

EXECUTIVE

Minutes of the meeting held on Wednesday 19 June 2013 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Caborn (Interim Chairman); Councillors Coker, Mrs Grainger, Hammon, Mobbs and Vincett.

ALSO PRESENT: Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Boad (Liberal Democrat Group Observer), Councillor Mrs Blacklock (Chair of Overview and Scrutiny Committee), Councillor MacKay (Independent Group Observer) and Councillor Williams.

Apologies for absence were received from Councillors Cross, Doody and Shilton.

6. **DECLARATIONS OF INTEREST**

Minute Number 20 - Item 16 – Monetary Loan to Warwick Town Council

Councillor Mrs Grainger declared a pecuniary interest because she was a member of Warwick Town Council and left the room whilst the item was discussed.

7. **MINUTES**

The minutes of the meeting held on 4 June 2013 had been circulated separately and Members did not feel they had had sufficient time to consider them. It was agreed that these would be submitted to the next Executive meeting.

PART 1

(Items on which a decision by Council is required)

There were no Part One items.

PART 2

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

8. **FINAL ACCOUNTS 2012/13**

The Executive considered a report from Finance which provided details of the Council's final account position for the year ended 31 March 2013.

The report recommended that a number of points be noted including that the Capital Programme was underspent by £1.96m, of which £1.67m was due to slippage to 2013/14; the General Fund revenue account showed a surplus of £519,600 which was £400 less than the surplus reported in February, after allowing for a further £0.53m of planned expenditure to be carried forward to 2013/14; the Housing Revenue Account (HRA) balance was as budgeted; the HRA Capital Investment reserve available for major developments had increased by

£4.4m to £12.9m, £0.7m more than projected; and the Council Tax collection rate was 98.7% and 98.5% for Business Rates.

In addition, the report requested agreement that the 2013/14 Capital Programme be amended by £1,656,500 to comprise a number of elements detailed in 2.1 (b) of the report and to agree the request to carry £528,700 earmarked balances forward in respect of revenue slippage to 2013/14. Recommendations 2.1(d) to (g) dealt with changes to the General Fund Balance, a schedule of 2013/14 budget amendments, the creation of a new reserve entitled 'The Rent Bond Scheme Reserve' and details of the overall position on the Contingency Budget for 2013/14.

The report explained that the recommendations would allow the accounts for the financial year 2012/13 to be closed on time and had been used as the basis for drafting the Statement of Accounts. The resultant decisions would then be fed into the Financial Strategy. The Accounts and Audit Regulations 2011 required that the responsible financial officer must, no later than 30 June immediately following the end of a year, sign and date the Statement of Accounts.

The report comprised of a number of sections and appendices, from A to O, and these were attached as part of the report.

The alternative options were that the outcomes of the report could be dealt with in a variety of ways. These alternatives were not to allow any, or only some, of the earmarked reserve requests and to allow the General Fund balance to vary from the £1.5m level, along with how the 2012/13 surplus is allocated.

The Finance and Audit Scrutiny Committee supported the recommendations in the report, while expressing frustration that the Capital Programme was continually underspent. Members felt there was a need to be realistic about the projects coming forward and the related costs, and therefore made a recommendation to the Executive as follows:

That a thorough analysis be carried out of capital projects coming forward in order to address the ongoing problems of slippage within the Capital Programme.

In response, the Portfolio Holder for Finance agreed that this was a suggestion that could be supported and stated that it was continuously under review by CMT and Executive.

Members raised concerns that some figures were decreasing and specifically highlighted the Spa Centre as running at a cost to the Council. Councillor Mobbs agreed that the premise had received investment in recent years and this was a project to be added to the next CMT agenda, with a possibility of being added to their work programme.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written and accepted the comments made by the Finance and Audit Scrutiny Committee.

RESOLVED that

- (1) the outturn positions summarised below, be noted:
 - the Capital Programme was underspent by £1.96m, of which £1.67m is due to slippage to 2013/14;
 - the General Fund revenue account shows a surplus of £519,600 which is £400 less than the surplus reported in February, this is after allowing for a further £0.53m of planned expenditure to be carried forward to 2013/14;
 - the Housing Revenue Account balance is as budgeted; the HRA Capital Investment reserve available for major developments has increased by £4.4m to £12.9m, £0.7m more than projected;
 - the Council Tax collection rate was 98.7% and 98.5% for Business Rates;
- (2) the 2013/14 Capital Programme be amended by £1,656,500 comprising the following elements:
 - +£899,900 for Housing Investment Programme slippage;
 - +£765,500 for Other Services Capital Programme slippage;
 - -£8,900 in respect of resources brought forward from the Other Services Capital Programme for 2013/14 to 2012/13 to cover expenditure on Victoria Park Bowling Green & Ancillaries Improvements, HS2, Abbey Fields Car Park and Play Area Improvement Programme;
- (3) the requests to carry £528,700 earmarked balances forward in respect of revenue slippage to 2013/14, be agreed;
- (4) the resulting change of the above decisions, amounting to £376 be charged to the General Fund Balance;
- (5) the schedule of 2013/14 Budget Amendments made under delegation as detailed in Appendix M and those within Appendix L (Already Approved) totalling a £250,000 reduction which will be returned to the General Fund, be noted;
- (6) the creation of a new reserve entitled "The Rent Bond Scheme Reserve" with an initial balance of £22,100, be agreed and authority to spend from this reserve be delegated to the Head of Housing and Property

Services; and

- (7) the overall position on the Contingency Budget for 2013/14, subject to agreement of recommendations within other reports to this Executive meeting, be noted.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan ref 473)

9. **RURAL / URBAN CAPITAL IMPROVEMENT SCHEME – AMENDMENT TO CRITERIA**

The Executive considered a report from Finance which sought approval of the revised criteria for the Rural / Urban Capital Improvement Scheme. Due to a recent increase in the number of enquiries which was likely to lead to a higher number of applications than in previous years, it had been agreed to revise the criteria to ensure better support, a fair and equitable allocation of awards across the District and to help further improve the financial management of the scheme.

The report explained that historically the scheme had received a steady number of applications which, on the whole, had been approved if they met the scheme criteria. However, upon examination of these successful applications, a number of issues had been highlighted as needing to be addressed to move the scheme forwards.

It was noted that certain organisations repeatedly applied for grants and when commitments for approved grants were carried forward, little follow up work was undertaken to find out how the projects were progressing. There was no minimum or maximum value of grant which could result in the annual budget being allocated to a small number of high value applications.

There had been no real assessment of applicants with large reserves which had resulted in grants being awarded to organisations that could have potentially funded projects themselves.

The report also advised that the scheme was experiencing an increased volume of enquiries which was likely to lead to a higher number of applications than previous years and the value of the projects coming forward was large in comparison to the funding available. All of these points had been considered whilst creating a revised scheme and this was attached as an appendix to the report.

The alternative options were that the Council could do nothing and retain the existing criteria, however, this was not deemed viable for the reasons outlined in section 3.1 of the report, including repeat applications and an increase in the volume of enquiries.

In addition, the Council could decide an alternative value range and could wish to consider introducing minimum or maximum values.

The scheme currently accepted applications throughout the year for consideration by the next suitable Executive meeting. The final alternative option was to move to a scheme whereby all applications were considered together with a single annual deadline. However, Members were mindful that small community groups could find this to be too much of a delay, when the process already took some time to go through.

The Finance and Audit Scrutiny Committee supported the recommendations in the report, while noting that the figure of £169,685.49 quoted in paragraph 5.2 of the report should read £30,000.

The Overview and Scrutiny Committee recommended that:

- (1) applications should be considered quarterly, not as and when they arrived; and
- (2) delete the whole section on Town and Parish Council and say it was preferable to have the support of your Town or Parish Council or a District Ward Councillor.

In response, the Portfolio Holder for Corporate & Community Services did not accept the recommendation to consider applications on a quarterly basis. She felt that this would result in too slow a process with too many valid, worthwhile and urgent applications which would be disadvantaged as a result.

In addition, Members felt that the recommendations from the scrutiny committee would make the Council unresponsive to the needs of the community and could encouragement disengagement from all parties.

Having read the report and considered the comments made by the Scrutiny Committees, the Executive agreed the recommendations as written.

RESOLVED that the revised criteria for the Rural / Urban Capital Improvement Scheme attached as an appendix to the report, is agreed.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan ref ??)

10. **POTENTIAL RECREATION OF THE MERE AT KENILWORTH CASTLE**

The Executive considered a report from the Chief Executive and Development Services which sought approval for the Council to fund a feasibility study into the re-creation of the Mere at Kenilworth Castle.

There had been much public debate in Kenilworth over many years as to the costs and benefits of seeking to recreate the medieval Mere at Kenilworth Castle. This project had attracted considerable public interest in the past with strong views expressed both for and against the proposal. The proposal had also had high level support in the past from within English Heritage.

The report asked that Members allocate £120,000 funded from the Service Transformation Reserve and agree to procure consultants to undertake the whole study, but within this to only authorise stage 1 (up to a maximum of £25,000) to be undertaken now. It was recommended that officers be asked to report back once stage 1 had been completed so that the Executive could consider whether to release up to a further £95,000 of the budget to complete the subsequent stages of the study.

The report also recommended that the Executive ask the Kenilworth Town Centre Steering Group to work with officers alongside the appointed consultants to manage the delivery of the feasibility study.

The Council could decide not to continue to investigate the opportunities for re-creating the Mere. However, officers advised that carrying out a feasibility study was considered to be an essential first step to helping the Council understand whether it wished to do further work to promote the Mere project. The Council could decide not to undertake the work now and therefore to abandon the project (at least for the time being). This was not supported given the level of public interest that had been generated by the project (including most recently by the public consultation undertaken by Kenilworth Town Council, as detailed in the report and the references made to it in documents such as the Local Plan and the Council's "Fit for the future" programme).

A further alternative option would be for the Council to not undertake the feasibility study on a staged basis but to commission the full study now. This was also not supported because to do so would exclude the option of gathering further information and for the council to test any possible level of support.

The Finance and Audit Scrutiny Committee noted that some residents supported reintroduction of the Mere on its own, but that they appeared not to be supportive of any other developments which might go with that. Members felt that in the current state of austerity, such spending was frivolous and therefore the Committee did not support the recommendations in the report and made the following recommendation to the Executive.

That, in light of the current economic climate and financial pressures on the Council, the project was not pursued at the present time.

The Overview and Scrutiny Committee recommended that the money was not allocated for a feasibility study. This was unanimously supported by all Members present. In times of austerity, this gave completely the wrong message to the public and the Service Transformation Reserve was not the right fund to use.

In response, the Portfolio Holder expressed his disappointment at the lack of support from the scrutiny committees. He reminded them that this had been a project that had been talked about for some time and felt that the Council had a duty to look to the future vision of the District. He also highlighted that at this stage, the funding would only be for the feasibility study which would decide if the project was feasible or not.

Members debated the implications of investing in the future, encouraging tourism and potentially providing employment opportunities for the health and wellbeing of the community against the public perception that this was a frivolous waste of money.

The Portfolio Holder for Development Services hoped that the project would encourage English Heritage and Kenilworth Castle to find ways to share business and the benefits that the project could bring.

With regard to the Overview and Scrutiny Committee's comment that the Service Transformation Reserve was not the right fund to use, the Portfolio Holder for Finance advised that both he and the Section 151 Officer were happy with this arrangement.

The Executive did not accept the recommendations from either scrutiny committee because they felt it was vital to invest in the long term vision for Warwick District, to encourage tourism and to look to the future for both residents and visitors to the town.

Having read the report and considered the comments made by the Scrutiny Committees, the Executive agreed the recommendations as written.

RESOLVED that

- (1) the principle of undertaking a study to consider the feasibility of re-creating the Mere at Kenilworth Castle in accordance with the approach set out in paragraph 3.4 and paragraph 3.7–3.12 of the report, is supported;
- (2) a £120,000 allocation is funded from the Service Transformation Reserve and consultants are procured to undertake the whole study, but within this to only authorise stage 1 (up to a maximum of £25,000) which is to be undertaken now;
- (3) officers will report back once stage 1 is completed so that the Executive can consider whether to release up to a further £95,000 of the budget to complete the subsequent stages of the study; and
- (4) the Kenilworth Town Centre Steering Group are asked to work with officers alongside the appointed consultants to manage the delivery of the feasibility study.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward Plan ref 435)

11. **COMMUNICATION STRATEGY**

The Executive considered a report from Corporate and Community Services which set out how Warwick District Council communicated with its target audiences, internal and external, consistent with the principles of the Channel Strategy.

The Council did not have a Communication Strategy and it had been recognised that communicating effectively with residents and staff had many benefits for the council. The Communication Strategy outlined the principles the Council used to communicate and the responsibilities of staff and Members because delivering effective communication would improve the Council's knowledge of customers and their demands on its services, helping it to improve.

Key points from the Communication Strategy included that residents and visitors needed to know the services the Council delivered and how to access them. At a time when the Council was facing the challenge of diminishing resources and increased demands, good, consistent and effective communication was essential to help deliver the Fit for the Future programme.

In addition, effective internal communications would help staff to understand the organisational and cultural change taking place, share that information with their customers and in turn become a more effective and motivated workforce. Staff who received effective, consistent communication would be better equipped to deliver a customer focused service to their audience and be positive ambassadors for the council.

An alternative option was to not produce a Communication strategy. However, this was not a viable option because the Channel Strategy, agreed by Members in 2012, identified a need for the Council to adopt a Communication Strategy to support its delivery. There was also a formal recommendation from Internal Audit that "a formal strategy for communications should be finalised, presented to Council for adoption and subsequently monitored and reported".

The Overview and Scrutiny Committee commented that the report was generally accepted, but that the role of Councillors as described on page 6 was not accurate. Councillors would welcome training and advice on Social Media. Members welcomed the single point of contact that some departments were operating.

In response, the Portfolio Holder for Corporate and Community Services advised that the Communication Strategy was about reflecting communication both inwards and outwards from the Council. She did not agree with the statement made by the Overview and Scrutiny Committee because, in her opinion, the role of Councillors was explained well in the report. She agreed that Social Media training was valuable and encouraged Members to be specific with examples of communication problems they had experienced.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that the Communication Strategy and associated Action Plan, attached as appendices to the report, are adopted.

(The Portfolio Holder for this item was Councillor Mrs Grainger)
(Forward Plan ref ??)

12. **REVIEW OF SERVICE AREA PLANS (SAPS) AND FFF MEASURES FOR 2012/13 AND NEW SAPS FOR 2013/14**

The Executive considered a report from Corporate and Community Services which gave Members an annual update for each of the service areas, as agreed in the Portfolio Holder Statements and Service Area Plans 2012/13 (SAPs). It gave a review of each service on their progress against the plan and measures, highlighted areas of success and where learning had led to improvements or changes which contributed to the corporate priorities as agreed in the Fit for the Future (FFF) programme.

The report also brought forward the Service Area Plans for 2013/14 which included the Portfolio Holder Statements as agreed with the Portfolio Holders. It gave a review of progress made over the last 12 months on the FFF programme of work and indicated successes, highlighting the relationship with the People Strategy Action Plan.

The report explained that how important it was that Members were made aware of progress so that effective scrutiny could take place, if necessary, and so that service plans could be formally updated. It was also felt important that the public had the opportunity to keep abreast of progress.

The report was structured so that reporting was measured against the three strands of the FFF programme benefits: customer benefits through improved service delivery; financial benefits through savings and efficiencies; and leadership and organisation benefits through cultural change across the whole organisation.

The report requested that service area performance be noted, along with the fact that the financial savings and service measures necessary for the Fit for the Future Achievement Award in respect of 2012/13 had been achieved and payment would be made to staff as soon as possible.

Approval was also required for the FFF Achievement Award financial target for 2013/14 to be set at £406,800 and 75% of the performance measures/milestones to be included in the latest SAPs. Finally, the Executive were asked to agree the SAPs and Portfolio Holder Statements for 2013/14, which were attached to the report as appendices A to H, and to note progress against key corporate projects and locality improvement plans. These were attached to the report as appendices I and J.

An alternative option was to not continue with the FFF programme, in this format. However, this would go against the Council's decision that this was the preferred approach to achieving the benefits.

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

The Deputy Leader, Councillor Caborn, endorsed the recommendations as set out in the report and expressed the Executive's thanks to all Heads of Service and staff for their achievements so far.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) the performance of the Service Areas for 2012/13 and FFF programme progress, as detailed in appendices A to H and in Section 3 of this report, be noted;
- (2) the financial savings and service measures necessary for the Fit for the Future Achievement Award in respect of 2012/13 have been achieved and that payment will be made to staff as soon as possible;
- (3) for 2013/14 the FFF Achievement Award financial target be set at £406,800 and 75% of the performance measures/milestones as included in the latest Service Area Plans; and
- (4) the Service Area Plans/Portfolio Holder Statements for 2013/14 as described at Appendices A to H of the report, be agreed, and progress against the key corporate projects and locality improvement plans detailed at appendices I & J of the report, be noted.

(The Portfolio Holders for this item were Councillors Caborn and Doody)
(Forward Plan ref 477)

13. ST MARYS LANDS BUSINESS STRATEGY

The Executive considered a report from the Deputy Chief Executive (AJ) which provided details of the recommendations from GVA Leisure's appraisal of potential leisure uses of St Mary's Lands, Warwick and asked the Executive to agree the next steps.

At the Executive meeting of 12 December 2012 it was agreed to support work on an options appraisal for a St Mary's Lands Business Strategy commissioned by Warwick Racecourse Company (WRC) and to contribute up to £6,000 from the Contingency Budget to match fund WRC's investment in the commission.

The report explained that the commission had been awarded to GVA Leisure who undertook their work during January and February of this year and their final report was attached as an appendix to the report. The report was a comprehensive

piece of work and its recommendations were evidence based with the headline recommendations being outlined in paragraph 3.2 of the report.

Following submission of this report, one recommendation was that a business strategy for the development of St Mary's Lands be produced, a spatial masterplan be produced to inform the business strategy and £10,000 match funding be made available from the Contingency Budget to support this work.

Members support was also sought for the construction of a hotel on the land identified as the hatched area at Appendix 2, which officers felt was integral to a successful business strategy. In addition, a Steering Group was proposed, chaired by the Portfolio Holder for Development Services which would consist of key stakeholders. The Portfolio Holder, in conjunction with the Deputy Chief Executive (AJ) and Warwick Racecourse Company (WRC) representatives would agree the key stakeholders.

Additional recommendations requested approval for the Deputy Chief Executive, in conjunction with other key individuals, to enter into negotiations with WRC and conclude agreements permitting the demolition of the buildings shown approximating to the hatched area on the plan at Appendix 2 and the construction of a hotel in that same area, by various means. The separate options for proceeding with this were detailed in recommendations 2.3.1 to 2.3.3.

Finally, Members were asked to note officer arrangements, legal advice in relation to Competition law and to consider whether it wanted to nominate a Councillor to join the Board of Warwick Racecourse Company Limited.

An alternative option was that Members could decide not to support the development of a business strategy but this could leave Warwick with a failed racecourse. The land would then revert to the Council with the constraints of listed buildings and a Conservation Area location.

With regard to the proposed hotel, Members could decide not to give consent for demolition and a hotel at this time. Members could await the outcome of any planning application that the Racecourse made before considering the matter. However, officers did not consider that this was an appropriate position for the Council to take. The Council's commitment to the Racecourse had previously been questioned and providing landlord consent would be a clear demonstration that the Council recognised the strategic importance of the Racecourse and wanted to do what it could to sustain the amenity.

Members could decide not to provide Landlord consent. This would leave Warwick Racecourse to "fend for itself" with the Council playing no role in the long term sustainability of the Racecourse. This approach did not accord with the Council's commitment to promote its town centres and support sustainable development.

The Finance and Audit Scrutiny Committee did not support £10,000 match funding at this stage until local residents had been given an opportunity to comment on proposals. It therefore made the following recommendation to the Executive:

That a decision on the report be deferred in order to allow for a one-off consultation exercise, such as a public meeting, in order to allow residents to express their concerns before any decision is taken.

The Chairman of Finance and Audit advised that the Committee weren't against the concept but wanted to ensure that the Council was engaging with local residents and stakeholders.

Several Members of the Overview and Scrutiny Committee had strong reservations about the location of the hotel.

The Overview and Scrutiny Committee recommended that:

- (1) There should be full and widespread consultation with the people of Warwick and Warwick Town Council
- (2) Recommendation 2.6 should be removed because there is a potential conflict of interest and there is no need for this position
- (3) The scheme must come back to the Council/Executive before any agreement with the Racecourse is concluded
- (4) Procurement guidelines must be followed closely and the possibility for open bidding for the leases must be ensured
- (5) The independence of the Planning Committee must be safeguarded and made clear to the public

In response, the Portfolio Holder for Development Services stated that Warwick Town Councillors had not been as involved as much as he would have liked them to be although he recognised that it had been difficult for Town Councillor delegates to attend all of the stakeholder meetings. He reminded Members that nothing had been set in stone and the correct controls would be in place to improve the area and benefit the residents of Warwick. He assured Members that full consultation would be undertaken as a matter of course and felt that it was more sensible to have a business strategy and masterplan to consult on so to defer a decision on the report at this stage would be impractical. He also gave a commitment that regardless of what decision was reached in respect of the tenure arrangements for the hotel's construction, a further report would be submitted to Executive for its final approval.

In response to the Overview and Scrutiny comments, the Executive reiterated that full consultation would be included as part of due process. In addition, procurement guidelines would be stringently followed on all projects, as per the Code of Procurement Practice.

At this point, the Chairman of Finance & Audit Scrutiny Committee advised that he was sure that his Committee would not now want the matter deferred as the Portfolio Holder had given the necessary commitment around consultation.

The Chief Executive addressed members regarding recommendation (5) from the Overview and Scrutiny Committee and reminded them that all planning applications were dealt with in accordance with planning policy. He stated that the Planning Committee could not run 'independently' from the rest of the Council

because Council policies had to be given due regard when dealing with applications. He therefore, suggested that the recommendation be reworded to refer to the integrity of the Planning Committee rather than the independence.

Some Members expressed their appreciation of the proposals and felt that the ideas put forward so far had good potential. The Executive agreed that joint working with Warwick Town Council and other relevant bodies was imperative to the successful regeneration of the area and the steering group would need to take their responsibilities seriously.

There was general agreement that the report was very comprehensive and included some excellent ideas for the reinvigoration of this area of Warwick.

Having read the report and accepting the comments made by the Scrutiny Committees, the Executive agreed the recommendations as set out in the report (subject to Overview & Scrutiny Committee recommendations) with the exception of recommendation 2.6.

RESOLVED that

- (1) GVA Leisure's appraisal of potential leisure uses of St Mary's Lands, Warwick (Appendix 1), be noted and agrees the following:
 - (a) a business strategy for the development of St Mary's Lands is produced and that the strategy takes a holistic view of the land to ensure that the interests of all stakeholders are taken into account;
 - (b) in accordance with GVA's recommendation (8.15 of their report refers) a spatial masterplan is produced to inform the business strategy and that £10,000 match-funding is made available from the Contingency Budget to support this work;
 - (c) the construction of a hotel on the land identified as the hatched area at Appendix 2 is integral to a successful business strategy;
 - (d) the development of a business strategy is overseen by a Steering Group, chaired by the Portfolio Holder for Development Services, consisting of key stakeholders and that the aforementioned Portfolio Holder, Deputy Chief Executive (AJ) and Warwick Racecourse Company (WRC) representatives agree the key stakeholders.
- (2) the Deputy Chief Executive (AJ) in consultation with the Portfolio Holder for Development Services, with the support of suitably qualified professionals, be given

approval to enter into negotiations with WRC and conclude agreements permitting the demolition of the buildings shown approximating to the hatched area on the plan attached as Appendix 2 to the report, and the construction of a hotel in that same area, either by means of:

- (i) The surrender of the land required for the hotel from the 2005 Lease and the completion of an 'Agreement for Lease' in respect of that land. The Agreement would include pre-conditions requiring WRC to:
 - (a) Obtain planning permission for the proposed hotel; and
 - (b) Complete construction of that hotel,upon which a new lease shall be granted in accordance with the Warwick District Council Act 1984; or
 - (ii) in the alternative, if judged more commercially expedient, to enter into an agreement in like terms to the Agreement for Lease referred to in Recommendation 2.3.1, but providing for consent for the proposed hotel to be given by the District under the extant 2005 Lease rather than by surrender and the grant of a fresh lease; or
 - (iii) in the alternative, if judged more commercially expedient and providing that the interests of the District's residents are protected, to take a surrender of WRC's lease, grant a new lease without the land required for a hotel and sell that land to WRC.
 - (iv) but regardless of the agreed means, a further report is submitted to Executive for its consideration.
- (3) the arrangements officers will put in place should recommendations 2.1 & 2.2 be agreed to ensure that there is no conflict between the Council's role as a landlord and that as a planning authority;
 - (4) the legal advice at detailed at paragraph 3.11 of the report, in relation to Competition law, be noted.

(The Portfolio Holder for this item was Councillor Hammon)

14. **SAFE PROJECT IN BRUNSWICK AND WILLES WARDS**

The Executive considered a report from the Deputy Chief Executive (AJ) seeking support for a project being run by Warwickshire Association of Youth Clubs (WAYC) which included a financial contribution for the current financial year.

The SAFE project, an acronym from the words, "Socialising - Activities - Fun - Entertaining", was named by the young people who were hoping to be part of the project. On-going consultation with young people had demonstrated that they wanted to get involved with more activities in their locality estate. A focus group with NEET (Not in Education, Employment or Training) young people revealed a desire to take part in activities during the daytime rather than sitting at home, a need for help with English and Maths so that they could get a job, and careers guidance and practical help with finding a job.

The report gave an outline of the increased membership at Westbury Youth Club and detailed three groups of young people who needed the extra support that the SAFE project could offer.

Paragraphs 7.4 of the report explained what the aims of SAFE were which included providing mentors, training and development and giving young people a sense of responsibility within their local community. In addition, paragraph 7.5 described four outcomes that SAFE would hope to achieve which included assisting 100 young people to access professional youth worker support and opportunities for development in order to build up skills, confidence and self-esteem so that they could achieve in life.

The report advised that the Warwickshire Association of Youth Clubs (WAYC) had secured £196,980 Big Lottery funding towards the project and needed to raise a further £45,000. In addition to noting their support, the Executive were being asked to agree a contribution of up to £8,000 to be made for the financial year 2013/14, with a review taking place at the end of 2013/14 to determine whether further contributions should be made.

The alternative option was that the Executive could choose not to support the SAFE project.

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

The Portfolio Holder for Corporate and Customer Services, Councillor Mrs Grainger, endorsed the report and explained that the group would be looking to fill the funding gap themselves in the future. However, she hoped that with the Council's support the group would be able to get going and make themselves sustainable.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) the SAFE project in Brunswick and Willes wards which is being managed by the Warwickshire Association of Youth Clubs (WAYC), is supported;
- (2) WAYC has secured £196,980 Big Lottery funding towards the project and has to raise a further £45,000; and
- (3) up to £8,000 is made available from the Contingency Budget for the financial year 2013/14, with a review taking place at the end of 2013/14 to determine whether further contributions should be made.

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

15. **DEVELOPMENT MANAGEMENT GUIDANCE ON THE MIX OF MARKET HOUSING**

The Executive considered a report from Development Services which updated Members on the Development Management Guidance on the Mix of Market Housing, which was attached as an appendix to the report.

In 2007 the Executive agreed Development Control Guidance on the Mix of Market Housing which set out the suggested mix of market housing on new housing development sites. The data which provided the evidence for that guidance had been updated in the published Warwick District Strategic Housing Market Assessment (SHMA) and the new Guidance reflected the more up to date information in the SHMA.

The report explained that the guidance was based on forecasts in the SHMA of future needs for different types and sizes of market homes in the District. This would support Local Plan Policy SC1 which looked for a range of sizes and types of homes in residential developments.

The guidance also recommended a proportion of certain sizes of homes on medium to large sites but set out more general guidelines on smaller sites. In rural areas it was recommended that where a Local Housing Assessment had been carried out, the mix of housing should meet this in preference. The mix of affordable housing would also be considered on a site-by-site basis by the Council's Housing Strategy section.

The option of retaining the current guidance would not be appropriate. The current guidance had been based on outdated evidence and would not be acceptable to developers or supported by Planning Inspectors if considered at an appeal into a refusal of planning permission.

In response, the Portfolio Holder for Housing and Property Services, Councillor Vincett endorsed the report and hoped that this would help to formalise the approach in the planning process.

Having read the report the Executive agreed the recommendations as written.

RESOLVED that the Development Management Guidance on the Mix of Market Housing as attached at Appendix 1 to the report, is agreed.

(The Portfolio Holder for this item was Councillor Hammon)

16. **ENDORSEMENT OF PARISH PLANS FOR BADDESLEY CLINTON AND HATTON**

The Executive considered a report from Corporate and Community Services informing Members of the actions included in two recently submitted Parish Plans from Hatton and Baddesley Clinton Parish Councils.

In September 2012 the Executive agreed to adopt a 'Joint Protocol for WCC/WDC involvement in and responding to Parish Plans, Parish Appraisals and Village Design Statements'. The Protocol defined the support available from Warwick District and Warwickshire County Councils to Parish Plan Groups in developing their appraisals/plans and set out the process for the Executive's consideration and endorsement of the plans.

The Joint Protocol requested that 'following presentation at the relevant community forum, all Parish Appraisals/ Plans/VDS should be reported to the District Council Executive and the County Council's *executive body/person* for endorsement, full or part thereof'.

The report outlined a number of issues that had been identified by the Baddesley Clinton and Hatton parishes during the production of their plans. These included transport issues, speeding solutions, play areas and solutions to aircraft noise, amongst other issues.

There were no alternative options available because the Protocol had been developed to ensure Parish Councils felt included and connected to other key structures and the decision making process.

In response, the Deputy Leader, Councillor Caborn endorsed the plans and advised that these were the last set of plans to be submitted and all Parishes had now taken part.

Having read the report the Executive accepted the recommendations as written.

RESOLVED that

- (1) the Parish Plans for Baddesley Clinton and Hatton, are endorsed; and
- (2) the actions detailed in each of the Parish Plans as summarised in appendix 1 to the report, are noted.

(The Portfolio Holder for this item was Councillor Caborn)

17. **EVENTS MANAGEMENT**

The Executive considered a report from Cultural Services and Development Services which sought approval of changes in the way that events were managed in the District. The report detailed learning points from the "Events experiment", the rationale for placing the management of all events within Cultural Services in the future and the financial implications of these proposals.

A new approach to the delivery of events across the District was proposed as an experiment in June 2012. This has been jointly overseen by Cultural Services and Development Services. The experiment had now come to a conclusion with recommendations to transfer responsibility for management of events to Cultural Services managed by Event Management Officers (EMO). This would free up the Town Development Officers (TDO) to work on supporting the Jobs Skills and Economy agenda within the Town Centres, whilst the EMOs ensured the robust management of the full range of town centre, sporting, community and charity events across the District.

The existing structure consisted of one Events Management Officer in Cultural Services, which had been supplemented for the duration of the experiment by a further Events Management Officer to allow the full range of events to be transferred across to Culture from Development Services during the experiment. The range and number of events required the resource of an additional officer to ensure sufficient capacity and resilience to deliver and support safe and successful events in the future. The Employment Committee approved the addition of a further EMO post to the establishment at its meeting in April 2013, subject to approval by the Executive.

The report explained that the Council's HAY Panel had evaluated this post at Grade E1, resulting in an annual salary at the top of the grade for a Grade E1 post of £31,000 including on costs. The funding of this post would present an increase to the savings required to be found by the Council and would need to be included within the Council's Medium Term Strategy from 2014/15.

For 2013/14, the cost of this post would need to be met out of the Contingency Budget which from August 2013 would result in £20,700.

An alternative option was to return to the original position where events were managed by two separate teams, i.e. Cultural Services and Development Services, but due to the changes that had taken place to the role of the TDOs in Development Services during the experiment, this would no longer be sustainable.

In addition, without the additional EMO post it would not be possible to continue to support the wide range of events across the District whilst providing the appropriate level of professional advice and complying with the HSE Purple Book on Managing Events. Therefore some popular events would no longer take place and the level of support afforded to Town Councils and community groups would reduce.

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

In response, the Portfolio Holder for Cultural Services, Councillor Cross outlined the future savings that were hoped for and stated that the experiment had been very successful.

Councillors Hammon and Mobbs also voiced their support for the recommendations and congratulated the officers involved in the experiment and wished them success for their future events.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) the new arrangements for delivery and support of events across the District, are endorsed; and
- (2) the increased budgetary provision of £31,000 per annum (pro rata for 2013/14) to Cultural Services salaries budget to cover the cost of the additional Events Management Officer from August 2013, is approved. This will be financed from increasing the savings requirement of the Council from 2014/15, and £20,700 from the Contingency Budget for 2013/14.

(The Portfolio Holders for this item were Councillors Cross and Hammon)
(Forward Plan ref 454)

18. **PLANNING POLICY FOR HMOS AND STUDENT ACCOMMODATION IN WARWICK DISTRICT**

The Executive considered a report from Development Services following the authorisation of an Article 4 Direction in respect of small HMO's in Leamington Spa by Members on 26 January 2011.

A subsequent Executive meeting on 13 July 2011 confirmed the Direction in Leamington Spa and it became effective on 1 April 2012. This report recommended that Executive approve the planning policy for HMOs and Student Accommodation for consultation purposes.

The policy would apply to all planning applications for new HMOs and student accommodation throughout the District and a copy was attached as an appendix to the report.

An HMO was a house or flat which was occupied by three or more unrelated people who shared an amenity such as a kitchen, lounge or bathroom. It included a range of different types of accommodation such as bedsits, shared houses, staff accommodation, student cluster flats and halls of residence.

A large concentration of HMOs could have a significant and potentially damaging impact on the amenity of a local area, particularly by way of increased noise nuisance, anti-social behaviour, incidences of crime, poor waste management and adverse impacts on the physical environment.

Whilst the Council recognised the clear benefits arising from a student population, particularly in terms of support for the economy of Leamington town centre and the potential to retain a highly qualified, graduate workforce, the increased planning control would enable the Council to better manage the location of new student accommodation.

An alternative option would be to not prepare an interim policy but to include a policy on HMOs and student accommodation in the emerging Local Plan. However, this could result in a worsening of the existing situation, in particular in south Leamington, and potentially the creation of new areas of concentration. It could also result in an unclear framework within which planning applications for a change of use from a dwelling house to all HMOs are considered, and lack of clarity as to what would constitute an over concentration.

The Overview and Scrutiny Committee accepted the report and policy as far as it went. It was regretted that Leamington Spa Town Council had not been consulted. A clearer definition of a "thoroughfare" (page 8) was required, and Members questioned whether the bus stop mentioned on page 9 was either a university bus stop or a normal one. The Committee also had major concerns about the standards of the living conditions for many residents in HMOs.

In response to the Overview and Scrutiny Committee's concerns, an advice note was produced by Development Services explaining that Leamington Spa Town Council would be notified of the consultation, if approved, at the same time as all other Parish and Town Councils.

In response to defining a "thoroughfare", officers advised that it was difficult to be too specific with defining a thoroughfare; however, they would normally be Classified A & B roads; the bus stops mentioned on page 9 referred to all bus stops, not solely University bus stops; and the living conditions in HMOs were in the remit of Housing Strategy who were consulted on all HMO applications.

The Chair of the Overview and Scrutiny Committee thanked officers for answering her queries and stated that the Committee would be adding the issue of living conditions and the Council's statutory powers to its work programme.

In response, the Portfolio Holder for Housing and Property Services, Councillor Vincett noted the Committee's concerns and stated that officers would liaise in due course.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) the Policy, attached as an appendix to the report, is approved for public consultation for a period of six weeks; and
- (2) following the consultation exercise, any necessary changes will be made to the policy which will then be adopted by Executive as an interim policy in advance of the adoption of the emerging Local Plan

(The Portfolio Holders for this item were Councillors Hammon and Vincett)

19. **RURAL / URBAN CAPITAL IMPROVEMENT APPLICATION**

The Executive considered a report from Finance which provided details of a Rural/Urban Capital Improvement application from Warwick Sports Club to assist with a variety of improvements to its building.

The Council operated a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grant recommended was in accordance with the Council's agreed scheme and would provide funding to help the project progress.

The grant would help to build an extension to create disabled toilet facilities, baby changing facilities and provide a new entrance to the Club with easier and closer access to/from the car park. The Club was also looking to make improvements to the veranda for disabled access to, refurbish the kitchen and widen and resurface the roadway entrance.

The aim of the project was to help the Sports Club to become more self efficient in the future by money raised through increasing events and the number of people attending the Club.

The report explained that the application was for 50% of the total project cost, up to a maximum of £31,450, broken down to 50% of the total project cost excluding VAT up to a maximum of £26,200, 50% of the total VAT for the project that Warwick Sports Club were unable to reclaim from HMRC up to a maximum of £5,250. Further detailed finances were outlined in appendices to the report.

The budget for the Rural/Urban Capital Improvement Scheme Applications for 2013/14 was £150,000. There was £75,000 available to be allocated from the Urban Cost Centre budget for 2013/14 and if the application within this report, for 50% of the total project cost up to a maximum of £31,450 was approved, £43,550 would remain in the Urban Cost Centre budget.

The Council only had a specific capital budget to provide grants of this nature and therefore there were no alternative sources of funding 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.

The Finance and Audit Scrutiny Committee supported the recommendations in the report, while noting that the £169,685.49 figure in paragraph 5.1 and on the last page of appendix 2 of the report should read £30,000.

In response, the Portfolio Holder for Finance, Councillor Mobbs, agreed with the amendment highlighted by the Finance & Audit Scrutiny Committee and endorsed the recommendations.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) a Rural/Urban Capital Improvement Grant of 50% of the total project cost up to a maximum of £31,450, be approved. This was broken down as follows:
 - 50% of the total project cost excluding VAT up to a maximum of £26,200 to Warwick Sports Club for; a) building an extension to create disabled toilet facilities, baby changing facilities and provide a new entrance to the club with easier and closer access to/from the car park, b) making improvements to the veranda for disabled access to the club, c) refurbishing the kitchen, and d) widening and resurfacing the roadway entrance, subject to receipt of the following:
 - Written confirmation of SITA approval (or if the application is declined, another capital grant provider) to fund £20,000 of the project cost to ensure that the RUCIS grant remains as 50% of the total project cost; and
 - Written confirmation of King Henry VIII Trust approval (or if the application is declined, another capital grant provider) to fund £4,200 of the project cost to ensure that the RUCIS grant remains as 50% of the total project cost and £2,200 to cover the Third Party Payment to SITA to release the £20,000 funding noted above; and
 - 50% of the total VAT for the project that Warwick Sports Club are unable to reclaim from HMRC up to a maximum of £5,250.

(The Portfolio Holder for this item was Councillor Mobbs)

20. **MONETARY LOAN TO WARWICK TOWN COUNCIL**

The Executive considered a report from the Deputy Chief Executive (AJ) requesting approval of a loan of £150,000 to Warwick Town Council to assist with the reinstatement works being undertaken on the Court House, Jury Street, Warwick.

In 2011, Warwick Town Council was awarded a Heritage Lottery Fund (HLF) grant approaching £3/4m to undertake reinstatement works on the Court House, Jury Street, Warwick. Members had previously been made aware of this scheme and agreed to make a grant of £60,000 for complementary improvement works to the adjoining Pageant House.

However, works commenced on the Court House in 2012 but those works exposed essential further works as detailed in Appendix 1 to the report. The bid to the HLF could not have foreseen the extra works and so a further bid to the Heritage Lottery Fund had to be made.

Whilst Warwick Town Council (WTC) would ultimately be able to cover the cost of the works, even if the further HLF bid was not successful, there was a short-term cashflow problem. The contractors advised that they would be unable to continue with their work unless the necessary staged payments were made.

As a consequence, the Leader of WTC had approached the Council's Leader to ask whether the District Council could assist with the cashflow problem by way of a loan of £150,000. The Leader advised that he was personally sympathetic to WTC's plight and would therefore put the matter to the Executive for consideration.

To ensure that the Council's financial position was not compromised, the loan would be paid upon execution by WTC and WDC's Deputy Chief Executive (AJ) of a deed confirming that repayment would be made before 31 March 2014, along with satisfactory approval of WTC's financial position by WDC's Head of Finance.

The alternative option was that WTC could apply to the Public Works Loans Board but they had advised that this process would take too long because there was an immediate cashflow issue to be resolved.

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

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written.

RESOLVED that

- (1) a £150,000 loan at nil interest be made available to Warwick Town Council (WTC) to enable the continuation of reinstatement works on the Court House, Jury Street, Warwick;

- (2) the loan is paid upon execution by WTC and Warwick District Council (WDC)(Deputy Chief Executive (AJ)of a deed confirming that repayment will be made before 31 March 2014 and also satisfactory approval of WTC's financial position by this Council's Head of Finance; and
- (3) the Capital Programme be amended to reflect this project, financed from the Capital Investment Reserve.

(The Portfolio Holders for this item were Councillors Caborn and Doody)

21. **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
22, 24 & 25	1	Information relating to an individual
22, 24 & 25	2	Information which is likely to reveal the identity of an individual
23	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full text of Minutes 22 to 25 was contained within a confidential minute which would be considered for publication following the implementation of the relevant decisions. However, a summary of the decisions was as follows:

22. **USE OF CE(4) OF THE COUNCIL'S CONSTITUTION**

The recommendation as set out in the report was agreed.

(The Portfolio Holders for this item were Councillors Doody & Mrs Grainger)

23. **DEVELOPMENT AND REGENERATION IN LILLINGTON**

The recommendation as set out in the report was agreed.

(The Portfolio Holders for this item were Councillors Hammon and Vincett)
(Forward Plan Ref ??)

24. **FLEXIBLE RETIREMENT REQUEST**

The recommendation as set out in the report was agreed.

(The Portfolio Holder for this item was Councillor Coker)

25. **REDUNDANCY AND PENSION PAYMENTS – HOUSING AND PROPERTY SERVICES STAFFING REVIEW**

The recommendation as set out in the report was agreed.

(The Portfolio Holder for this item was Councillor Vincett)

**Notice of Exemption to Forward Planning Process
Redundancy & Pension Payments-Housing & Property Services' Staffing
Review**

Executive have been requested to approve the funding of the redundancy costs for 2 members of staff within Housing & Property Services.

The Council was unable to publish this notice sooner than today 18th June 2013 because the decision to progress the report to the Executive was not taken until yesterday 17th June 2013.

The Chief Executive, Deputy Chief Executives, Head of Finance, Group Leaders of the Council and the Scrutiny Chairmen have all agreed for the Executive to consider a report at its meeting on 19 June 2013.

It is considered that this report will be confidential by virtue of the information relating to the two members of the Housing & Property Services staff.

Chris Elliott
Chief Executive

(The meeting ended at 8.00 pm)