate consultation with, and approval from, the five Group Leaders.
- 1.2 Delegated authority CE(4) provides that:
The Chief Executive be authorised Deal with urgent items that occur between meetings, in consultation with the relevant Deputy Chief Executive, Head(s) of Service (if available) and Group Leaders (or in their absence Deputy Group Leaders) subject to the matter being reported to the Executive at its next meeting.

2. Recommendation

- 2.1. That Cabinet note the appropriate use of delegated powers as provided by CE(4) in the Scheme of Delegation and note the drawdown from the Contingency Budget the sum referred to within the Private and Confidential Appendix 1.

3. Reasons for the Recommendation

- 3.1. Members will be aware that the Council had been in discussions with its former partner in the PSP Warwick Limited Liability Partnership (LLP), Public Sector PLC (PSP), since March 2019 and that following the decisions made by Executive on 21 August 2019 this included discussions on the dissolution of the LLP in addition to the cessation of all work on the former HQ relocation project.
- 3.2. The discussions proved to be both complex and contentious. Regular briefings were provided to both Executive and the Leadership Coordination Group, comprised of the Group Leaders during 2020 and 2021.
- 3.3. In November 2020 both parties, the Council and PSP, agreed to enter into formal mediation, overseen by an independent mediator to attempt to resolve matters between them. The Group Leaders gave approval under delegated power CE(4) authorising potential full and final settlement terms for the Council's negotiating team to use in the mediation session arranged for 1 December 2020.
- 3.4. Despite a full day of (virtual) face to face negotiation an agreement was not reached but a potential route forward was agreed by both parties, sufficient to allow the formal mediation process to be continued. Revised authority under CE(4) was sought and obtained by officers to allow the negotiations to continue.
- 3.5. Detailed discussions, both through the party's respective legal teams and through direct conversation between the principal officer leads at the Council and PSP continued since the start of the year, culminating in a final draft agreement being produced in late April. Approval for this document was provided by the Group Leaders, again through the exercise of CE(4), on 3 May 2021.

- 3.6. A last minute change to the final draft agreement was required and again this was approved by the Group Leaders, through the exercise of delegated authority CE(4) on 10 May 2021.
- 3.7. This ensured that both parties were able to sign an agreement on 13th May 2021 in full and final settlement of any actions, claims, rights, demands or set offs between the parties, removing any threat of legal action by either party against the other, for the LLP's accounts to be submitted to Companies House and for the LLP to be formally dissolved.
- 3.8. The terms of the agreement are subject to legal privilege and commercial confidentiality, to ensure, *inter alia*, that there is no prejudicial impact on the commercial activities of PSP. However, if individual members wish to be briefed on the terms, as agreed through the exercise of the delegated authority, beyond any briefing provided by their respective Group Leader, this can be arranged by the Chief Executive.

4. Policy Framework

4.1. Fit for the Future (FFF)

- 4.1.1. 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. 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 information below illustrates the impact of the decision made under delegated powers in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of the decision

Money- Infrastructure, Enterprise, Employment – The conclusion of the discussions with PSP, means the Council is completely unencumbered in its decision making regarding future options relating to sites within its ownership, which were previously designated for development by the LLP.

4.2.2 Internal impacts of the decision

Money - Firm Financial Footing over the Longer Term - The conclusion of the discussions with PSP, means the Council has an agreement that is fully compliant with the budget provision approved by Full Council in March 2021, and the risk of any additional legal costs is removed.

4.3. Changes to Existing Policies

- 4.3.1 There are no changes to existing policies required as a result of the exercise of delegated powers.

4.4 Impact Assessments

- 4.4.1 No impact assessments were required in relation to this decision

5. Budgetary Framework

- 5.1 There are no adverse budgetary impacts arising from this decision as the provisions within the settlement are wholly catered for within the agreed budget for 2021/22. A Contingency Budget was created within the February 2021 Budget Report. As part of use of delegated powers, it was agreed to drawdown from this Budget the sum referred to in the Confidential and Private Appendix by way of settlement.

6. Risks

- 6.1. The risks arising from the failure to reach timely agreement with PSP have been eliminated by the exercise of the delegated powers.

7. Alternative Option considered

- 7.1. This report relates to the noting of a retrospective decision made under delegated powers so there are no alternative options available to members.
- 7.2. The options that resulted in the Group Leaders giving their authority to the final agreement were fully explored during briefings held in 2020 and 2021.