

WARWICK DISTRICT COUNCIL

Minutes of the meeting held remotely on Wednesday 5 August 2020, at 6.00pm.

PRESENT: Councillor Ashford (Chairman); Councillors Bartlett, Boad, Cooke, Davison, Day, A Dearing, J Dearing, K Dickson, R Dickson, Evans, Falp, B Gifford, C Gifford, Grainger, Grey, Hales, Heath, Illingworth, Jacques, Kennedy, Kohler, Leigh-Hunt, Luckhurst, Mangat, Margrave, Matecki, Morris, Murphy, Nicholls, Noone, Norris, Roberts, Russell, Skinner, Syson, Tangri, Tracey, Weber and Wright.

19. Apologies for Absence

Apologies for absence were received from Councillors Cullinan, Milton and Redford

20. Declarations of Interest

There were no declarations of interest.

21. Minutes

The minutes of the meeting of the Council held on the 24 June 2020 were proposed by Councillor Day, duly seconded by Councillor Cooke and signed by the Chairman as a correct record.

22. Communications and Announcements

The Chairman led a moment's reflection as a mark of respect for former Councillor Elizabeth Higgins who had recently passed away.

The Chairman informed Council that there was no business to be considered under agenda items: 5 - Petitions, 6 - Notices of Motion and 7 - Public submissions.

23. Leader's & Portfolio Holders' Statements

There were statements from the Portfolio Holders for: Development, Councillor Cooke; Finance & Business, Councillor Hales; and Housing & Property, Councillor Matecki. These were shared before the meeting and are set out at Appendix 1 to the minutes.

Councillor Day, the Leader of the Council, informed Council that:

- (a) in terms of an update on the devolution of local government, this Council was in process of preparing a joint research project with all District and Borough Councils in Warwickshire and Warwickshire Association of Local Councils on all options for devolution of local government. As part of this there would be a public survey of residents, business and community governance and bring this back to Councillors so they could debate and take proposals forward by the end of September. There were also continuing discussions with Warwickshire County Council and local members of parliament. As part of this, he informed Council that Warwickshire County Council were minded to request being one of the first new unitary authorities, but the Leaders of the District and Borough Councils in Warwickshire had written to the minister stating that they did not want to be part of the first phase; and
- (b) thanked Councillors for their work on the Governance Review and informed Council that the Chairmen of the Programme Advisory Boards would be

Councillor Bartlett (Business and Finance), Councillor Grey (Development), Councillor Noone (Culture & Neighbourhood), Councillor Roberts (Housing & Property), Councillor Mangat (Health & Community protection), Councillor J Dearing (Environment).

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

Councillor Davison asked the Portfolio Holder for Housing & Property that it was good to see that the Council was looking to improve the EPC ratings of the Council's tenants' homes and that in February the Executive approved a climate emergency report which included:

2.11 The Executive agrees that the Housing Revenue Account Business Plan be reviewed and brought to the Executive for approval in March 2020 to include provision of circa £18m over the period up to 2030 to ensure all the Council's housing stock has a minimum energy Performance Certificate (EPC) rating of C and for any properties that cannot be brought up to EPC C rating, for either technical reasons or at an acceptable cost, to be subject to an options appraisal through the Council's Asset Management Strategy.

It was not possible for this to happen in March, therefore Councillor Davison asked for an update on this aspect of the HRA business plan.

In response, Councillor Matecki explained that officers were in the process of commissioning specialist consultants to survey property architypes, and would make recommendations to improve the EPC rating of the existing housing stock to a minimum of EPC C to meet current requirements.

The work was separated into various categories relating to the current EPC levels as those properties which were rated E, F and G required a different approach to those with EPC levels of D, C or above.

Recommendations for improving all property above EPC C were being undertaken as a separate piece of work to meet the Council's climate emergency agenda.

When recommendations and costings were available, the Council would be in a clearer position to understand the level of work required. Officers were also preparing to bid for any opportunities that might arise linked to this area of work.

Councillor Davison asked a supplementary question of the Portfolio Holder and in response, Councillor Matecki explained that there was not a timescale at present but agreed to circulate to all Councillors when it was available. It was also unclear if the Green Homes grant was applicable to Council tenants but this was being explored.

Councillor R Dickson asked the Leader if he would provide an update about what form of input would be sought this summer from all residents and businesses in South Warwickshire about the plans for a fresh look at local government in the area and what progress had been made in collecting this input.

In response, Councillor Day explained that alongside the work commissioned on behalf of all Borough and District Councils in the County on the options for local government going forward, work is already underway on surveys of residents, businesses and parish and town councils. This work would feed into the reports for Councillors to consider on the options for local government in Warwickshire. Whilst everyone had preferences for what would be the best way, Members needed to

keep an open mind, with the focus being on the best way forward for the local community. That was why the research that was being commissioned was important. It should not be left to Councillors alone to have their say.

Councillor Kohler asked the Portfolio Holder for Health & Community Protection in respect of Covid19 if she could confirm that the nearest testing centre was currently in Coventry and if she was satisfied that the Council had a clear action plan in place, as well as resources needed if a local outbreak of Covid19 was to happen.

In response, Councillor Falp explained that Warwickshire County Council led on this area and she attended meetings with them. The nearest testing centre was at the Ricoh Arena but there were a number of mobile testing stations, with more coming online that could be set up in local areas. There was still a struggle in terms of sharing personal information in respect of local outbreak data and this was proving a challenge. There was a balance between needing to know and protecting personal data. That said, Councillor Falp was confident the Council was prepared for a local lockdown.

Councillor Kohler asked the Portfolio Holder for Culture & Neighbourhood for an update on relaying of the bowling greens for the common wealth games, particularly if there were any financial consequences.

In response, Councillor Grainger explained that she had not received a recent update but would circulate a response to all Councillors.

There were two written questions submitted before the meeting that had not been responded to and the Chairman agreed for the written answers to be circulated to all Councillors after the meeting. These questions and answers are set out at Appendix 2 to the minutes.

25. **End of Term reports**

(a) It was proposed by Councillor Nicholls, seconded by Councillor Ashford and

Resolved that the Annual Report of the Finance & Audit Scrutiny Committee under Article 6 of the Constitution be noted.

(b) It was proposed by Councillor Davison, seconded by Councillor Ashford and

Resolved that Annual Report of the Overview & Scrutiny Committee under Article 6 of the Constitution be noted.

26. **Overview and Scrutiny Committees**

It was proposed by Councillor Nicholls and seconded by Councillor Norris that Council Procedure Rules 34 Public Speaking (c) Committees - Scrutiny committees should be amended to read as follows:

"A maximum period of 3 minutes is allowed for each speaker. If several people wish to speak on the same subject, they will be restricted to an overall total of 5 minutes. The time allowed for all speakers at any one meeting is limited to 30 minutes. The Chair will have discretion to increase the time available for speakers where they consider the matter has a significant public interest."

Speakers will be encouraged and helped to contact each other so that repetition can be avoided. This means that you may be given the names, addresses and telephone numbers of other speakers on the same issue and they may be given your details, but only with your permission. It may be helpful for a spokesperson to speak on behalf of all speakers. Where a number of speakers cannot agree on a spokesperson, they will be heard in the order in which they registered their intention to speak".

Resolved that Council Procedure Rule 34(C) be amended as set out above.

27. **Executive Reports**

It was proposed by Councillor Day and seconded by Councillor Cooke that the reports of the Executive on 13 and 30 July 2020 should be approved.

On advice from the Democratic Services Manager & Deputy Monitoring Officer, this proposal was amended so that the consideration of the proposed Special Responsibility Allowance for the Chairs of the Programme Advisory Boards be deferred to the 2 September Council meeting to enable the view of the Council's Independent Remuneration Panel which had yet to be provided.

Resolved that the reports of the Executive of 13 and 30 July 2020 be approved, subject to the amendment above.

28. **Pavement licences**

The Council received a report from Health & Community protection explaining that on Thursday 22 July 2020, the Business and Planning Act received Royal Assent, which introduced two key changes. These were a new 'pavement licence' and an Automatic entitlement in law to Off sales of alcohol.

The 'pavement licence' was introduced for the operators of businesses selling food and drink, who could apply to their local authority for authorisation to put furniture such as tables and chairs on the highway adjacent to their premises to sell food and drink from or for their customers to use. The new Act made district councils rather than county councils the bodies who determined pavement licence applications. This was despite the fact that county councils, had responsibility for the highways, were the decision-making bodies for the existing pavement licensing regime.

The Automatic entitlement in law to Off sales of alcohol was for business that had a premises licence for On sales of alcohol and was subject to specific exemptions and conditions.

The purpose of the report was to explain the Council's new function of issuing pavement licences and to delegate to the Head of Health & Community Protection the powers in relation to pavement licensing.

Councillors Kohler, Boad, B Gifford, Murphy, R Dickson, Davison, Wright, Russell, Hales, K Dickson, Falp and Heath spoke on this item.

It was proposed by the Councillor Heath, seconded by Councillor Falp and

Resolved that

- (1) the Head of Health and Community Protection, in consultation with the Chair of Licensing & Regulatory

Committee and relevant Portfolio Holder, be authorised to adopt a procedure for dealing with applications for pavement licences under the Business and Planning Act 2020, including provisions relating to consultation, local conditions and enforcement;

- (2) the Head of Health & Community Protection be authorised to determine and refuse on technical grounds (e.g. lack of information supplied with application, not able to comply with mandatory conditions for example the "no-obstruction condition") applications received for pavement licences, under the Business and Planning Act 2020;
- (3) the Head of Health & Community Protection, in consultation with the Chair of Licensing & Regulatory Committee, be authorised to determine any refusals of applications received for pavement licences, or revocations of a licence under the Business and Planning Act 2020; and
- (4) a fee of £100 for the determination of applications for Pavement Licences be approved.

(The Chairman had agreed to take this as an urgent item to ensure that the authority was delegated and a fee was in place as soon as possible, to enable applications to be determined and in place as part of the recovery from the global pandemic.)

29. **Future High Streets Fund**

The Council considered a report from Development Services updating Members on the Future High Streets Fund (FHSF) full business case (FBC), and seeking approval to resource the co-funding and programme management required to support the delivery of the proposals.

The Council was also asked provide comments on the intended decision of the Chief Executive, after consultation with group Leaders in respect of an urgent executive decision he intended to take on the Future High Streets Fund.

The report included a confidential Appendix. To enable Councillors to debate that openly, it was proposed by Councillor Boad, seconded by Councillor Heath and

Resolved that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraph 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

The Council then resumed in public session and Councillors Boad, Davison, Gifford Day and Hales spoke on this matter.

Resolved that

- (1) the Council has no comments on the intention of the Chief Executive to make the following decisions under

delegation CE(4) following consultation with Group Leaders:

- (a) the Council's submission to the Future of the High Street Fund comprising the four elements set out in paragraph 3.6 of the report and in confidential Appendix 1 to the report;
 - (b) that, subject to the bid being successful, agree to provide resource to programme manage the delivery of these elements as set out in paragraph 3.12 of the report;
- (2) within the bounds of recommendations, authority be delegated to the Head of Development Services, and the Head of Finance in consultation with the Portfolio Holder for Finance and Business, to finalise the detail of the proposals and to submit the bid; and
 - (3) subject to the bid being successful, the Council co-funds the programme up to a maximum amount as set out in the financial appraisal in Appendix 1 to the report, but that a further report be brought forward to agree the detail of the funding should the bid be successful.

(The Chairman of the Council had agreed for this to be considered as an urgent item because of the restrictive deadline for making the submission and negate the need for further additional meetings.)

30. **Appointments to Committees**

It was proposed by Councillor Ashford, seconded by Councillor Heath and

Resolved that Councillor Heath be appointed as the Whitnash Residents Association to the Finance & Audit Scrutiny Committee.

(The Chairman had accepted this request for an urgent item because it was important that all Committees were able to operate with a full complement of Councillors and Councillor Heath would be able to participate at the meeting of the Committee in August.)

31. **Common Seal**

It was proposed by Councillor Ashford, 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 8.25pm)

CHAIRMAN

2 September 2020

Minute 23 Leader's and Portfolio Holders' Statements**Portfolio Holder for Business & Finance (Councillor Hales)**

Would like to pay credit to the great work done by the council and its partners to reopen the High Streets, retail hospitality and leisure sectors has led to a significant increase in footfall and businesses opening up in the high 80% now. We continue to work very closely with all these sectors and also the tourism industry as green shoots start to appear.

Discretionary Grants – we have now launched our final scheme, and have opened it up to all businesses, whether they be based from offices or home, who have had their business income affected by Covid 19. The deadline for this is Friday 14th August at 12pm, and we are aiming to get all grants processed by 28th August. Can I pay credit to Gayle Spencer and her team for all their hard work so far.

Small Business & Retail, Hospitality & Leisure Grant Funds we now stand at 2,403 payments and a total of £31,175,000. Based on the original total grant received of £33,124,000, this equates to over 94.1% paid to businesses in our area. There has been a huge amount of work contacting businesses who qualify for this grant from Paul Town/Steve Marshall & their team & also the team processing all the grants and ensuring these businesses receive these grants into their accounts as quickly as possible, so my thanks to Jon Dawson and his team as well. Again this scheme is closing on Friday 14th August at 12pm.

Business Rate Relief as a Tool for Inward Investment – a policy designed to provide an incentive to new firms looking to locate into the District (with some qualifying criteria) which allows for up to 50% business rates relief for those new firms (or existing firms that expand to fit the policy criteria). This was approved at Exec earlier in the year but the pilot was suspended due to the virtual close down of business during the peak period of the pandemic. We are now working to launch this scheme in the next week to 10 days as business is starting up again.

Finance Systems Replacement Project - The Project Board, met last week with leadership representatives from TechnologyOne, the supplier of the new finance system. The meeting set out the objectives for the project including the implementation and reporting approach. This was the first of what will become regular meetings with the supplier so the Project Board can closely monitor the progress of the implementation and provide support in overcoming any challenges with the implementation itself.

High level planning has established a go live for the beginning of July in 2021. This will be confirmed when the business process workshops have been concluded later this year and the blue print for the implementation and the realisation of benefits agreed. My thanks to all the project board for their hard work & also Keith Eales for leading this and his hard work in making sure this important project has been kept on track.

Portfolio Holder for Housing & Property (Councillor Matecki)

I am delighted to tell you that the Application made by the Housing Team for permanent planning approval from the Council's Planning Committee, at William Wallsgrove, the Council's direct access hostel for the homeless in Leamington Spa, was successful. The hostel is now able to extend its provision of round the clock accommodation, support and care to the most vulnerable in our society, when it is safe to do so.

Opened in 2018 William Wallsgrove House has been providing a temporary home for around 11 people and is a major element of the Council's rough sleeping initiative which aims to ensure that nobody needs to be street homeless. Unlike the night shelters, those using the hostel are encouraged to stay during the day and access on-site support, care and counselling from specialist agencies and partners including P3, Warwickshire Police, Cyrenians, Warwickshire County Council and NHS Mental and Physical Health nurses. Now that permission has been granted the Council can utilize the full capacity of the building and offer beds for 22 guests with this increasing to 30 during severe weather conditions.

Alongside the planning application is a robust management plan for the hostel detailing the hostel rules, use and occupation agreement and strict no drugs and alcohol policy. In the past eighteen months more than 200 rough sleepers have been helped by the Council's service at William Wallsgrove House and many of these people have found permanent accommodation, reconnected with friends and family or have undergone rehabilitation programmes.

William Wallsgrove House has played a key role in the work that officers have been undertaking as part of the 'Everyone In' programme. This has seen the Council, with its fantastic Voluntary sector partners provide accommodation and support to our rough sleepers, providing them with a safe place to go and the support to help them adjust to their new situation. In various locations across the district, we are now accommodating over 60 people who were either former rough sleepers or at risk of rough sleeping. We are also grateful to local businesses including Aston Martin, Aubrey Allen along with Tesco, Morrisons, Asda, Marks and Spencer the Sikh community and Midland Langar Seva for providing goods and food which enabled the provision of hot meals and lunch packs during the lockdown period.

We are now focusing on finding more settled accommodation for all of these people and provide the support they need to make the transition. We have successfully brought everyone in all bar one person who, despite being made an offer of accommodation, is not ready to make the move to come inside. So for the last 4 months, we have all but eradicated rough sleeping in Warwick District and we are very close to sustaining this going forward. Wouldn't that be a fantastic achievement and incredible legacy.

We know too well that many people have been hit hard financially by the pandemic. Some people are on reduced incomes, others have lost their jobs or businesses, many are still furloughed and face potential redundancy. This is already having an impact on the ability of households to pay their housing costs, and we forecast a new wave of homelessness as the governments ban on evictions is lifted at the end of this month. We are talking to our local Registered Providers to develop measures to prevent tenancy loss, enabling people to remain in their homes and giving them a second chance.

We are also making strides on our commitment to climate change. Although yet to go before planning committee, the specification for our new homes planned at a site known as the Triangle will deliver zero carbon in operation. Properties will benefit from underfloor heating, air source heat pumps and Photovoltaic units. The U values are well in excess of building standards and Adam Sharpe, the Assoc. Pre-Construction Director from Vistry, our development partner, tells us that not many are building to this level.

This work with Vistry and our consultants, Enhabit, have helped us to develop a specification for future Council homes which we consider will achieve an EPC of A.

Of course, a significant issue for us is improving the EPC ratings of our housing stock. To this end, officers are in the process of commissioning specialist consultants to survey property architypes and make recommendations to improve the EPC rating of the existing housing stock to a minimum of EPC C to meet current requirements.

The work is being separated into various categories relating to the current EPC levels as those properties which are rated E, F and G will require a different approach to those with EPC levels of D, C or above.

We are also seeking recommendations for improving all property above EPC C as a separate piece of work to meet the Council's climate emergency agenda.

When recommendations and costings are available, we will be in a clearer position to understand the level of work required. We are also preparing to bid for any opportunities that may arise linked to this area of work.

Portfolio Report Development Services (Councillor Cooke)

Following the first few months of the lockdown the Planning department is becoming busier once again with 249 applications currently registered on the system. This is about normal for this time of year.

Progress has also been made on the Kenilworth School Project as the Department for Education has given conditional permission for the school to progress the purchase of the land required to build the new school. Once the school has completed the purchase of the land it will trigger the application for up to 99 homes to be built at Crewe Lane, South Crest Farm. However, progress on some of the other earmarked sites in Eastern Kenilworth is slow with a number of issues still to be resolved.

The Council are putting in place a policy for builders with a turnover below £40 million per annum which allows them to ask to defer their payment of CIL for up to 3 months. This will bring us into line with other nearby authorities. Each application would be dealt with on a case by case basis.

Most local building sites in the District are now fully operational.

Building Control is confident that despite the pandemic income should be between £700-£750K against a budget for the full year of £836K. However, we have maintained our market share at 69%. They are actively pursuing new business including providing their services for the new Kenilworth School

Minute 24 - Questions to the Leader of the Council & Portfolio Holders

Question from Councillor Nicholls to Portfolio Holder for Environment

The District's Climate Emergency Action Plan established that 33% of the 1m tonnes of The emitted Carbon Dioxide in the geographic District is attributable to transport. We will not meet our target of getting as close to zero carbon in the District by 2030 without reducing significantly or eliminating this source of carbon dioxide. Warwickshire County Council is undertaking a review of its Local Transport Plan 2011 -26. This is now particularly urgent and timely in the light of the government's Gear Change strategy which includes an aspiration that 50% of all journeys in towns and cities are cycled or walked by 2030. Yet I sense a worrying lack of commitment from WCC to address these expectations with vigour or ambition. Recent interviews on BBC CWR underline that point. Nor does it seem to want to engage seriously in the sustainable transport review that we as a Council have called for and written to our colleagues in WCC about. Can the Portfolio Holder please tell us what action is being taken to bring WCC to the table to address these pressing matters; and how he and they intend to engage more widely with the public and voluntary groups that can support the Councils in their endeavours. Finally, would he consider whether we as a Council should set a modal shift target for transport in the District similar to the national target? It would be simple to communicate and become the benchmark by which investment and policies are judged. How to achieve such a target could also be a topic at the proposed Citizens' Assembly given its importance in our response to the Climate Emergency.

Response from Councillor Rhead

I would strongly agree that addressing the impacts of transport on Climate Change is a vital part of our Climate Emergency Action Programme and that it is a priority for us to work on this. I have asked the new Programme Director for Climate Change to make it a priority to liaise with Warwickshire County Council on the Local Transport Plan. We will be using all the influence we can bring to bear to ensure the Local Transport Plan provides the strategic platform for both the County Council and the District Council to rethink approaches to transport in a way that moves away from transport modes based on fossil fuels and in particular focuses on active, sustainable and equitable modes of transport. The Government's recently published Gear Change strategy means that there has never been a better opportunity to engage with the County Council in this way and I would hope that as a result we do see a shift in thinking across Warwickshire. Related to this, the idea of a modal shift target is an attractive one and I would agree that this could help with communication and community engagement around sustainable transport. I will therefore ask the Programme Director to give this consideration and to include this suggestion in his engagement with the County Council. I will ask him to bring back a report setting out whether this is feasible, and if it is, how it could be measured and what an appropriate target might be.

In terms of engagement, the scope and agenda of the proposed Citizen's Assembly is still being developed, but I would certainly expect transport to be an important part of its considerations and the potential for a modal shift target could be potentially be included. However, we will need to liaise with the independent facilitators who we are in the process of appointing. Finally, as you know, I am also always willing to engage with members of the public and voluntary groups who are active in this field. We will not be able to achieve our climate change ambitions on our own and so working alongside voluntary organisations and active residents can only help us along our path towards a net zero Carbon District

Question from Councillor Tangri to Portfolio Holder for Environment

Although the Council's Fuel Poverty Strategy has been delayed several times, can you update the council on the work done so far. Does the council intend to apply for the Green Homes Grant Local Authority Delivery scheme? See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/906545/local-authority-delivery-scheme-guidance.pdf Approximately how many households in the district may be eligible i.e. household income under £30,000 per year living in homes rated EPC E, F or G?

Joint response from Portfolio Holders for Environment and Health & Community Protection

A draft fuel poverty strategy was developed last year. However, it was decided by Senior Management Team to hold the strategy back to enable alignment with the proposed Climate Action Fund which has the potential to be a key delivery tool in that it could enable financial incentives to be offered to residents to improve energy efficiency. As you know, in the event, the Council Tax Referendum didn't take place and the as a result the CAF has not yet been established. However, the Strategy is still part of officers work programme and the emerging government initiatives have the potential to offer an alternative means of providing financial incentives. At this stage it is still very early days in the development of the Green Homes Grant scheme. Officers will be attending a BEIS webinar on this next week after which we will be in a position to bring forward proposals for how WDC will utilise this opportunity. Encompassed within this, we will be bringing forward proposals next year as to how we will meet the CEAP ambition of bringing around 60% of the District's homes up to EPC C rating.

Finally, it is worth pointing out that officers are continuing to work with partners on fuel poverty initiatives across the District including Act on Energy and the Heart partnership (which is providing free external walls insulation to eligible households)