

# EXECUTIVE

Minutes of the meeting held on Wednesday 16 November 2011 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Michael Doody (Chairman), Councillors Caborn, Coker, Mrs Gallagher, Mrs Grainger, Hammon, Shilton and Vincett.

**ALSO PRESENT:** Councillor Barrott (Labour Group Observer), Councillor Boad (Liberal Democrat Group Observer), Councillor Gifford (Chair of Overview and Scrutiny Committee) and Councillor Mrs Knight (Chair of Finance and Audit Scrutiny Committee).

Apologies for absence were received from Councillor Mobbs.

## 81. **DECLARATIONS OF INTEREST**

### Minute Number 87 - Strategic Principles for Tourism and the Visitor Economy

Councillor Mrs Grainger declared a personal and prejudicial interest in recommendation 2.5 of the report because she was a Warwick Town Councillor and left the room whilst that part of the report was discussed.

### Minute Number 88 - Response to WCC Changes to Library and One Stop Shop Opening Hours

Councillors Caborn, Doody and Shilton declared a personal interest because they were Warwickshire County Councillors.

### Minute Number 90 - Rural/Urban Capital Improvement Initiative Scheme

Councillor Doody declared a personal interest because members of his family played at Leamington Rugby Club.

Councillor Mrs Gallagher declared a personal interest because her husband was Vice President of Leamington Rugby Club and one of the application sites was in her Ward.

Councillor Hammon declared a personal and prejudicial interest because he was a member of Leamington Rugby Club and left whilst the item was discussed.

## 82. **MINUTES**

The minutes of the meeting held on 12 October 2011 were taken as read and signed by the Chairman as a correct record.

### **PART 1**

(Items which a decision by Council is required)

## **EXECUTIVE MINUTES (Continued)**

### **83. DOG CONTROL ORDERS**

The Executive considered a report from Environmental Services which proposed the way forward, following approval of a list of play areas to be covered by the Dogs Exclusion (Warwick District Council) Order 2011.

Section 1 of the Schedule in the Dogs Exclusion (Warwick District Council) Order 2011 included –

“Any clearly demarcated children’s play areas, paddling pools, bowling greens, multi use game areas, tennis courts, or putting greens signed as a “dog exclusion zone” (whether the sign uses those particular words and/or symbols having like effect.”

The report presented to the Executive in September listed those play areas which the Head of Cultural Services identified as ones which had a physical demarcation and therefore could easily have signs fitted at their entrances. However, Overview and Scrutiny Committee felt that there were other areas which could be considered to be clearly demarcated such as the play area at Newbold Comyn which had a road on one side and hedges around the other three sides.

The Head of Cultural Services identified additional sites which, although not all enclosed, could be clearly demarcated and these were detailed in paragraph 7.4 of the report.

The Overview & Scrutiny Committee noted that the list in the report at paragraph 7.4 should include Eagle Recreation Multi Use Games Area, Leamington, instead of Kennedy Square Multi Use Games Area. In response, the Portfolio Holder, Councillor Coker accepted the error and advised that this would be amended.

The Overview & Scrutiny Committee were disappointed that some areas clearly demarcated by surfacing had not been included, such as The Holt and the main play area at Victoria Park, and felt that these should be brought forward as soon as possible for addition to the areas excluded.

The Overview & Scrutiny Committee agreed to establish a Task and Finish Group to review the orders in 12 months, to consider such matters as issues that had arisen and the number of breaches of the orders, by area and type of order reported and acted upon.

The Overview & Scrutiny Committee recommended that Executive responded to the following points to provide clarity for all parties:

1. What is the timetable for installation for signage in original areas?
2. What is the timeframe for introducing these new areas and signage?
3. What is the definition of clearly demarcated areas?
4. What is the completion date for the introduction of these areas?
5. How are the areas being demarcated?
6. Have the public been informed of how areas will be demarcated and how enforcement will operate?

## **EXECUTIVE MINUTES (Continued)**

In response, the Portfolio Holder for Environmental Services, Councillor Coker advised that:

1. The signage would be printed as soon as practicable to coincide with the order coming into effect on 21 November 2011.
2. With regard to the time frame for introducing these new areas and their signage this would be as soon as they were confirmed and signage erected. With regard to other play areas it had been agreed that the original time frame was too hasty and after consideration it had been decided that these would only be included after they had been inspected to confirm they were clearly demarcated and then considered by Scrutiny and approved by the Executive. Further in relation to those in the rural areas we would be approaching the Parish Councils to obtain their agreement before including them.
3. A clearly demarcated area was one that was completely fenced off or where a boundary was clearly shown.
4. The completion date for the introduction of the areas would be approximately two to three weeks or as soon as the posts were in position.
5. Areas would be demarcated by a clearly defined boundary and signage.
6. The Public would be advised by easily distinguishable signage in the area, through some enforcement and by details in the Press.

Councillor Coker went on to apologise for the absence of The Holt play area in the report and encouraged any member to indicate suitable areas to him and the officers. He agreed to the amendment of the wording in paragraph 7.4 of the report and advised that the Head of Environmental Services, Richard Hall, would write to the Overview & Scrutiny Committee addressing the points that they had raised.

Councillor Coker also welcomed the idea of the Overview and Scrutiny Committee creating a Task and Finish Group to assess that the process was running smoothly.

Having read the report and having listened to the comments from the scrutiny committees and other members, the Executive agreed that the recommendations should be agreed as printed.

### **RECOMMENDED** that

- (1) the additional sites listed in paragraph 7.4 of the report be agreed for the purposes of section 1 of the Schedule in the Dogs Exclusion (Warwick District Council) Order 2011;
- (2) officers carry out a review of remaining Council-owned play areas to identify any others which can be considered to be "clearly demarcated", invite all Parish Councils to propose sites under their management which should also be considered, and report back to the Executive in the new year.

(The Portfolio Holder for this item was Councillor Coker)

## **EXECUTIVE MINUTES (Continued)**

### **84. AMENDMENT TO THE SCHEME OF DELEGATION**

The Executive considered a report from Environmental Services which recommended amendments to the existing Scheme of Delegation following the introduction of the Sunbeds Regulation Act 2010 earlier in April 2011.

The report requested amendments to clauses ES (7) and ES (8) and asked that members note the new legislation.

The main purpose of the legislation was to prevent the use of sunbeds by persons under 18 years of age. The Act gave powers to local authorities to enforce the legislation and would extend the duties which officers within Environmental Services had in relation to regulation of premises for health & safety purposes.

The Portfolio Holder for Environmental Services, Councillor Coker addressed members and explained that this was a 'tidying up' exercise which would clarify what officers were permitted to do under the new acts.

Having read the report and having listened to the comments from the Portfolio Holder, the Executive agreed that the recommendations should be agreed as printed.

**RECOMMENDED** that the proposed changes to the scheme of delegation, as set out in an Appendix A to the minutes, be agreed.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan Reference 355)

## **PART 2**

(Items which a decision by Council is not required)

### **85. BUDGET MONITORING TO 30 SEPTEMBER 2011**

The Executive considered a report from Finance which informed members of the latest position on Revenue and Capital Expenditure for both General Fund and HRA, based on September 2011 budget monitoring information provided by budget managers.

The Finance & Audit Scrutiny Committee noted that recommendation 2.1 had been amended following publication of the agenda and members fully endorsed the addition of the words "...and request Heads of Service and Portfolio Holders ensure that expenditure on their respective Earmarked Reserves, and forecast savings from procurement and Fit for the Future, are on track, with details to be included in the December Budget Report".

The Finance & Audit Scrutiny Committee suggested that, in light of the unit cost of Photovoltaic Business Panels dropping significantly, there was a need for the Executive to assure itself that there was no longer a business case for their installation. Members requested that the Head of

## **EXECUTIVE MINUTES (Continued)**

Housing and Property Services confirm by email the rationale for cutting back the number of solar panels to a handful.

Despite achieving better savings than if an alternative contractor had been selected, there were different interpretations of what the catering contract offered and as a result the contract was not exactly what had been expected.

Members of the Finance & Audit Scrutiny Committee expressed some dissatisfaction at the way the contract had been handled and suggested that its non-cash benefits should have been highlighted in the report. The Deputy Chief Executive (AJ) agreed to circulate via email further details of the contract process. Members noted that the Procurement Manager was already endeavouring to incorporate lessons to be learned from this experience into the procurement process.

In response to the comments from the Finance & Audit Scrutiny Committee, officers advised that the Head of Housing and Property Services would be confirming further details by email to members regarding the business case for Photovoltaic Business Panels.

The Executive agreed that the non cash benefits should have been highlighted and were assured that the Procurement Manager had already started to incorporate the issues raised and was using them as learning points.

The Portfolio Holder for Housing, Councillor Vincett, addressed members and explained the implications of Government bringing forward the introduction of the tariff from April 2012 to December 2011. He advised that there was no clear indication of what was going to happen but that the Head of Housing and Property Services was proposing to bring a report to the January 2012 meeting, explaining the way forward.

The Leader of the Liberal Democrat Group, Councillor Boad, asked what steps the Portfolio Holder had taken to join the local government campaign which would put pressure on the Government to reconsider their decision. Councillor Vincett assured members that he and his officers were actively working in this area and would keep them informed of any progress.

The Portfolio Holder for Cultural Services, Councillor Mrs Gallagher, addressed members, specifically with regard to the dissatisfaction felt about the catering contract. She stated that she was saddened by the dissatisfaction felt because it had been a difficult and complicated contract to coordinate. Councillor Mrs Gallagher highlighted the positive reintroduction of a cafe at Newbold Comyn Leisure Centre and the excellent service now being received across all four sites. She reminded members that this had been the most advantageous offer available in considerably difficult economic times.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the recommendations as set out in the report.

## **EXECUTIVE MINUTES (Continued)**

### **RESOLVED** that

- (1) the budget positions for the current year for the General Fund (£112,500), and HRA (£39,300) and Capital (£232,900) be noted,
- (2) the funding for the HRA Service Improvement Plan Posts be slipped to 2012-13, £40,000
- (3) Heads of Service and Portfolio Holders ensure that expenditure on their respective Earmarked Reserves, and forecast savings from procurement and Fit For the Future, are on track, and details of these be included in the December Budget Report;
- (4) the expected £2,500 underspend on the Capital Programme be noted and the capital slippage of £230,400 be agreed; and
- (5) the latest position on Earmarked Reserves brought forward from 2011-12 be noted and £31,800 be returned to the Contingency Budget as well as slipping £367,000 to 2012-13.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 349)

### **86. LEAMINGTON CEMETERY BURIAL AREA EXTENSION**

The Executive considered a report from Environmental Services which brought forward a proposal to commit funds for the construction of suitable access roadways etc so that previously allocated land could be used to extend the burial area in Leamington Cemetery.

Leamington Cemetery was the largest and most frequently used cemetery in the district, carrying out approximately 110 burials and 33 burials of cremated remains each year.

The report stated that whilst planning ahead for Bereavement Services, the provision of sufficient burial space was a consideration. It had been known for several years that additional land for burials would be needed at Leamington Cemetery and land for this purpose had been retained at the southern end of the site. This issue had been identified in service planning for 2010-11 and 2011-12.

Officers advised that if the site was not developed the Council would run out of burial space at Leamington Cemetery, depending on a number of factors, within the next 1-3 years.

Determining when additional burial space was required was dependent on a number of factors. These included not only the death rate but the layout of the burial area and allowed for the needs of different faith groups. Whilst the ratio of new graves compared to re-opening of family plots

## **EXECUTIVE MINUTES (Continued)**

varied significantly each year, on average 78 new full size graves were used each year.

There were four sections with available space for new graves offering bereaved families a choice based on the style of memorial permitted and the religious denomination of the deceased.

There were a number of alternative options listed in the report including finding an alternative plot of land within the District, removing certain regulations, making use of the land in phases or reducing the level of choice for the types of grave. However, all of the alternative options had a negative financial impact, would adversely affect poorer residents of the district or could cause complaint from various faith groups.

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

The Portfolio Holder for Environmental Services, Councillor Coker, addressed members and reiterated the importance of extending the cemetery. He stated that it was coming to the end of its life and this proposal would help Bereavement Services to continue to provide an excellent service to our residents and their families.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the recommendations as set out in the report.

### **RESOLVED** that

- (1) the works for the extension of Leamington Cemetery be supported; and
- (2) as part of the 2012/13 budget setting in February 2012, capital expenditure and financing be included within the Council's 2012/13 Capital Budget, with the revenue implications included in the 2012/13 Budget and Medium Term Financial Strategy.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan reference 351)

## **87. STRATEGIC PRINCIPLES FOR TOURISM AND THE VISITOR ECONOMY**

The Executive considered a report from Development Services which presented the draft Strategic Principles relating to the Tourism and Visitor Economy and requested that the principles were adopted. The report also sought approval for additional one off funding for Warwick Tourist Information Centre (TIC) and the need to carry out a review of visitor information services.

Tourism in Warwick District was substantial with over 3.1m trips a year generating more than £220m to the local economy. Tourism also

## **EXECUTIVE MINUTES (Continued)**

supported over 4,850 jobs in the District and therefore Warwick District Council was a key player in tourism.

In 1996, the Council agreed to pool resources with Stratford District Council to promote the area's tourism businesses and attractions collectively. A commercially focussed destination management organisation, South Warwickshire Tourism Ltd, was established with responsibility for promoting the area regionally, nationally and internationally. The company was set up as a not for profit company limited by guarantee to enable the private sector to co-fund the promotion of the industry and take an active part in its management. Income from commercial activities and private sector membership represented approximately 50% of the turnover of the company – the remainder being funded by the two local authorities. The company also operated the Tourist Information Centres in Leamington and Stratford. Warwick TIC was always outside of this arrangement as it was run by the Town Council with financial support from the District Council.

South Warwickshire Tourism Ltd (Shakespeare Country) (SWT) ceased trading in spring 2010 following increasing trading deficits and the inability to clear those debts in a reasonable timeframe.

In light of previous experience, the Finance & Audit Scrutiny Committee wanted to see a systematic and rational approach to tourism that would lead to financial benefit and therefore supported the recommendations in the report.

During the Finance & Audit Scrutiny Committee, Councillor Cross declared a prejudicial interest as a Warwick Town Councillor and did not participate in the debate.

The Overview & Scrutiny Committee supported the recommendations in the report but expressed disappointment that Members had not had the opportunity to see the addendum referred to in recommendation 2.2.

Overall, the Overview & Scrutiny Committee were pleased with the work but disappointed that there was not the opportunity for greater Member involvement in the draft tourism strategy. All Councillors were encouraged to send views to the Economic Development Manager on potential inclusions.

The Overview & Scrutiny Committee asked for a presentation on the Tourism Strategy, to inform Members of its content before it was confirmed.

The Overview & Scrutiny Committee asked the Executive to consult with Town and Parish Councils as early as possible, regarding potential contributions towards the provision of tourism, to ensure this could be incorporated in the setting of their precepts in January/February.

During the Overview & Scrutiny Committee, Councillors Dhillon and Mrs Higgins left the room for this item because they had prejudicial interests as Warwick Town Councillors.



## **EXECUTIVE MINUTES (Continued)**

Councillor Mrs Grainger left the Executive meeting whilst recommendation 2.5 of the report was discussed because she had declared a personal and prejudicial interest as a Warwick Town Councillor.

The Portfolio Holder for Development Services, Councillor Hammon, addressed members and outlined how recommendation 2.5 would help to fill the gaps left in the service when SWT ceased trading.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree recommendation 2.5 in the report and Councillor Mrs Grainger returned to the meeting.

Members voiced their concerns regarding the legacy that had been left by SWT and were understandably cautious about working in partnership with them, even though they were a newly constituted team. The Economic Development and Regeneration Manager, Joe Baconnet, addressed members and highlighted that this had not been an easy decision to reach and that the Council would need to be led by other industry partners. He highlighted the work that had been continuing outside this decision and hoped that this would define the Council's approach over the next fifteen years.

Members were mindful of difficulties with the tourism industry at the present time and that it was a vital area of work to be supported and progressed. It was felt that member involvement in the creation of the strategy should be maintained and the scrutiny committees should be used to their full advantage.

The Leader of the Council, Councillor Doody, expressed his pleasure at the projects being moved forward and hoped that the co-option with other partners would help to create a thriving industry for the residents, visitors and businesses of Warwick District. He also highlighted that support from the Town Councils was vital and expressed his desire to encourage Royal Leamington Spa Town Council to participate.

In summary, the members were broadly supportive of the draft strategic principles and hoped that it would create a greater sense of integration alongside allowing all partners to deliver more with less.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the remaining recommendations.

### **RESOLVED** that

- (1) the Draft Tourism Strategic Principles, set out in appendix one to the report, be approved as the basis for the development of a destination management plan for Warwick District;
- (2) the comments of the partners on the strategic principles be noted;

## **EXECUTIVE MINUTES (Continued)**

- (3) authority be delegated to the Economic Development & Regeneration Manager in consultation with the Portfolio Holder for Development Services & the Head of Finance to set up an industry group to lead the development of the five year destination management plan and to lead on the further development and implementation of promotional and marketing material for the area for 2012;
- (4) authority be delegated to the Economic Development & Regeneration Manager in consultation with the Portfolio Holder for Development Services to seek a Tourism Champion from the private sector to lead the work on the destination management plan;
- (5) a one-off contribution of £15,000 from reserves to Warwick Town Council for tourist information facilities in the 2011/12 financial year, be agreed; and
- (6) authority be delegated to the Head of Development Services in consultation with the Portfolio Holder for Development Services to carry out an urgent frontline visitor services review of the two Visitor/Tourist Information Centres (and satellite operations) currently operating within the District, in conjunction with Warwick and Leamington Town Councils and other relevant partners and to report back to the Executive, at latest, by end of March 2012.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 360)

### **88. RESPONSE TO WCC CHANGES TO LIBRARY AND ONE STOP SHOP OPENING HOURS**

The Executive considered a report from Corporate and Community Services following changes approved by Warwickshire County Council's Cabinet, to the library hours throughout the county.

At their Cabinet meeting in June 2011, recommendations were agreed to reduce library opening hours to make financial savings. Three of the One Stop Shops (OSS) were based in library buildings and the Cabinet report recommended that Warwickshire County Council (WCC) work with Warwick District Council on options to limit the reduction in library opening hours.

The report advised that implementing integrated staffing would allow staff to be trained to deliver both OSS and library services. In order to

## **EXECUTIVE MINUTES (Continued)**

progress this, consultation would be required with staff and changes to job descriptions and some terms and conditions were proposed. These changes would enable a flexible team of OSS staff, with the appropriate skills to work where customer demand requires.

By maintaining the current level of staffing in OSS and implementing an "integrated staffing" model, it would be possible to limit the reduction of opening hours of the libraries. By limiting the reduction in opening hours, residents and visitors would have greater access to these facilities.

An alternative option was to make a financial saving by a reduction in staffing levels. However, reducing the opening hours of the libraries would result in reduced OSS hours in library buildings and meant that fewer staff would be required to cover the OSS.

The staffing reduction equated to two full time equivalents and two full time OSS posts from the OSS establishment in 2010/11 resulting in ongoing savings. There was no requirement in the Medium Term Financial Strategy to make additional OSS savings. By maintaining the current staffing level, WDC was able to consult with OSS staff on integrated staffing and increase the proposed opening hours of libraries and OSS. This would result in better outcomes for customers and future flexibility in new ways of working.

Another option was to not work with WCC to implement integrated staffing. The current system of having two separate teams of OSS and library staff was felt to be inefficient and less effective for customers. If the current staffing level was maintained and integrated staffing was not implemented, it would be difficult to maintain appropriate staffing levels in all OSS locations. To ensure customers receive a high quality service, there would be a continued need to have both OSS and library staff in each library-based OSS. This staffing model would make it unlikely that any capacity could be released to increase library opening hours.

The Portfolio Holder for Corporate & Community Services, Councillor Mrs Grainger endorsed the report and was confident that the formalising of joint working was a good sign. She also advised that the consultation would be announced on the Council's website and encouraged members to direct residents to it.

Members felt that the Head of Corporate & Community Service, Susie Drummond and Councillor Mrs Grainger should be congratulated for moving this forward and were encouraged that it would leave a cross board service for the residents of Warwick District.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the recommendations as set out in the report.

### **RESOLVED** that

- (1) officers enter into consultation with Warwick District Council staff, the Council's recognised Trade Unions and officers of Warwickshire

## **EXECUTIVE MINUTES (Continued)**

County Council to develop an "integrated staffing" proposal for the Council's joint One Stop Shops, and that following the consultation process a final integrated staffing proposal is submitted to the Council's Employment Committee for consideration;

- (2) the integrated staffing proposal referred to at paragraph 2.1 of the report will not involve a Transfer of Undertakings (Protection of Employment) Regulations (TUPE) transfer to WCC of WDC staff;
- (3) should officers not achieve agreement with the Trade Unions in respect of a final proposal (2.1 refers), then delegated authority is given to the Head of Corporate and Community Services, in consultation with the Portfolio Holder for Corporate and Community Services and the Human Resources Manager, to prepare appropriate recommendations for Employment Committee's consideration;
- (4) the implementation of a joint OSS integrated staffing model will limit the County Council's proposed reduction in hours across the District with the proposal detailed at paragraph 3.4 of the report, subject to further public consultation;
- (5) changes to the OSS service must be achieved within the service's current budgetary framework; and
- (6) maintenance of a viable OSS service provides the opportunity for future OSS service development in the District's towns.

(The Portfolio Holder for this item was Councillor Mrs Grainger)

### **89. CORPORATE PROPERTY REPAIRS AND IMPROVEMENT PROGRAMME 2011/12 OCTOBER UPDATE**

The Executive considered a report from Housing and Property Services which provided an update on the Corporate Property Repairs and Improvements Programme and sought approval to use part of the previously unallocated budget to finance newly identified projects.

The Executive approved the 2011/12 Corporate Property Repairs and Improvement budget of £1,298,600 at its meeting of 6 January 2011, with a further allocation of earmarked reserves totalling £277,000, approved on 9 February and 8 June 2011, which took the total budget available for the year to £1,575,000.

## **EXECUTIVE MINUTES (Continued)**

Reports recommending how the budget should be allocated were approved by the Executive in June and July, and it was agreed that a further report would be brought to the Executive in October 2011 to agree the allocation of the remaining unallocated funds. The failure of the flume at Newbold Comyn Leisure Centre and closure of the climbing wall at St Nicholas Park Leisure Centre, forced the Corporate Property Investment Board to re-prioritise the projects it intended to recommend to the Executive in October. It was not possible to re-assess the project priorities until all options for both the flume and the climbing wall had been appraised, this process concluded on the 26 October; therefore it was not possible to report to the October Executive meeting as intended.

The Corporate Property Investment Board updated and reassessed the reserve list of projects and agreed, subject to Executive approval, its priorities for the remaining unallocated budget. The projects it was proposing be added to the 2011/12 programme were identified in a table detailed in paragraph 3.2 of the report.

The report also requested that authority be given to the senior manager concerned to incur the necessary expenditure because the existing Code of Financial Practice stated that this was not possible.

In addition, the report requested support of the overspend from the Corporate Repairs & Improvements budget following the additional costs incurred during the Royal Spa Centre Seating Project.

The final recommendation advised that no further Disabled Access works were required in 2011/12 and therefore the remaining budget should be offered as a one off saving.

An alternative would be not to proceed with the current proposed programme of works as set out but instead defer any or all of the prioritised projects to future years. This was discounted as deferring the essential maintenance and improvement of the Council's corporate asset stock would not result in a real saving, and could result in additional costs being incurred as a result of further deterioration of the assets.

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

The Portfolio Holder for Housing & Property Services, Councillor Vincett, endorsed the report and proposed that the recommendations be agreed as printed.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the recommendations as set out in the report.

### **RESOLVED** that

- (1) the updated 2011/12 project programme as identified in table 3 of appendix A to the report be approved, with the proposed new projects being funded by the unallocated element of the

## **EXECUTIVE MINUTES (Continued)**

2011/12 Corporate Property Repairs and Improvements Budget;

- (2) the updated reserve list of projects as set out in Appendix A to the report, be noted;
- (3) the Head of Housing & Property Services, in consultation with the Council's Procurement Manager is authorised to procure the corporate works as per the Code of Procurement Practice;
- (4) the allocation of £13,000 from the Corporate Property Repairs & Improvements budget be approved to support an 8% overspend on the Royal Spa Centre Seating Project; and
- (5) the remaining Disability Access budget of £24,600 is returned as a one-off saving.

(The Portfolio Holder for this item was Councillor Vincett)

### **90. RURAL / URBAN CAPITAL IMPROVEMENT INITIATIVE SCHEME**

The Executive considered a report from Finance which provided details of a Rural/Urban Capital Improvement Application by Leek Wootton Village Hall Ltd for the enlargement and refurbishment of the Village Hall kitchen.

An original application for £5,000 was approved at the July 2010 Executive but the group were waiting on Lottery Funding of £10,000 to start and complete the project. This was not awarded and Leek Wootton Village Hall Ltd would like the shortfall to be made up by the Rural and Capital Improvement Scheme.

The report contained details of an application by Leamington Rugby Football Club for energy saving alterations in the club house, including a new lighting system; details of an application by Warwick Sports Club to replace the ceiling above the lounge, bar and dining room along with more energy efficient lights; and, details of an application by Baginton Village Hall to resurface the car park at the village hall and the redecoration of the gents' toilet and main hall.

The report reminded members that the Council operated schemes to award Capital Improvement Grants to organisations in urban and rural areas. The grants recommended in the report were in accordance with the Council's agreed scheme and would provide funding to help the schemes progress.

The funding would help the schemes start and progress as the kitchen needs enlarging and had not been upgraded since 1999 at Leek Wootton Village Hall, would reduce energy costs by 25% at Leamington Rugby Football Club's clubhouse, would improve Warwick Sports Club to increase membership and income generation and would improve the facilities and help meet Health and Safety guidelines at Baginton Village Hall

## **EXECUTIVE MINUTES (Continued)**

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

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

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree the recommendations as set out in the report.

### **RESOLVED** that

- (1) an extra Rural/Urban Capital Improvement Grant of £10,000 be awarded to Leek Wootton Village Hall Ltd for the kitchen refurbishment, which equates to 18% of the cost;
- (2) a Rural/Urban Capital Improvement Grant of £3,013 be awarded to Leamington Rugby Football Club's clubhouse for the energy saving alterations, which equates to 50% of the cost;
- (3) a Rural/Urban Capital Improvement Grant of £26,000 be awarded to Warwick Sports Club for the new ceiling work to the club including lighting, which equates to 43% of the cost; and
- (4) a Rural/Urban Capital Improvement Grant of £12,900 be awarded to Baginton Village Hall Committee for the car parking resurface and redecoration which equates to 50% of the cost.

(The Portfolio Holder for this item was Councillor Mobbs)

## **91. 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.

Minute No.	Para Nos.	Reason
92 & 93	3	Information relating to the financial or business affairs of any particular

## **EXECUTIVE MINUTES (Continued)**

person (including the authority holding that information)

The full minutes of Minutes 92 and 93 were contained within a confidential minute which would be made available to the public following the implementation of the relevant decisions. However, a summary of the decisions was as follows:

92. **WARWICK RACE COURSE RENT REVIEW**

The recommendations as set out in the report were agreed.

93. **DISPOSAL OF 21 CHURCH STREET, WARWICK**

The recommendations as set out in the report were agreed.

(The meeting ended at 7.35 pm)



**APPENDIX**

ES(7)

Authority to the extent that those functions are discharged otherwise than in the Authority's capacity as an employer to -

Appoint and to terminate such appointments

Under –

- (a) The Health and Safety at Work etc Act 1974; and
- (b) any Orders, or Regulations or other instruments (whether dated before or after the date of execution of this instrument of appointment);
- (i) made thereunder or
- (ii) having effect by virtue of the European Communities Act 1972 and relating to health & safety; and
- (c) any modification or re-enactment of the foregoing.

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(i) Environmental Health Officers as Inspectors under Section 19(1) of the Health & Safety at Work Etc. Act 1974 (the 1974 Act) and empowered to exercise all the powers set out in Sections 20, 21, 22, 25 and 39 including the institution of legal proceedings; and

(ii) Other suitably qualified and competent persons as Inspectors under Section 19(1) of the 1974 Act and empowered to exercise all or some of the powers as set out in Sections 20 and as may be specified in their authorization.

and an inspector shall in right of his appointment -

(a) be entitled to exercise only such of those powers as are so specified; and

(b) be entitled to exercise the powers so specified only within the field of responsibility of the Authority.

- relevant licences, registrations and approvals
- sign and serve notices including fixed penalty notices
- Authorise and/or execute works in default
- Procure samples, seize equipment, records, goods and articles, and Obtain information
- Obtain and execute power of entry
- Engage specialist advisers/contractors
- Determine whether and in what manner to enforce any failure to comply with matters under legislation enforced under this scheme of delegation and to give effect to that determination, including the administration of cautions.

## **EXECUTIVE MINUTES (Continued)**

ES (8)

Appoint and to terminate such appointments –

Under –

- (a) The Food Safety Act 1990; and
- (b) any Orders, or Regulations or other instruments (whether dated before or after the date of execution of this instrument of appointment);
- (i) made thereunder or
- (ii) having effect by virtue of the European Communities Act 1972 and relating to food safety; and
- (c) any modification or re-enactment of the foregoing.

- (i) Environmental Health Officers to-
  - enter premises whether within or outside the Council's area for the purpose of Sections 9, 10, 12, 29, 32 and 49 Food Safety Act 1990
  - Inspection and Seizure of Food
  - Signature of Notices
  - Procurement of Samples, and
  - Powers of Entry

- (ii) Other persons having suitable qualifications as Inspectors to - enter premises whether within or outside the Council's area for the purpose of Sections 10, 29, 32 and 49 Food Safety Act 1990.
  - Signature of Notices
  - Procurement of Samples, and
  - Powers of Entry

and an inspector shall in right of his appointment –

- (a) be entitled to exercise only such of those powers as are so specified; and
- (b) be entitled to exercise the powers so specified only within the field of responsibility of the Authority.
  - relevant licences, registrations and approvals
  - Procure samples
  - sign and serve notices including fixed penalty notices
  - Authorise and/or execute works in default
  - Procure samples, seize equipment, goods and articles, and obtain information
  - Obtain and execute power of entry
  - Engage specialist advisers/contractors
  - Determine whether and in what manner to enforce any failure to comply with matters under legislation enforced under this scheme of delegation and to give effect to that determination, including the administration of cautions.

E (15)

Appoint officers, and terminate such appointments, under section 7 of the Sunbeds (Regulation) Act 2010, to enforce the provisions of section 2 of that Act and the Schedule to the Act.