

Executive

Minutes of the meeting held on Wednesday 11 June 2014 at the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Mobbs (Chairman); Councillors Caborn, Coker, Mrs Gallagher, Hammon, Shilton and Vincett.

Also present: Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Mrs Falp (Chair of Overview and Scrutiny Committee), Councillor Boad (Liberal Democrat Group Observer) and Councillor MacKay (Independent Group Observer).

An apology for absence was received from Councillor Cross.

The Chairman asked that the Executive's thanks be expressed to Councillor Mrs Blacklock for her services as Chair of the Overview and Scrutiny Committee over the past 12 months.

1. **Declarations of interest**

There were no declarations of interest.

2. **Minutes**

The minutes of the meeting held on 8 May 2014 were agreed and signed by the Chairman as a correct record.

Part 1

(Items on which a decision by Council is required)

3. **Final Accounts 2013/14**

The Executive considered a report from Finance which provided details of the Council's final account position for the year ended 31 March 2014.

The report provided details of the Council's final account position for the year ended 31st March 2014 and highlighted that: the Capital Programme was underspent by £2.24m, of which £2.07m was due to slippage to 2014/15; the General Fund revenue account had shown a surplus of £661,000 when reviewing the budgets in February 2014 and the final accounts detailed an additional surplus of £476,800 after allowing for a further £0.43m of planned expenditure to be carried forward to 2014/15. In addition there was a further £393,300 in respect of Business Rates Retention which had been appropriated to the Business Rates Volatility Reserve as previously agreed by Council; the Housing Revenue Account (HRA) balance was as budgeted, with the HRA Capital Investment Reserve balance having increased by £4.8m, £0.4m more than the budgeted £4.4m; and the Council Tax collection rate was 98.5% and 98.7% for Business Rates, both of which were excellent.

In addition, the report requested agreement that the 2014/15 Capital Programme be amended by £2,066,800 to comprise a number of elements

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detailed in 2.1 (b) of the report and to agree the request to carry £429,100 earmarked balances forward in respect of revenue slippage to 2014/15 and increase 2014/15 HRA budgets by £8,000 in respect of HRA revenue slippage.

The report explained that the recommendations would allow the accounts for the financial year 2013/14 to be closed on time and had been used as the basis for drafting the Statement of Accounts. The resultant decisions would 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 was a statement of fact. However, the alternative options were that the outcomes of the report could be dealt with in a variety of ways. These alternatives were mainly 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 2013/14 surplus was allocated.

The Finance & Audit Scrutiny Committee supported the recommendations following a robust discussion and thanked the Head of Finance for attending and answering their questions. Members asked for clarity on the level of slippage each year and the Council's current deficit position.

Members enquired about the pension deficit, the impact of the Council Tax freeze and were satisfied that any potential increase in interest rates had been factored into the forecasting.

Finally, the Finance & Audit Committee highlighted the excellent Council Tax collection rate of 98.5%.

Councillor Barrott expanded upon the Finance & Audit Scrutiny Committee's comments and stated that the Committee was very happy with the answers provided by the Head of Finance. One Member had asked Councillor Barrott to "ram home" to the Executive the excellent Council Tax rate, although he did point out that this had not found unanimous favour amongst members of the Committee.

The Chairman, Councillor Mobbs, thanked Councillor Barrott and the Finance & Audit Scrutiny Committee for their comments and responded that the Executive would look at the pension deficit. He drew attention to recommendation 2.1(e) which stated that the details of the use of the new Local Plan Delivery Reserve and the decision making arrangements would be detailed in the July Budget Review Executive report. The Chairman was pleased to note that this was the seventh year that Warwick District Council had achieved a surplus, for which he congratulated both officers and Councillors.

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

Recommend that:

- (1) the outturn positions summarised below, are noted:
 - The Capital Programme was underspent by £2.24m, of which £2.07m is due to slippage to

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- 2014/15;
- The General Fund revenue account shows a surplus of £476,800 which is after allowing for a further £429,100 of planned expenditure to be carried forward to 2014/15;
 - The Housing Revenue Account balance is as budgeted; the HRA Capital Investment reserve available for major developments has increased by £4.8m to £17.7m, £0.4m more than projected;
 - The Council Tax collection rate was 98.5% and 98.7% for Business Rates;
- (2) the 2014/15 Capital Programme be amended by £2,066,800 comprising the following elements;
- +£1,226,700 for Housing Investment Programme slippage;
 - +£846,200 for Other Services Capital Programme slippage;
 - -£6,100 in respect of resources brought forward from the Other Services Capital Programme for 2014/15 to 2013/14 to cover expenditure on Broadband UK and street lighting;
- (3) the requests to carry £429,100 earmarked balances forward in respect of General Fund revenue slippage to 2014/15 are agreed, and the 2014/15 HRA budgets are increased by £8,000 in respect of HRA revenue slippage;
- (4) the resulting change of the above decisions, amounting to a surplus of £476,800 above the latest Estimates for 2013/14, is noted;
- (5) £250,000 of the £476,800 surplus be appropriated to a new Local Plan Delivery Reserve, with the details of the use of this reserve and the decision making arrangements to be detailed in the July Budget Review Executive report;
- (6) the balance of the surplus, £226,800 be appropriated to the Service Transformation Reserve at this point. The position will be reviewed as part of the Budget Review report due to be presented to the Executive in late July;
- (7) rent payments for the Newbold Comyn Golf Course be waived between June 2013 to May 2015 in order to support Mack Golf and retain the quality golf provision at Newbold Comyn;
- (8) a Deed of Variation has been signed in respect of the Aviary in Jephson Gardens; and

(9) the increase in rent for market stalls from 1 July 2014 is agreed as follows:

- Warwick General Market: from £31.00 to £32.00
- Kenilworth General Market: from £27.50 to £28.50
- Warwick Farmers Market: from £31.00 to £32.00
- Leamington Farmers Market: from £31.00 to £32.00.

4. HRA Rent Setting for Void Properties

The Executive considered a report from Housing and Property Services which set out the options available to the Council in relation to the setting of HRA dwelling rents when a property becomes void.

For the Council meeting of 26 February 2014, Members were due to be presented with a report setting out the recommendations for the 2014/15 rent increase including the proposal that void properties were moved to capped formula ('target') social rent when re-let.

On 11 February 2014 the Finance and Audit Scrutiny Committee put forward an alternative to the recommendation so that if an existing Warwick District Council tenant transferred to a void property, the tenant should still be eligible for the current level of rent and not the capped formula (target) social rent. This was suggested so as not to discourage a Council tenant from downsizing.

The Executive discussed the matter on 12 February 2014 and recommended that the original proposal should be put forward to Council.

Council debated the matter on 26 February 2014 and resolved that neither the original or amended proposal would be adopted but that further legal advice would first be obtained in relation to the recommendation.

The recommendation to move void properties to the capped formula (target) rent was in accordance with the Government's proposed rent policy. The current Rent Restructuring Policy enabled the gradual movement towards the capped formula (target) rent through annual rent increases. The Government was now proposing to abolish rent restructuring and strongly encouraged Local Authorities to reach convergence through the movement of rent to the capped formula (target) social rent at void stage, rather than through annual rent increases.

Although the recommendation that was being put forward to move void properties to the capped formula (target) social rent when re-let was in line with the proposed Government Policy due to take effect from April 2015, there was no legal reason why the Council could not adopt the policy in advance of this date.

If the policy were to be adopted but not applied equally to all void properties, as in the recommendation proposed by the Finance & Audit Committee, then the Council would need to be satisfied that it was for a proper purpose and not thereby inadvertently breaching the Public Sector Equality Duty (PSED).

In order to establish whether such a policy might potentially be in breach of the Duty in respect of those with “protected characteristics” of gender, age or race, research had been carried out into the demographics of the Council’s existing tenants and applicants on the waiting list. This research established that those who would be likely to benefit from the proposed amended policy were predominantly white and more elderly. The legal advice that had been received stated: “there is therefore a real risk that if the council adopted the policy and were challenged, it would be found to have breached the PSED, unless it can show that the policy was adopted for a proper purpose and the fact that this results in a breach of the Duty is proportionate as a means of achieving that purpose”.

The purpose of the proposed amendment was in order to mitigate the potential consequence that this policy could have on existing Warwick District Council tenants. It was considered that some tenants who were under occupying may not be encouraged to downsize if the rent levels of the smaller property would be similar to, or indeed more than, the larger property that they were “under-occupying”.

Analysis of a sample of transfers that were carried out in 2013/14 was conducted which showed that none of the tenants who transferred would have been disadvantaged under the proposed policy. Therefore, the legal advice was that there were not sufficient grounds to demonstrate that adopting the proposed amendment, which could potentially breach the PSED, was a proportionate act to achieve its purpose.

The report before the Executive detailed the policy framework, the budgetary framework and risks associated with the various options and the recommendations.

Three alternative options were considered. The first was not to attempt to reach convergence (do nothing). The Council could choose not to increase the rent when a property became void, and effectively keep rents below formula rent. This would mean rents always remained below the normal level of social rents. This would significantly reduce Business Plan resources, by approximately £180m over 50 years, decreasing the projected number of new homes that could be built by 620. In addition, this would also result in the Council acting against the Government Guidance for social rent setting which strongly encouraged Local Authorities to reach convergence through the movement of rent to the capped formula (target) rent at void stage.

The second alternative option was to attempt to reach convergence but exclude existing tenants from the policy. This option had been considered but, as set out in paragraphs 3.7 to 3.12 of the report, it was likely that such a policy may result in the Council inadvertently breaching the PSED.

The third alternative option would be to attempt to reach convergence through the application of higher rent increases in future. The Council currently had the legal power to set its rents at any level it may determine, subject to a requirement to act reasonably, and could therefore choose to apply rent increases higher than CPI + 1% in future years to move all rents towards formula rent through annual rent increases. This could be achieved by using the previous rent restructuring formula (RPI + 0.5% + up to £2), or any other

formula which the Council deemed reasonable. However setting rent increases higher than the proposed national policy was likely to be challenged by tenants and other interested parties. Additionally, the Council may have to repay a proportion of rental income under Rent Rebate Subsidy Limitation, or be otherwise penalised by any mechanism Central Government may introduce in future to discourage non-compliance with central rent policy.

The Finance & Audit Scrutiny Committee supported the recommendations but had concerns that this could dis-incentivise people to downsize. Members noted the access to a Tenants Incentive Grant Scheme and welcomed the forthcoming review.

Members noted the impact of the previous decision on the Business Plan and appreciated the loss of revenue if these recommendations were not agreed. However, some Members felt that a more flexible, case by case approach was needed.

Councillor Barrott thanked officers for working on this. He was not personally happy with dis-incentivising people but had listened to reasoning and advice and recognised the need for a flexible approach.

Councillor Vincett thanked the Finance & Audit Scrutiny Committee for its comments, recognised Members concerns and accepted the comment about flexibility. He agreed to keep a watching brief and would identify any reticence to downsize if possible. Councillor Vincett also agreed to discuss with officers concerns which Councillor Boad had raised in respect of the second point under paragraph 3.11 of the report, part of which he felt was irrelevant.

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

Recommend that:

- (1) all void properties (including where a Warwick District Council (WDC) tenant transfers to such), are moved to capped formula ('target') social rent when re-let with immediate effect or as soon as practicably possible; and
- (2) it is noted that adoption of this policy will increase income to the Housing Business Plan by approximately £180m over 50 years, equivalent to approximately 620 new homes compared to making no attempt to reach convergence.

Part 2

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

5. Procurement of Services from the Voluntary and Community Sector 2015 - 2018

The Executive considered a report from the Deputy Chief Executive (AJ) and Corporate and Community Services which summarised the progress made by the cross party Member Grant Review Panel in developing a revised framework

and set of commissioning priorities for procuring voluntary and community sector services for the period 2015 – 2018.

The report provided some background and context in respect to the change from allocation of grants on an annual basis to the commissioning of services over a 3 year period and outlined the learning and outcomes two years into the current contract arrangements.

The report explained the rationale behind the development of the proposed priorities and outlined the consultation that had taken place to inform the process.

It also explained the requirement for a policy for dealing with emergency one-off funding requests from the voluntary and community sector.

In 2010/11 the Member Grant Review Panel, supported by officers in the Community Partnership Team, went through a detailed options appraisal process to consider how the Council would allocate future funding to the voluntary and community sector.

The decision was made to move away from the allocation of annual grants to voluntary and community sector organisations and to put in place a three year contract agreement whereby the sector would be invited to tender for delivery of a range services based on an agreed set of priorities.

The Panel agreed that the priorities would be based on and around the cross cutting themes of the Districts' Sustainable Community Strategy: engaging and strengthening communities; narrowing the gaps/families at risk; and targeting resources to the areas of greatest need.

The voluntary and community sector organisations were required to demonstrate how they would deliver against a range of priorities and agreed outcomes.

The Panel chose to include the 'super output' areas of Brunswick, Crown and West Warwick wards for specific service interventions to tackle the complex problems in the most socially deprived parts of these communities. In addition to these geographic specific elements of the contract specifications were district-wide service requirements to address financial inclusion, community cohesion and engagement and third sector support and volunteering. This resulted in a comprehensive package of funding to which the VCS could apply for via clear and transparent processes against a specific set of priorities.

Having had these recommendations approved by Executive, the Grants Review Panel then embarked on developing detailed arrangements for commissioning of services and the formulation of robust monitoring and review processes. The contracts were awarded in December 2011 and delivery commenced on 1 April 2012. A summary of the existing contracts was detailed in Appendix 1 of the report.

Two years into the delivery of the current contracts the Grants Review Panel started planning for the next round of commissioning for 2015 – 2018. This process involved assessing community needs and key issues, reviewing existing service provision i.e. learning from the current contracts and considering

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requirements of the Council's relevant service areas and then deciding on priorities. The Panel took a number of information strands into consideration and these were set out in paragraphs 3.7 and 3.8 of the report.

The Panel wished to continue to target resources to Crown, Brunswick and West Warwick, to factor in pockets identified by the Warwick Social Inclusion Index and to fund district wide services where appropriate.

Rather than continuing to use the Sustainable Community Strategy (SCS) in isolation as a framework, the Panel suggested adopting three of the seven Social Inclusion Index themes which supported the themes of the SCS and underpinned the Council's outward looking element of the Fit for the Future programme of work.

The three themes were Children and Young people; Income and the Labour Market; and Health and Wellbeing. Health and Wellbeing was an important theme due to its wider impact on individuals and communities as a whole. The link between health outcomes and measures of deprivation was widely recognised. Children & Young People and Income & the Labour Market were strongly interrelated and figured highly in terms of social exclusion in Lillington, Brunswick, Kingsway, Sydenham West and Packmores.

The continuation of Third Sector Support as the fourth commissioning priority theme was considered critical to develop volunteering, support smaller community groups and the higher functioning community hubs e.g. Sydni, The Gap, Healthy Living Centre, building capacity, helping with governance/constitutions, up-skilling people, and supporting the development of larger funding bids.

It was being requested by the Grant Review Panel that the Executive approved amendments to the Scheme of Delegation to enable faster decision making relating to:

- Operational management of existing agreements with the voluntary and community sector
- Agreement on the new service specifications for the tendering of the new contracts
- Awarding of the new service level agreements for 2015 – 2018
- Awarding of any emergency funding as referred to in paragraph 3.15 of the report.

Delegating authority to the Deputy Chief Executive (AJ), in consultation with the Head of Finance and the Deputy Leader to draw down funds from the Council's contingency budget, would ensure that the strict procurement deadlines were met and allow voluntary and community organisations enough time to work with the Council to start new services or de-commission existing ones.

With cuts being made to some grant pots held by public bodies, it was getting harder for voluntary and community sector groups to secure funding to cover their running costs. In light of this and following a number of requests during 2013/14, the Grant Review Panel felt that WDC should have a formal process in place to deal with any future applications for grants allocated from the Council's contingency budget.

The Council's Procurement team had drafted a policy (Appendix 3) for the Executive's consideration and approval. The policy for managing emergency funding applications from groups included a checklist of funding avenues explored by applicants, details of the group's reserves, evidence of alignment to the Council's priorities, requirements to feed back on progress and impact, and acknowledgement that awards would only be considered as the last port of call when all other possible funding options had been exhausted by the applicant.

The Grant Review Panel would consider any applications under this agreed process and make recommendations to the Deputy Chief Executive who, if agreed, would have the decision making authority following amendments to the Scheme of Delegation as referred to in point 3.14 of the report.

The Equality Impact Assessment (EIA) on the development of commissioning priorities was set out in Appendix 4 of the report. The EIA stipulated that 'the commissioning process is open and transparent to ensure that all groups are treated fairly'.

Current contracts, in accordance with the terms and conditions of the service level agreements, would terminate on 31st March 2015. The organisations and consortiums who were delivering services currently would, most likely, apply in the next round. However, the priority for the Council would be to commission organisations who could demonstrate that they could effectively and efficiently deliver the services that were designed to support the new priorities.

Members noted that the Council was delivering a programme of training and support in the lead up to the tendering window for all voluntary and community organisations who expressed an interest in bidding.

There were no alternative options to be considered.

The Overview and Scrutiny Committee recommend that the wording near the end of recommendation 2.2 be amended to say: "...geographical areas of Crown, Brunswick and West Warwick and to support more district wide activity factoring in some of the issues highlighted by the new Social Inclusion Index."

Councillor Mrs Falp explained that there had been quite a bit of discussion at the Scrutiny Committee, partly as a result of the report's complexity and an element of confusion over the different indicators it referred to. The Committee had ultimately agreed that the recommendations needed more clarity and had therefore put forward two recommendations.

Councillor Boad added that the report lacked details of timings, when the voluntary sector would receive documentation and made no reference to a training event taking place in July. He expressed a desire to see a paper setting out a more visionary approach targeted at areas such as young people and incubator businesses, in order to add value to the Council's work. Councillor Boad also suggested that money should be ring fenced for jobs clubs activities.

Councillor Hammon responded that it would be wrong to ring fence money exclusively for job clubs but that a report needed to identify what else the budget could be spent on.

Councillor Caborn explained that he was presenting the report on behalf of Councillor Mrs Grainger and he thanked her for her work. He pointed out the Council's framework for procuring services from the Voluntary and Community Sector was a success story for the Members who had worked on it, the officers who had delivered it and the people who had received funding. The Executive agreed and felt it was important to recognise that this Council was making funding available to organisations in need when other local authorities would be withdrawing such funding.

The Executive agreed the recommendations in the report, with the following amendment to wording as recommended by the Overview & Scrutiny Committee: the end of recommendation 2.2 be amended to read "...geographical areas of Crown, Brunswick and West Warwick and to support more district wide activity factoring in some of the issues highlighted by the new Social Inclusion Index."

In respect of recommendation 2.3, the Executive accepted the spirit of the Scrutiny Committee's recommendation that the words "and this would total £989,100" be added to the end of the sentence, but felt that for clarity the sentence should instead end with the annual figure and the three year figure.

Resolved that:

- (1) Executive approves the revised framework and commissioning priorities for procuring voluntary and community sector services for 2015 – 2018 as depicted in Appendix 2;
- (2) Executive agrees that the funding allocated to the delivery of services by the VCS on behalf of WDC goes to the targeted geographical areas of Crown, Brunswick and West Warwick and to support more district wide activity factoring in some of the issues highlighted by the new Social Inclusion Index;
- (3) Executive agrees to maintain the same level of funding for the three year duration of the contracts;
- (4) Executive agrees to give delegated authority to the Deputy Chief Executive (AJ) in consultation with the Deputy Leader for all future decisions relating to the operational management of existing contract agreements with the VCS, the approval of service specifications for the new contracts for 2015 - 2018 and the awarding of contracts in subsequent rounds of the procurement process;
- (5) Executive approves the process for dealing with emergency funding requests from the voluntary and community sector as set out in Section 3.14 & 3.15

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(Delegation to the DCEX (AJ) and Head of Finance, in consultation with the Deputy Leader) and the application form at Appendix 3; and

- (6) Executive notes the Equality Impact Assessment undertaken in relation to developing the proposed commissioning priorities as set out in Appendix 4.

(The Portfolio Holder for this item was Councillor Mrs Grainger)
(Forward Plan reference number 585)

6. Service Area Plans for 2014/15 & Fit For the Future update

The Executive considered a report from the Deputy Chief Executive (AJ) which brought forward the Service Area Plans (SAPs) for 2014/15. It also provided an update of progress made over the last 12 months on the FFF change programme.

On 8 June 2011 the Executive agreed to use the annual SAPs to describe the work programme for each Service Area over the financial year. Within the SAPs, key projects were detailed along with respective timelines and milestones. The SAPs for each Service Area were contained within appendices A to G of the report, although subject to subsequent Employment Committee approval, the Service Area for Corporate & Community Services would be abolished with the work programme being picked up by other Service Areas. It was anticipated that a new SAP for the Chief Executive's Office would be presented to Members at the next SAP/FFF update.

The SAPs had been cross-checked against the refreshed Sustainable Community Strategy (SCS) by the Senior Management Team and Portfolio Holders to ensure that the Council's work programme was helping to deliver the Strategy's strategic aims and that there were no contradictions or inconsistencies. SCS was a strategy for a number of years and therefore there was no expectation that all the aims could or would be delivered in one year. Specifically, some of the aims were linked to the delivery of the Local Plan, which had yet to be adopted. However, Appendix I detailed new key projects which had been added to highlight the work that would need to take place to ensure successful delivery of the Local Plan following its adoption.

Through monthly briefings, Shadow Portfolio Holders were apprised as to SAP progress and queries and concerns could be addressed on an ongoing basis. However, this report enabled a much broader scope of Council Members to understand the Council's ambitions. The need to ensure that the Council understood its performance was raised through the Peer Challenge and Officers welcomed ideas from Members on what else needed to be put in place – if anything – to respond to this issue. Members noted that the Overview & Scrutiny Committee had invited each of the Portfolio Holders (on a rolling basis) to attend its meeting so that a detailed examination of Service Area progress could take place.

Members had also agreed to receive a twice yearly update on the FFF programme to enable effective scrutiny of the programme's progress. At the time of writing, 83% of the programme had been completed. A summary of programme delivery was set out in Appendix J of the report.

The Executive was asked to approve the projects described in the table at paragraph 3.51 becoming part of the FFF programme, thereby providing further opportunities to address the circa £1m deficit (period 2014-2018). Members were reminded that this was an ever-fluctuating figure due to changes in Service, local and national circumstances.

When adopting the refreshed SCS, Members agreed that the prosperity theme should be "first among equals". Officers recognised that further work was needed to ensure that activities were more acutely focused on this agenda. Therefore four of the six proposed projects were related to increasing the Council's income or ensuring that investment was being attracted to the District. Whilst it was understood that the District could not operate as an island and that its part in the Local Enterprise Partnership and City Deal should encourage inward investment, there were still opportunities to influence decision-making at a local level and the Council needed to get better at doing this.

Over the past three years the Council had experienced a large number of service interventions that had fundamentally changed the shape of the Council. These interventions, based on the principles of systems thinking, had touched every part of the Council's service structure to the point where following the Employment Committee meeting in June, there would only be one functional area (Asset Management) that had not completed its intervention, although it was anticipated that this would be concluded by the end of the financial year. Whilst the series of interventions had been very difficult for staff, they had realised significant savings with very limited impact on service delivery.

The Executive noted that at its July meeting it would receive a review of SAP performance for 2013/14 along with further learning points from the FFF programme.

The option to not continue with the FFF programme in this format was the alternative option. However, as the Council had agreed on its preferred approach to achieving benefits then this was not an option that had been considered.

The major risk to the Council was that the delivery of the FFF change programme was unsuccessful. Successful delivery of the three strands – Money, Service and People – was essential to ensure that the organisation was able to deal with its ongoing challenges. The evidence thus far was that the Council was successfully delivering the programme.

Having considered the report, the Executive agreed the recommendations as written.

Resolved that:

- (1) the Service Area Plans (SAP's) for 2014/15 as detailed at Appendices A to G are agreed and the progress against the key corporate projects and locality improvement plans at appendices H & I is noted; and

- (2) progress on the Fit For the Future (FFF) change programme at Appendix J is noted and the new projects highlighted at 3.51 will become part of that programme to assist with the Council's need to reduce cost/increase income.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan reference number 618)

7. Rural/Urban Capital Improvement Scheme (RUCIS) Application

The Executive considered a report from Finance which provided details of a Rural/Urban Capital Improvement Scheme grant application by Kenilworth Town Football Club to install a new purpose built security fence, complete repairs to the shower block and outside walls of the brick clubhouse and to build a patio area in front of the brick clubhouse to provide disabled and pushchair access and an area for social activities / events.

The Rural and Urban Capital Improvement Scheme supported the Sustainable Community Strategy and the cross cutting themes which formed the priorities for funding areas as follows:-

Community Engagement & Cohesion (including Families at Risk)

Targeting disadvantaged rural locations

Narrowing the Gaps

The Council had only 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.

Members could choose not to approve the grant funding, or to vary the amount awarded.

The Finance & Audit Scrutiny Committee supported the recommendations and advised that, following discussion with the report author, future reports would include details of the latest bank statement from clubs, to avoid confusing old accounts with available funds.

Members were disappointed that Kenilworth Town Council felt unable to support the club financially and noted that Appendix 2 on page 7 should read a maximum contribution of £13,250 not -£31,450.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations as written, subject to the correct figure being instated in Appendix 2.

Resolved that a Rural/Urban Capital Improvement Grant from the Urban cost centre budget for Kenilworth Town FC of 50% of the total project costs to install a new purpose built security fence, complete repairs to the shower block and outside walls of the brick clubhouse and to build a patio area in front of the brick clubhouse to provide disabled and pushchair access and an area for social activities / events, is agreed up to a maximum of £13,250, subject to receipt of the following:

- written confirmation of funding decision from Kenilworth Town Council; if approved, the contribution from Kenilworth Town FC's cash reserves will be reduced accordingly; and
- recent bank account statement(s) confirming end of year balance / cash reserves and 2010/2011 accounts for the Senior Section.

8. Microsoft Support Contract

The Executive considered a report from Corporate and Community Services which advised Members that in February this year ICT tendered for a supplier of helpdesk support services for the Council's critical Microsoft products and associated consultancy services. The report stated that the tender response had been poor with only three suppliers responding. In addition, it had been difficult to obtain references from two suppliers and the third bidder's costs were considered to be too high.

The Council had followed the appropriate procurement procedures but the process had not resulted in a suitable supplier being engaged due to reasons beyond officers' normal control and defined responsibility.

In consultation and agreement with the Procurement Manager, it was proposed that the existing supplier was retained in the interim to ensure continuity of service while the procurement process was reviewed.

The Code of Procurement Practice permitted the above exception provided authority was sought from the Executive in advance.

In the event that a Senior Manager decided that paragraphs 5.1 and 5.2 applied, in the first instance the agreement of the Procurement Manager had to be sought. If the Procurement Manager was still in agreement with the decision then a report had to be submitted to the Executive, in advance of the decision, explaining the circumstances and seeking approval on the course of action.

It was proposed that during the six months that the interim supplier was in place, ICT Services would work with the Procurement Manager to:

- carry out some soft market testing to establish whether there were any frameworks in existence that could be utilised by WDC or any potential new providers in the market.
- see if this requirement could be consolidated with any other service requirements that might make the opportunity more attractive to the market.
- revisit the tender documentation and specification to ensure the requirement was clear, in line with business needs and what the market could offer, and re-advertise with a view to obtaining a better response.

The alternative option was to accept the outcome from the original tendering exercise, but this was unlikely to deliver best value for the Council in terms of cost and quality of support.

The Finance & 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 in accordance with the Code of Procurement Practice section 5.2.2, the ICT Helpdesk Support Service continues with the existing provider BTiNet for a further period of six months to 31 November 2014 so as to ensure continuity of service whilst alternative options for a suitable tender are explored.

9. 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
10 & 13	1	Information relating to an individual
10 & 13	2	Information which is likely to reveal the identity of an individual
11, 12, 14	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

10. Introduction of revised housing management arrangement for tenants of Sheltered Schemes

The recommendations of the report were agreed.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Vincett)
(Forward Plan reference number 616)

(Councillor Mrs Falp left the meeting at the conclusion of this item.)

11. Land off Wise Street, Royal Leamington Spa

The recommendations of the report were agreed.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Hammon)

12. **Council Chamber AV System – Exemption to Code of Procurement Practice**

A decision on the recommendation of the report was delegated to the Chief Executive and Leader of the Council, pending clarification of details.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holders for this item were Councillors Cross, Mrs Gallagher & Mobbs)

13. **Use of Chief Executive's delegated powers**

The recommendations of the report were agreed.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Mobbs)

14. **Minutes**

The confidential minutes of the meeting held on 8 May 2014 were agreed and signed by the Chairman as a correct record.

(The meeting ended at 18.55 pm)