

WARWICK DISTRICT COUNCIL

Minutes of the meeting held at the Pump Rooms, Royal Leamington Spa on Wednesday 17 November 2021, at 6.00pm.

PRESENT: Councillor Murphy (Chairman); Councillors Ashford, Boad, Cooke, Cullinan, Davison, Day, A Dearing, J Dearing, K Dickson, R Dickson, Evans, B Gifford, C Gifford, Grey, Hales, Illingworth, Jacques, Kennedy, Kohler, Leigh-Hunt, Luckhurst, Mangat, Margrave, Matecki, Milton, Nicholls, Noone, Norris, Quinney, Redford, Rhead, Roberts, Russell, Syson, Tangri and Tracey.

42. Apologies for Absence

Apologies for absence were received from Councillors Bartlett, Falp, Morris, Skinner and Wright.

43. Declarations of Interest

There were no declarations of interest.

44. Minutes

The minutes of the meeting of the Council held on the 20 October 2021 were proposed, duly seconded taken as read and signed by the Chairman as a correct record.

45. Communications and Announcements

The Chairman reminded Council that at its next meeting it was likely the Council would be requested to take a decision on whether it should apply to merge with Stratford-on-Avon District Council. In order to make the meeting as effective as possible, enabling as many Councillors to speak, he would be working with Group Leaders to create a common understanding on what would be expected of each Councillor at the meeting.

The Chairman informed Council that he had agreed to the 16 December being a reserve night for the Council, if the Council had not finished all the business on the agenda on 13 December.

The Chairman informed Council that he had agreed to two urgent items this evening. Firstly was the additional petition from Peter Glanfield regarding the Tesco store on Parade, the second concerns an update to the scheme of delegation. These had been permitted in an attempt to limit the business on the Council agenda for December to allow it to focus on the anticipated significant report.

46. Petitions

(a) The Council receive a petition from the Kenilworth Lido Campaign of 1688 signatures that read as follows:

"In view of the time that has passed since the original Kenilworth Leisure Facilities Consultation in 2018 much of the data on which decisions have been based is no longer correct. We are therefore asking that Warwick District Council pause the current Kenilworth leisure project and carry out a fair

assessment of the feasibility of a modern Lido in Abbey Fields. 2/3rds of the people responding to WDC's Leisure Facilities Consultation wanted to keep and develop an outdoor pool in Abbey Fields, so it is hard to understand why WDC are ignoring the wishes of our community and have approved plans to build 2 indoor pools at a cost of £10 million when a Lido and one indoor pool would be less expensive. At a time when Lidos across the country are growing in popularity it seems a poorly judged and short-sighted decision by WDC, to close Kenilworth's outdoor pool in Abbey Fields.

Why is this important? Outdoor swimming in Kenilworth is part of the town's history. Abbey Fields Lido was one of the 1st in the country. The current outdoor pool is the furthest from the sea and the only safe public outdoor swimming facility within 30 miles. The pool's heritage is highly valued, but change is in its history. The original pool has already been rebuilt twice and we now have the perfect opportunity to create a lido for today; with the latest chemical free filtering, and the best 21st century design and eco credentials."

Melanie Barrett addressed the Council in respect of the petition.

Councillor Day proposed that the petition be noted and not referred to Cabinet, but proposed the Council establishes a Working Party Chaired by the Portfolio Holder for Climate Change with a representative from each Political Group on the Council to review the proposed developments to ensure they are as efficient and sustainable as possible. This was seconded by Councillor Davison.

Councillor Day, Kennedy, Quinney and Davison spoke on this item.

On being put to the vote it was

Resolved that

- (1) the petition be noted and not referred to Cabinet; and
 - (2) a Working Party be established, Chaired by the Portfolio Holder for Climate Change, with a representative from each Political Group on the Council to review the proposed developments to ensure they are as efficient and sustainable as possible.
- (b) The Council received a petition from Peter Glanfield, of 951 signatures that read as follows:

"We the undersigned do not want Tesco PLC to change the supermarket on the Parade from Metro store to an Express store. If this happens, we believe there will be significant price increases and a reduction in the product range on offer"

Peter Glanfield, addressed the Council on this item.

Councillor Nicholls proposed the Chairman write to the Managing Director of Tesco expressing the concerns of this Council. This was seconded by Councillor Day.

Councillor Nicholls, Boad, Grainger, B Gifford and Illingworth spoke on this item.

Resolved that the petition in respect of Tesco on Parade Leamington Spa, was supported and it was agreed the Chairman would write to the Managing Director of Tesco expressing the concerns of this Council.

47. **Notices of Motions**

The Council considered a notice of Motion proposed by Councillor Mangat and seconded by Councillor Hales, that read as follows:

"This Council Notes: Across the UK harassment and violence towards women and girls is endemic. Women and girls suffer harassment and abuse every single day. The shocking prevalence of violence against women and girls has most recently been visible by in the appalling murders of Sarah Everard and Sabina Nessa. In the 28 days following the murder of Sarah Everard, a further 81 women were killed in the UK where the suspect was a man. This violence is fuelled by a toxic culture of misogyny, with a recent report on sexual harassment from the All Party Parliamentary Group for UN Women UK found that 71% of women of all ages in the UK have experienced some form of sexual harassment in a public space. Warwickshire is no exception. Sexual offences have seen a 26% increase in 5 years, Rape of a woman and girl has seen a 24% increase in 5 years, Sexual assault of a woman or girl has seen a 6% increase in five years Stalking and harassment shows a 1805% increase in five years. These statistics may not give us an accurate picture of the extent of crimes against women. Most of these types of crimes are never reported to the police. Under-reporting is contributed to by very low rates of detection and charging. In March 2020 just 1.4% of rape cases recorded by police resulted in a suspect being charged (or receiving a summons).

Studies have shown that the intersectional nature of discrimination means that women with additional protected characteristics, such as those who are from Black, Asian or Ethnic Minority communities, disabled or LGBT+, are even more likely to experience discrimination, harassment, and abuse.

In all levels of society, we must come together to end the narrative that tells women and girls that they are responsible for preventing male harassment, abuse, and violence. Instead, we must tell perpetrators and potential perpetrators that we will not tolerate harassment, abuse, and violence against women and girls any longer.

The Council Resolves:

- 1. That its representatives on the Safer South Warwickshire Board and South Warwickshire Community Partnership to raise this issue and provide all Councillors with an update on the work these Groups are doing to tackle violence against women and girls;*
- 2. To write to the Police & Crime Commissioner to ask them to report on performance on tackling street violence against women and what their strategy is moving forward (including their strategy for tackling the issue at source with prevention work on stopping perpetrators or potential perpetrators before they inflict damage) as well as the allocation of resources to support this and request our representative on the Warwickshire Police and Crime Panel to raise these points at the next meeting of the Panel and for the representative to report back to this Council February 2022; and*
- 3. The Council asks the Leader to consider, with the relevant Portfolio Holders, what steps this Council could take to promote that this is not a 'Women's issues', men*

can play a crucial part in culture change across Warwick District and report back to the Cabinet in February 2022."

Councillors Mangat, Hales, Davison, K Dickson and Boad all spoke on this item.

Resolved that the Motion as set out above was approved.

48. **Leader's & Portfolio Holders' Statements**

The Portfolio Holder for Transformation & Resources, Councillor Hales, informed Council that:

- (1) The Transformation PAB would meet on 14 December 2021 to consider the digital transformation strategy; and
- (2) The new Financial Management System was now live, and he thanked everyone for their work in delivering this so far.

The Portfolio Holder for Climate Change, Councillor Rhead informed Council that:

- (1) due to the on-going national HGV problem the Council would suspend Green Waste collections from 27 December 2021 until 7 January 2022, inclusive with collections resuming from 10 January 2022; and thanked officers for their efforts in ensuring the threatened longer suspension did not take place by hard negotiation and introduction of a bonus retention scheme within the agreed budget;
- (2) any Christmas trees would be collected on the next scheduled green waste collection on or after 10 January 2022, but residents could support one of two local charities (Myton Hospice and Pass the Smile) who were offering Christmas tree recycling service for a donation. Those collections would be from 8 to 10 January;

The Portfolio Holder for Homes, Health & Wellbeing, Councillor Matecki, informed Council that:

- (1) the internal audit report on the effectiveness of the Asbestos Management Service had been issued with a substantial degree of assurance;
- (2) it had taken delivery of zero carbon homes on Europa Way, with the technical specification the best it could be far in excess of the building regulations. The Homes Health and Wellbeing PAB were invited to visit the site that includes air source heat pumps, solar panels, under floor heating and vehicle charging points;
- (3) Since the Climate Emergency declaration by this Council, it had taken ownership of 30 low carbon properties, 138 A rated energy rated properties and secured a further 248 A rated properties to be built.
- (4) over £3million had been spent on improving energy efficiency of existing stock with roof insulation, thermal insulation, new boilers and windows. The Council had now secured £4.8million of Government funding plus £2.4million from WDC to undertake further decarbonisation work for both Council housing stock and private sector homes.

The Portfolio Holder for Place & Economy informed Council that:

- (1) progress was continuing on the South Warwickshire Local Plan. The analysis of the recent consultation on the local Plan was being completed and there would be further engagement with stakeholders in the New Year to start to devising strategy of how to accommodate growth across South Warwickshire up to 2050. A new Plan timetable would be issued shortly but the future publication of the Housing and Economic Development Needs Assessment (HEDNA) and

- including the data from the 2021 Census results would mean the Plan's adoption was unlikely to be before winter 2025;
- (2) the South Warwickshire Economic Strategy, was about attracting green growth to South Warwickshire. It was intended to engage stakeholders in the New Year on a draft, hopefully leading to publication of the final strategy in the Spring. This would be discussed at the next meeting of the Development PAB;
 - (3) in respect of the Additional restricted Grant Support Scheme, Coventry & Warwickshire Communities Development Agency (CWCD) were processing the applications had received 20 applications so far and had carried out 15 "health checks" in accordance with the assessment process. This was now moving to the second phase, whereby, CWCD would target their database in large tranches to keep up a steady flow of applications;
 - (4) following the agreement by Cabinet in September to establish a Leamington Transformation Board and develop a framework for Leamington town centre, the membership of the Board had been agreed. There would be representation for all three tiers of local government on the board. Warwick District Council, would be represented by the Leader, Place & Economy Portfolio Holder and one representative from the Liberal Democrat, Labour and Green groups. It was anticipated the first meeting of the Board would be before Christmas

The Portfolio Holder for Planning, Councillor Grainger, informed Council that:

- (1) the backlog for validation of domestic planning applications had been cleared, and there was now only a three-week delay on validation of commercial applications;
- (2) the final settled costs claim in respect of Chesterton Gardens was at figure less than originally claimed, due to the diligence and hard work of officers;
- (3) the new interim Head of Development, Adrian Harding, would start next week;
- (4) the New Enforcement Manager has not taken up post which would leave the team under strength. There would be work to strength this team but until then Council would need to prioritise major breaches of planning regulations.

The Leader & Portfolio Holder for Strategic Leadership, Councillor Day, informed Council that:

- (1) Planning Enforcement was an essential service that helped deliver the local plan to the standard expected;
- (2) There was a fund available from the Council for charities and third sector organisations and encouraged all Councillors to get local organisations to apply;
- (3) The data and reports from the independent consultation on the proposed merger with Stratford-on-Avon District Council were expected at end of the month and they would be shared with all in full at least two weeks ahead of Council on the 13 December;
- (4) A further constructive meeting had taken place with interested parties about Champion School, looking at needs of the school, access to the estate generally and in doing so helping the school to flourish and
- (5) on 25 November it was the Victorian Evening in Warwick.

49. **Questions to the Leader of the Council & Portfolio Holders**

Councillor Milton, asked the Portfolio Holder for Environment, what action the District Council is taking to address the escalation of Anti-Social Behaviour in the and around Castle Farm in Kenilworth and what is being done to work with the local police to try and improve the situation for residents?

In response Councillor Rhead explained that he had held discussions with the Police, regarding a number of matters at Castle Farm. The police were working on a crime plan, with officers from the council, for resolving the issue. Actions agreed included, signage being installed, a review of barrier used to ensure it was closed at night extra police patrols in the area including blocking exits. He also encouraged residents to provide information to the Police including provision of registration numbers of any cars on site at night.

Councillor R Dickson asked the Portfolio Holder for Environment, what reassurances could he give to locals and visiting young families that they would be able to use the two areas containing play equipment at Abbey Fields during the development works of the swimming baths?

In response Councillor Rhead explained that officers were in discussion with the preferred contractor for the construction on site management matters that included access to the play areas. The contractors have agreed to keep access open during build but there would be some days when access was not possible for health and safety reasons. These would be limited and publicised both online and at the play areas.

Councillor Dickson asked the Leader if he would join him in congratulating local young people, in primary and secondary schools, at Warwickshire College and in local community groups who had taken part in discussions and other activities as part of their response to the climate change emergency, and thank them for the inspiration that they have provided the Council in its own climate change emergency action programme?

In response Councillor Day warmly supported the sentiment and observed how the young were leading us forward on climate change.

Councillor Kohler asked the Leader if the recent announcement by WCC of planting one tree for each resident if, in Warwick District, this would be a second tree for every resident or were these the same trees planned by Warwick District Council; and could he confirm the number of trees the Council has planted so far because the West Midlands Combined Authority virtual forest recorded the Council as having planted 20 trees?

In response Councillor Day explained that the WCC planting of trees included the WDC commitment, with coordination in this way it would maximise both opportunity and benefit from this programme but would ensure this was made clearer in any future statements.

The virtual forest data was not up to date. The project officer post for this work was vacant but officers were hopeful to for the position to be filled soon. The Council had planted 1600 on our land planted in 2020/21 and planned on planting a further 2600 in 21/22 planting season. Officers were currently calculating the additional trees planted as a result of the planning process. There would be some large scale plantings to come in the next planting season at Newbold Comyn,

Tachbrook Country Park and partnerships with heart of England forest. Details of these and updated planting figures would be brought to Cabinet.

Councillor Tracy asked the Portfolio Holder for Planning, what the priorities would be for the new Head of Development once they started.

In response Councillor Grainger explained that the priority would be planning enforcement work and getting that team established. This would involve comparing resources and approach with other Council's and the potential for shared resources with Stratford-on-Avon District Council.

Councillor Nicholls asked the Chairman if he agreed that the room layout and acoustics of the pump were not suited to a Council debate and would he review the arrangements for the meeting in December to maximise public attendance and ensure all could hear/participate?

In response the Chairman agreed to both points.

Councillor A Dearing asked the Portfolio Holder for Homes, Health & Wellbeing that now the Council had taken ownership of two major housing sites in Kenilworth (Leyes Lane and Rouncil Lane), Would the Council commit to publishing a Development Brief for these sites for consultation before they are put out for detailed design; and would the Council include in the Development Brief a commitment to, net zero carbon homes, prioritisation of active travel for residents (with car-free areas), enhanced biodiversity net gain targets and wildlife-friendly features, high quality tenure-blind design for social housing, and co-creation of the design with residents using a people's inquiry or Design Charrette.

In response Councillor Matecki explained the Council wanted to involve the community and local community leaders. This would be based on a brief of agreed principles within the climate emergency and local plan. There would be opportunity for engagement in this process but the timings for these cannot be confirmed at this time.

The following questions had been submitted before the meeting and a written response provided. These were summarised at the meeting for those present. These are set out in Appendix 1 to the minutes

Councillor Davison the Portfolio Holder for Environment
Councillor Syson to the Portfolio Holder for Environment
Councillor R Dickson to the Portfolio Holder for Place & Economy

50. **Cabinet Reports**

Councillor Day proposed and Councillor Hales seconded the recommendations within the minutes of the Cabinet meeting held on 4 November 2021.

Resolved that the recommendations of the Cabinet of 4 November 2021, be adopted.

51. **Licensing & Regulatory Committee**

Councillor Illingworth proposed and Councillor Redford seconded the recommendations within the minutes of the Licensing & Regulatory Committee meeting held on 15 November 2021.

Resolved that the recommendations of the Licensing & Regulatory Committee of 15 November 2021, be adopted.

52. Appointments to South Warwickshire Community Safety Partnership

It was proposed by Councillor Day, as set out on the agenda, along with an amendment to a Programme Advisory Board membership, it was seconded by Councillor Hales and

Resolved that

- (1) Councillor Ian Davison be appointed to the Council's vacancy on the South Warwickshire Community Safety Partnership as an interim appointment to the end of the Municipal year; and
- (2) Councillor Skinner be moved to the Cultural, Tourism and Leisure PAB from the Place & Economy PAB

53. Minor Changes to the Constitution

The Chairman explained that he had accepted the urgent item for consideration because it was a request to update the scheme of delegation to reflect a delegation previously approved by the Cabinet (then Executive) to ensure the Constitution was accurate.

The amendment recommendation was proposed by Councillor Day, seconded by Councillor Hales and

Resolved that the scheme of delegation be updated to include the following designated authorities:

- (1) delegated authority to the Section 151 Officer, in consultation with the Transformation & Resources Portfolio Holder, be duly authorised to approve any business rate relief changes agreed by the Government to be incorporated into the 2021/22 Business Rate Billing and thereafter; and
- (2) delegated authority to the Section 151 Officer and Head of Place & Economy (individually) depending on the government scheme in consultation with the relevant Portfolio Holders, be duly authorised to design and approve any business grant and other financial support schemes proposed by the Government to be implemented in 2021/22 and thereafter.

54. Common Seal

It was proposed by the Chairman, seconded by Councillor Day and

Resolved that the Common Seal of Warwick District Council be affixed to such documents as it may be required for implementing decisions of the Council arrived at this day

(The meeting ended at 7.55pm)

CHAIRMAN

22 February 2022

Questions to the Leader & Portfolio Holders

The questions below were submitted in writing and responded to before the meeting.

Councillor Davison to the Portfolio Holder for Climate Change

I would like to ask you some questions about fuel poverty at full council. As your approach has been to answer such questions as part of your portfolio statement, I've copied in all councillors, so they have the appropriate context.

WDC has worked hard to simultaneously address fuel poverty and the climate emergency such as building more energy efficient houses and using the Social Housing Decarbonisation Fund to retrofit 50 existing council homes. However, can you provide an update on the following aspects of the council's Fuel Poverty Strategy 2021 – 2026:

1. The strategy says that "target dates would need to be determined to link to service plans for 2021/22". Does the action plan now have these target dates, and can they be shared?
2. What progress has there been to improve the private rental sector since the strategy was adopted in December 2020? (2.1 of the plan)
3. From the figures given before (and shown in slightly less detail in appendix 2), the worst areas in the district for fuel poverty are predominantly in Brunswick and Willes; they are likely associated with rental properties and young people. What specific efforts are the council making to help these groups most at risk of fuel poverty?
4. However, 4 of the worst 14 areas (LSOAs) are in Abbey & Arden. What does the council know about this rural fuel poverty? For example, are they mainly rental properties? Are those worst affected mainly the elderly, so particularly vulnerable? How is the problem being tackled?

Response from Councillor Rhead as Portfolio Holder for Climate Change

The action plan has target dates against the priorities identified by the Fuel Poverty Sub-Group (Sub-Group of the Social Inclusion Partnership), but these are not yet linked to Service Plans. Service Plan have been held due to joint working with SDC.

Question 2

- Much of our reactive work on service requests can cut across fuel poverty/excess cold type issues, and any request can often involve an investigation and/or inspection which can highlight such issues. Since December 2020, the PSH team have dealt with 419 service requests across general enquiry/advice and/or conditions type complaint in HMO and non-HMO properties. More work is needed to drill down to show specific fuel poverty/excess cold hazard cases, but this is something we are looking at to meet the action plan monitoring requirements. Typically, interventions have dealt with broken boilers and poor thermal efficiency measures. On the advisory side/funding, Officers will offer this and signpost to Act on Energy.
- Information for landlords is given at the twice-yearly Landlord Forums on the latest regarding grants and MEES
- Specifically, on MEES, we have identified 148 properties likely to be in the private rented sector which are F & G rated, hence subject to MEES enforcement. To date, 11 cases have been investigated, and have had new EPC's commissioned which are now at 'E' or above (2 compliance notices issued). A further 14 cases have registered exemptions on the Government website.
- Whilst we would like to have made more progress on MEES, staffing shortages and completing staff training in this area have been issues. 2 members of staff have now received training, and we are working towards filling the EHO vacancy in the team. Additionally, a joint bid with SDC for resource funding from BEIS was

unsuccessful, but we understand another funding round may be offered shortly. We have also had preliminary discussions with SDC about how we might work together in this area.

Question 3

- Regarding Brunswick/Willes ward and in regard to fuel poverty affecting rental property and young people, whilst we have not targeted this area recently for specific actions, our Student Housing Enforcement Officer (SHEO) spends a lot of time working with HMOs in these wards and will be mindful of excess cold when undertaking inspections. The SHEO also has close links with Warwick University on educational issues. Similarly, our Senior EHO receives many service requests in these wards and will also focus on fuel poverty issues.
- ECOFlex continues to be available for heating/insulation measures for those eligible and we will sign post as appropriate.
- We await further developments for LAD funding/roll out.
- There may be some scope to enhance energy efficiency measures on licensed HMOs as we are looking at alignment of WDC/SDC licence conditions.

Question 4

Further detailed analysis not yet been undertaken. Warm Homes Fund aimed at off gas properties in rural and urban areas has recently been announced and is being explored with Stratford.

Further Comment

The Fuel Poverty Sub-Group held a meeting in September where we identified the short-term priority actions to focus on. Whilst there remains some identification of target dates and progress in some areas, the group have come together and are making progress on the priority areas. The Action Plan for the group is attached.

Further to Ian's first paragraph, could we please make the point that over the past six months, a significant amount of work has had to focus on the Green Homes Grants Local Authority Delivery Scheme whilst funding has been available – this has taken away from work in other areas. This has involved bid work being undertaken alongside implementation of successful schemes alongside further applications for further funding in a short space of time. We have been successful with bids for retrofit measures in both private (owner occupier) and social properties of over £4m. With further funding being explored

Councillor Syson to Portfolio Holder for Climate Change

What plans do you have for the recycling of red boxes and bags following the introduction of the 1-2-3 waste collection service next year? Will our current black bins be retained?"

Response from Councillor Rhead as Portfolio Holder for Climate Change

The current black bins will be retained in the new scheme.

Bags and boxes currently being used for recycling will be replaced where possible by new blue lidded wheeled bins.

Residents will be encouraged to reuse their existing boxes and bags as they are useful for storage.

The new scheme does not commence until Aug 2022 and further communications regarding how the scheme will work and what residents need to do will be circulated nearer this time."

Councillor R Dickson to the Portfolio Holder for Place & Economy

The proposed creation of the new multi-million pound facilities for the Wardens club in Kenilworth will create a significantly larger enterprise than at its current site. This move is in part being facilitated by the Council.

What reassurances can you give that the business case for the new entity has been assessed to ensure that it is realistic and sustainable? What due diligence has been undertaken to ensure that the new facilities are not likely to become a drain on local taxpayers' funds?

Response from Councillor Cooke as Portfolio Holder for Place & Economy

I understand that the Wardens have changed their proposals and the detail of how they will operate since they initially developed plans to relocate to Castle Farm and the business plan therefore needs to reflect their up-to-date thinking. The Wardens are a private club and they are leading on the plans to relocate, albeit with the benefit of support from the Council to help facilitate their move. **This is the Wardens relocation project, not ours.** The move is however key to the delivery of the comprehensive development of land east of Kenilworth, as required by the Local Plan, and will also provide existing and proposed residents of Kenilworth with an enhanced leisure offer in the town.

The Council has assisted the Wardens through up-front funding, which will be returned in full once the relocation goes ahead. There is a risk that if the club does not relocate in the near future then we not only won't see the full delivery of the Local Plan and also financially in that the up-front funding will not be returned until such a point as the club do move. We have also committed significant officer time to work closely with the Wardens to help with various aspects relating to the proposed relocation.

As part of the Council's support, which is also likely to include CIL funding, we will want to ensure that the business plan for the club is robust so that there is confidence that it will be sustainable. Equally, relevant sporting bodies including Sport England and most likely the FA and ECB will also want to ensure that the club's proposals are based on a sound business plan before endorsing and supporting the relocation.

With regards to the facilities becoming a drain on local taxpayers funds, there is no reason to expect that this will happen and there will be no ongoing financial input from the Council towards the operation of the club once it has relocated. The club is a private organisation and therefore should there be an unfortunate situation whereby the club is not sustainable, that would be no different to if any other private organisation found itself in a similar situation.