

WARWICK DISTRICT COUNCIL

Minutes of the meeting held remotely on Thursday 7 January 2021, at 6.00pm which was broadcast live via the Council's YouTube Channel.

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

54. **Apologies for Absence**

Apologies for absence were received from Councillor J Dearing.

55. **Declarations of Interest**

There were no declarations of interest.

56. **Minutes**

The minutes of the meeting of the Council held on the 25 November 2020 were not presented to Council and therefore they would be considered by Council on 24 February 2020.

57. **Communications and Announcements**

The Chairman offered thoughts and words of support to the District during this lockdown. He explained that the Leader would be making a longer statement on this, but encouraged anyone struggling to reach out to one of the support groups, linked in the description of the broadcast. The Chairman repeated, from previous meetings, his thanks all WDC staff, Councillors and our partners for their continued efforts in both responding to the Pandemic and continuing to deliver services to the local communities.

The Chairman informed Council that there was no business for Item 5, Petitions or Item 6 Notices of Motion.

58. **Personal Statement Councillor Grainger**

Councillor Grainger informed Council that she was aware that a tweet, posted on her twitter account, from April 2020, had caused concern. When she was made aware of this in the summer, the matter was considered by the Independent Person and Monitoring Officer. The tweet was posted by her husband and, on balance, the Monitoring Officer felt that as she was not responsible, no further action was required at that time. However, as it appeared she had breached the Council's policy on social media, she asked the Council's Monitoring Officer to once more review the matter.

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

The Leader Councillor Day explained that in respect of the decision to develop the South Warwickshire Local Plan, a report would be brought to the next Executive meeting in February on the governance arrangements to be put in place that would

enable the Joint Cabinet/Executive to consider specific matters related to the development of the new Plan.

In the meantime, in consultation with Group Leaders, he agreed the terms of reference and working arrangements for the South Warwickshire Plan Advisory Group, which would be a joint member led body with Stratford on Avon District Council. He had asked Democratic Services to share these details with Councillors, which would also be included in the February Executive report.

The South Warwickshire Plan Advisory Group would comprise of ten Councillors; five from Stratford on Avon District Council and five from Warwick District Council. This Council would be represented by Councillors Boad, Davison, Margrave, Rhead and Weber, ensuring that each of the five political Groups were represented.

The Leader also explained that it was disappointing that once again there was a national lockdown, but the Council needed to continue to work together with its communities, taking in learning from previous lockdowns. The Council had taken a number of steps to close facilities as required such, as tennis courts, football pitches and leisure centres. However, the parks remained open, as did cafes in parks, as well as the Town Hall which was providing the post office service. Waste and recycling collections would continue but with additional vehicles. Work would continue to support rough sleepers and those in temporary accommodation. Officers were on standby to start issuing the business lockdown grants for retail, hospitality and leisure sectors as quickly as possible.

Staff were supporting the NHS with vaccination and testing programmes, including working at those sites. Vaccination centres had been established at Heathcote Hospital; Lisle Court, Brunswick Street; and Warwickshire Golf Club.

Officers were continuing to support the community through delivering services where it could.

It was also agreed to deliver all Council, Executive and Committee meetings remotely up to the 7 May 2021, and it was planned to deliver elections safely on 6 May 2021, working with partners to ensure they would be delivered in Covid Safe environment.

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

Councillor Weber asked the Leader regarding the values and qualities of the Leadership of Council, in relationship to a tweet posted by Councillor Grainger. He asked that if the Leader if he could stand by his statement in respect championing the values of equalities, and if he could confirm that Councillor Grainger would have the whip removed and would be stepping down from the Executive?

In response, the Leader recognised the questions of Leadership of the Council and not specifically about the statement by Councillor Grainger. He stated that actions did speak louder than words and this was discussed by Group meeting the previous day. He did not wish to prejudice the work of the Monitoring Officer or Standards Committee. He felt surprised as to the timing of this coming forward during a new national lockdown, and felt that this was little to do with the diversity and the ongoing work, and had far more to do with local election in May and an attempt to undermine the work that had taken place.

In response to supplementary question, the Leader stated that he would look at his own tweets as he was not aware the tweet by Councillor Grainger was on his twitter account and would remove it when he found it.

Councillor Boad asked the Leader regarding vaccinations and whether there was anything this Council could do to help the local health service to help increase local capacity with more venues.

In response, the Chief Executive explained that a nominated officer was liaising with local and national campaigns, including work on community transport to help get people to the centres. Officers were working with primary care trusts and NHS to help bring forward more sites.

Councillor Wright asked the Leader how long the rapid flow testing centre in Cubbington was likely to stay in place.

In response, the Chief Executive explained that at this time nobody was aware how long this would be going forward. However, the focus of testing centre would move towards testing critical workers.

61. **Executive Report**

The Leader explained that as part of the formation of a Local Housing Company, considered by the Executive on 10 December 2020, named Council employees were approved to act as Directors. Unfortunately, one of those Directors was no longer in a position to act, and a temporary replacement had been identified in order to permit incorporation of the company, whilst a longer term appointment was considered. In order to give flexibility as to the replacement of the temporary Director in due course, there was a need to make an addition to the Constitution of the Council's Local Housing Company as follows.

He asked that the Council therefore:

- amends Part 3, responsibility for functions, Section 3 Executive Functions, Section(e) external working of the Constitution to include reference to appointments to local housing companies; and
- notes that Lisa Barker and Bill Hunt be appointed as the first Council Directors of the Local Housing Company.

As a result of the above, he was sure that Council would agree that it would not be appropriate for Bill Hunt, as Deputy Chief Executive, to be delegated authority to approve a number of aspects of the loan and its details, as resolved by the Executive. Therefore, he sought Council's approval for himself, as the Leader, to use his Executive powers so that in Resolved Matters, the Deputy Chief Executive (BH) was replaced with Deputy Chief Executive and Monitoring Officer (AJ) to remove any conflict of interest in the decisions that were to be taken. In effect this produced a motion, supported by ten or more Councillors, for the Leader to rescind the decision and of the Executive. Normally this would be brought to the next Executive but in this case, time was of the essence and this resolution would allow the matter to be progressed in a timely manner.

If Council made s that resolution, he would use his authority as Leader accordingly, which would then be reported to the Executive so their minutes of the 10 December meeting could be marked accordingly.

The Head of Finance & Section 151 officer had confirmed that Council did not need to receive a further report to amend the Prudential Indicators. Therefore, based on the above guidance, the Leader proposed the recommendations to Council as follows:

Recommended that:

- a. The capital programme be adjusted to reflect the loan to the LHC funded by Public Works Loan Board (PWLB) borrowing.
- b. Part 3, responsibility for functions, Section 3 Executive Functions, Section (e) external working of the Constitution, be amended to include reference to appointments to local housing companies.
- c. Notes that Lisa Barker and Bill Hunt be appointed as the first Council Directors of the Local Housing Company.
- d. Directs the Leader to use his Executive powers so that in Resolved Matters, the Deputy Chief Executive (BH) is replaced with Deputy Chief Executive and Monitoring Officer (AJ) to remove any conflict of interest in the decisions that are to be taken.

Councillors Day, Matecki, Kohler, Boad, Roberts spoke on this item.

It was therefore proposed by Councillor Day, seconded by Councillor Matecki and

Resolved that

- (1) the capital programme be adjusted to reflect the loan to the LHC funded by Public Works Loan Board (PWLB) borrowing;
- (2) Part 3, responsibility for functions, Section 3 Executive Functions, Section (e) external working of the Constitution, be amended to include reference to appointments to local housing companies;
- (3) Lisa Barker and Bill Hunt be appointed as the first Council Directors of the Local Housing Company, be noted; and
- (4) directs the Leader to use his Executive powers so that in Resolved Matters, the Deputy Chief Executive (BH) is replaced with Deputy Chief Executive and Monitoring Officer (AJ) to remove any conflict of interest in the decisions that are to be taken.

62. **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 paragraph 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

63. **Confidential Appendices to Executive Report of 10 December 2020**

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

Resolved that the Confidential Appendices to Executive Report of 10 December 2020 be noted.

64. **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 7.05pm)

CHAIRMAN

24 February 2021