

# Executive

Minutes of the meeting held on Wednesday 1 July 2015 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Mobbs (Chairman); Councillors Coker, Phillips, Shilton and Whiting.

**Also present:** Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Mrs Knight (Labour Group Observer), Councillor Mrs Falp (Whitnash Resident's Association (Independent) Observer) and Councillor Howe (observing).

Apologies for absence were received from Councillors Cross, Mrs Gallagher and Mrs Grainger.

## 3. **Declarations of interest**

### Minute Number 12 – Request for Funding for Improvements to King George's Playing Field at Barford

Councillor Barrott declared an interest because he was a resident of the village and a Trustee of a charity that had previously contributed to the scheme.

## 4. **Minutes**

The minutes of the meetings held on 11 March and 9 April 2015 were agreed as written and signed by the Chairman as a correct record.

### **Part 1**

(Items on which a decision by Council is required)

## 5. **Housing Allocations Policy Review**

The Executive considered a report from Housing and Property Services which proposed a number of changes to the policy that the Council used for the allocation of housing in its own stock and for putting forward potential tenants to housing associations.

The changes were proposed in order to update the policy in line with recent changes in legislation and central Government guidance.

The report explained that the current Homechoice Allocation Scheme had been adopted in 2008. Since that date there had been several changes in central Government guidance in this area of policy and the introduction of the Localism Act had given the Council some additional discretion. The proposed amendments were intended to respond to this changed framework.

There would be a number of operational and IT changes required in order to implement the proposals and a reasonable timescale needed to be allowed for the new system to be put in place. Therefore, the report proposed that the revised policy would take effect from 1 April 2016 and the changes were set out in Appendix 2 to the report. A copy of the current Homechoice Allocation Scheme was attached at Appendix 1 to the report.

A summary of the proposed changes was laid out in section 8.3 of the report and covered a "transfer list" for council and housing association tenants, qualification criteria, prioritisation and property eligibility.

The proposals represented a significant change in policy and it was therefore recommended that the operation of the new system be reviewed after the first twelve months of operation.

An alternative option was to make no changes at all to the allocations policy. However, some of the changes were a response to central Government guidance, (to which the Authority was required to have regard) and failure to address these could increase the risks of legal challenge to the policy. Furthermore, the discretionary changes proposed were intended to improve the operation of the policy and provide greater choice for tenants and they had been consulted upon widely and received broad support.

The Overview & Scrutiny Committee noted the report.

The Portfolio Holder for Housing and Property Services, Councillor Phillips, endorsed the report and hoped that the revised policy would help better match tenants with available housing stock. In addition, he reminded Members that the policy would be implemented in April 2016.

The Executive therefore

**Recommended** to Council that

- (1) the changes set out in Appendix Two of this report be made to the Homechoice Allocation Scheme;
- (2) the revised policy will take effect from 1 April 2016;
- (3) a review of the operation of the new policy will be undertaken in April 2017.

(The Portfolio Holder for this item was Councillor Phillips)  
(Forward Plan reference 607)

## **Part 2**

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

### **6. Review of the Contaminated Land Inspection Strategy**

The Executive considered a report from Health and Community Protection which invited them to adopt an updated Contaminated Land Inspection Strategy which would replace the original document published in 2001.

According to the Constitution, any decision on a function relating to contaminated land must be taken by the Executive.

The report explained that regulations under part 2A of the Environmental Protection Act 1990, required local authorities to produce a strategy to identify, inspect and remediate contaminated land within their area. The original strategy was adopted in 2001 and fairly lengthy. As a result, Internal Audit felt it could be shortened by focussing on the current approach and following an essential responsive regime linked to the planning process. This approach was adopted in 2011.

A number of external consultees were approached along with the Head of Development Services, whose comments had been incorporated into the new document.

The report advised that there were approximately 150 sites across the District which had been identified as potentially contaminated but none had been prioritised as posing a significant risk to public health. It was therefore considered that all these sites could be reviewed as they came forward for re-development.

No alternative options had been proposed because the new strategy reflected current good practice amongst other local authorities who had already updating theirs and given the Internal Audit report.

The Deputy Leader, Councillor Coker, endorsed the report and proposed the recommendations as laid out.

The Executive therefore

**Resolved** that the updated Contaminated Land Inspection Strategy as contained in Annex 1 to the report, be adopted.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference 702)

### **7. St Michael's Leper Hospital Contract and Bond**

The Executive considered a report from the Deputy Chief Executive (AJ) which asked Members to release Coventry Turned Parts Limited (CTPL) and HSBC Bank PLC from a Bond entered into by the aforementioned parties and Warwick District Council (WDC) which was agreed following a

contract between CTPL and WDC. However, the contract could not be traced by either party so there was no understanding as to the precise terms of that contract.

The report advised that the Bond was only to be held whilst "refurbishment and redevelopment of the buildings and land known as The Leper Hospital Site Saltisford Warwick" took place and this work did not happen. In addition, Members were advised that there would be no loss suffered by the Council in releasing CTPL and HSBC from the Bond.

Following Executive approval on 18 April 2012, officers had been working with various stakeholders, consultants and the landowner to determine whether there was a viable and sustainable future for The Leper Hospital site and the two buildings known as Master's House and St Michael's Chapel which sat on the land. English Heritage had 80% grant funded work to produce a comprehensive specification with drawings to facilitate the repair of the Master's House to make it structurally stable and weatherproof.

The Council had no legal or equitable interest in the site but as a community leader it did wish to see the site brought back into use as it was a historically significant landmark which was currently an eyesore.

The report advised that the planning history of the site was long and varied but it appeared that an application made in November 2004 (W04/2132) and granted on 1 February 2007, led to discussions between the applicant and the erstwhile Head of Planning & Engineering, whereby a contract was entered into between CTPL (the landowner) and WDC.

Regrettably, the substance of that contract was unknown. Despite extensive searches, it could not be located and the officer who led on the creation of the contract has long since retired. The former-employee had been contacted but was unable to recall the detail of the contract. Neither could the contract be traced at CTPL.

What could be established from an e-mail on the planning history was that the contract required WDC's planning officers to be satisfied with the scheme envisaged by the planning application. However, the plans never moved to scheme development.

Officers had no understanding as to why a contract was agreed in the first instance. WDC had no interest in the land; did not provide a grant to the company to help with the proposed development; and there was no reference to any obligation to be entered into in the planning approval. However, as a consequence of the contract a Bond was entered into whereby a sum of £125,000 jointly and severally bound CTPL and HSBC bank "to cover the cost of carrying out the terms of the contract".

It would seem that the Bond was put in place to cover the cost of refurbishment and redevelopment of the site's buildings and that if the work was not completed to the satisfaction of the Council's officers then the Bond would need to be paid to WDC.

CTPL had approached the Council to see if it would release the company from the Bond as it wanted to change its banking arrangements but could not do this whilst HSBC was still jointly and severally liable under the terms of the Bond. The Deputy Chief Executive (AJ) had spoken with the bank's representative and had confirmed this was the position and it did not hold a copy of the contract either.

Officers had worked very closely with the landowner and his representative over the last three years and there was no reason to believe that there was any bad faith being displayed and so consequently it was recommended that WDC's legal officers were instructed to agree with the relevant parties for release from the Bond.

An alternative option was not to agree the release but given the circumstances and risks involved this was not proposed as a reasonable way forward.

The Whitnash Residents' Association (Independent) Group observer, Councillor Mrs Falp felt that the building had fallen into disrepair and welcomed any renovation opportunity.

The Deputy Leader, Councillor Coker supported the recommendations in the report and the Executive

**Resolved** that Coventry Turned Parts Limited and HSBC Bank PLC are released from a Bond (see attached at Appendix A and dated ??/??/2005 - actual date unknown) with Warwick District Council (WDC) in respect of The Leper Hospital Site, Saltisford, Warwick and that the terms of the release be delegated to Deputy Chief Executive (AJ) in consultation with Warwickshire County Council (WCC) legal services.

(The Portfolio Holder for this item was Councillor Mrs Gallagher)  
(Forward Plan reference 703)

## 8. **Authority to Sign Deeds of Easement**

The Executive considered a report from Health and Community Protection which sought delegated authority for officers to sign deeds of easement with the respective landowners in order to protect the Cubbington Flood Alleviation Scheme.

Work on the Cubbington Flood Alleviation Scheme had been completed. The scheme was funded by a £1.2million grant from the Environment Agency together with £100,000 from Warwick District Council and £5,000 from Cubbington Parish Council. The project had seen the construction of a large underground culvert to take water from a catchment area above Mill Lane in the village and to discharge into the Pingle Brook adjacent to Thwaites factory. It would now become the responsibility of this Council to maintain it.

To protect the Council's interests and ensure the effective operation of the scheme, deeds of easement were considered necessary. This would allow the Council ready access for maintenance and also ensure the land immediately above the culvert was protected from development. An easement width of 10 metres (5 metres each side of the culvert line) was proposed and Warwickshire Legal Services had drafted the documents which had now been agreed with the respective landowners – Sir Thomas White Charity and Thwaites Ltd.

The Council's solicitors advised that there was no delegated authority to officers in relation to easements over private land and therefore Executive approval was required before they could formally be signed and registered.

An alternative option was that authority was not delegated, however, without a deed of easement, there would be no formal provision for emergency access and no protection from future development immediately above the site. By delegating authority to the Head of Health and Community Protection, each time access was required to private land for routine maintenance and repair, it could be achieved through the service of notices seven days beforehand.

The Deputy Leader, Councillor Coker explained that this issue needed addressing following the creation of the Cubbington Flood Alleviation Scheme and would enable officers to access the land straight away.

The recommendations were proposed as laid out and the Executive

**Resolved** that authority be delegated to the Head of Health and Community Protection to sign and register deeds of easement with the respective landowners in order to protect the Cubbington Flood Alleviation Scheme.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference 704)

9. **The Introduction of a Pre-application Charging Regime for development proposals**

The Executive considered a report from Development Services which sought authority to proceed with the implementation of a regime which introduced financial charges for the provision of pre-application planning advice, following the consideration of the consultation responses received from key external stakeholders.

The report explained that pre-application advice was increasingly becoming a key element in the provision of a rounded and effective development management service. Unlike many other Local Planning Authorities across the sub-region Warwick District Council had resisted the introduction of a similar regime,

due to concerns about the extent to which potential users may be discouraged by the requirement to pay for such a service.

It was widely acknowledged that the benefits of effective pre-application services were generally welcomed within the development industry and that developers were willing to pay for that service, subject to it being provided in a timely and transparent manner.

The report, therefore, proposed a pre-application service incorporating a charging regime and this was attached at Appendix 2 to the report. Key stakeholders had been consulted as part of the process and a summary of the responses received, with any revisions included as a result of the consultation highlighted, were included in Appendix 1.

The successful provision of the service carried with it a need to increase resourcing within the Development Management Team by 1 x FTE Planning Officer. The total cost of the post including overheads was approximately £40,000 per year, which was proposed to be funded from the income received, with any shortfall provided from the Planning Reserve.

The report highlighted the risk that the introduction of a charge for pre-application advice would result in a reduction in the level of demand for that service, which in turn would impact upon the level of income derived from that service.

Consideration had been given to the additional resourcing of the service without the introduction of a pre-application charging regime. However, in view of the annual cost of approximately £40,000 involved; the current financial climate including the need to make ongoing savings; and the potential opportunity for introducing a self-financing initiative, at this stage this had been discounted.

The Finance & Audit Scrutiny Committee supported the recommendations in the report, however, Members had concerns about the wording of the exemptions paragraph at the bottom of page 9. Members suggested that that discretion could be used when dealing with some of the larger charitable organisations and the final reference to the LEP should read 'or' not 'and'. It was also hoped that listed buildings and heritage assets would be identified as an exemption.

The recruitment of agency staff to the Planning Officer vacancy was supported on this occasion to afford some protection to the Planning Reserve.

In addition, it was suggested that interim, quarterly reports could be submitted to measure take up of the service.

The Finance and Audit Scrutiny therefore formally recommended that the Executive make the following amendments to the recommendations:

2.1 ii) to include an additional FTE Senior Planning Officer **by flexible recruitment**; and

2.1 iii) to review the operation of the regime on a quarterly basis.

The Overview & Scrutiny Committee agreed to have a report back, to them, six months after introduction of the scheme, on how it was operating. However it had no comments on the report at this stage.

In response, the Executive took the comments on board and suggested that when the regime was formalised, officers could emphasise the Council's support of small, local charities. It was proposed that Appendix 2 could be reviewed by officers in consultation with the Portfolio Holder to address the discrepancies relating to the concessions section.

Councillor Mobbs suggested that the regime may like to focus on who the applicants were and not what the development was.

There was some disagreement between Members as to how to staff the vacancy. Some felt this should be done through an agency but were mindful that this was not an ideal solution. Alternatively, some felt that it was necessary to assess the success of the scheme before filling the vacancy. Following advice from officers, it was accepted that the department was unable to staff the regime with its existing resources.

Members were satisfied that with the reduction to the time period in recommendation 2.1 i) of the report to 12 months; the Chief Executive would be able to intervene using delegated powers, should the need to end the contract prematurely, arise.

In addition, Members agreed that a review of the regime was needed earlier than 12 months, and as a compromise between the suggestions of the two scrutiny committees, proposed that this be in six months time. The scrutiny committees would also be encouraged to include this in their workplans on a quarterly basis thereafter.

The Executive therefore agreed to amend the wording of recommendations 2.1 i) and 2.1 iii) and

**Resolved** that

- (1) authority is delegated to officers, in conjunction with the Portfolio Holder to plan and introduce an appropriate pre-application charging regime to be undertaken for an initial period of 12 months;
- (2) officers are authorised to fund any shortfall of the initial resourcing of this proposal (arising from the level of income received) to provide the equivalent of an additional FTE Senior



Planning Officer over that period from the Planning Reserve;

- (3) officers are authorised, in consultation with the Development Services Portfolio Holder and the Leader of the Council, to review the operation of that regime after 6 months, and quarterly thereafter, by both scrutiny committees, to determine whether to permanently retain it in its existing or a modified form, or whether to discontinue its operation.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference 708)

#### **10. Funding for Bishop's Tachbrook Community Centre**

The Executive considered a report from the Chief Executive which sought a decision to agree a submitted business plan to provide funding and to underwrite other funding in order to allow the construction of a community centre in Bishop's Tachbrook village to proceed. The report also sought to address other concerns that had been raised by some members of the local community.

The report advised that in November 2014 the Executive had agreed the following request for funding:

That the Executive determines whether it wishes to meet the request of St Chad's Trust with the support of Bishop's Tachbrook Parish Council to provide £300,000 of funding and to underwrite a further £150,000 in order to allow the construction of a community centre in the village of Bishop's Tachbrook.

The report included a list of reasons why the above recommendation was agreed and these were outlined in Appendix 1 to the report.

There were two reasons why the agreed delegation had not been carried through. Firstly, since November the Parish Council had agreed to all the conditions and a number of iterations of the business plan had been submitted and its most recent iteration was attached at Appendix 2 to the report. Officers were still scrutinising that version and there were issues that were still to be resolved or clarified.

Working with the representatives of the St Chad's Trust, the proposed builder had agreed to hold his estimate for the works, so reducing one of the risks of delaying the release of monies toward the scheme. However, some grant applications to a value of £100,000 had been made but were still to be determined, and so the previous condition of requiring all decisions to be made on grant applications before the Council released any of its money was suggested to be relaxed. This would allow construction to begin this summer and offset the risk that the contract value currently agreed may expire and inevitably increase.

An alternative option was that Members could choose not to support the funding request in which case it may be some time before the local community could raise enough funds to build the community centre.

The Finance & Audit Scrutiny Committee supported the recommendations in the report. Members did raise concerns about funding aspects, the information still being awaited on the Business Plan and appreciated the timing issues relating to the building contractor.

The Portfolio Holder for Finance, Councillor Whiting, addressed Members and reminded them that this had been a long running issue. He assured them that any financing would consist of phased funding and the Council would not be handing over the full amount all at once. He agreed that work was still required on the business plan and highlighted the risks outlined in paragraph 6.2 of the report.

**Resolved** that

- (1) authority is delegated to the Chief Executive, Heads of Finance and Health/Community Protection, in consultation with the Portfolio Holders of Finance and Health/Community Protection, to determine the submitted business plan ensuring and detailing how the future running costs will be met and how genuine community access is ensured, whilst adhering to the following details, agreed at the 5 November 2014 Executive meeting:
  - The funding is made available from the New Homes Bonus Scheme award received in 2015/16 and that no more than the requested will be forthcoming in the event of any cost overrun;
  - The funding is only available for 24 months (from the date of this Executive) before being drawn down in whole;
  - Payments are only to be made on supply of verified invoices of work in proportion to Council/overall funding;
  - the current RUCIS funding commitment to the scheme of 27% of the overall project costs up to a maximum of £50,000, is withdrawn and returned to the RUCIS pot;
  - The funding from this Council is only approved once it is agreed by the Parish Council and St Chad's Trust that public acknowledgement of the Council's support for the scheme is given in publicity about the scheme at all stages;
  - The funding is approved only when a full acceptable Business Plan for the centre is

received, detailing how the future running costs will be met and how genuine community access is ensured;

- (2) upon the business plan being agreed as provided for above, the Council makes £300,000 available for the Community Centre as a grant and that the underwriting of £150,000 is also made available in lieu of impending grant applications to allow construction to begin this summer;
- (3) following the completion of the community centre building, the St Chad's Trust submit to the District Council an annual report on financial and community usage performance for 3 years. The report should be reported to a Council Scrutiny Committee to monitor that the intent of the business plan and its delivery is being met. This is a condition of giving the grant in 2.2 above.
- (4) the issues raised by members of the community and the responses to these be noted.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan reference 709)

## **11. Warwick Town Centre Action Plan**

The Executive considered a report from Development Services which detailed the results of the 'Options and Preferred Options' Consultation and requested approval for the cessation of work on the Warwick Town Centre Area Action Plan.

Area Action Plans were introduced in 2004 as part of the Local Development Framework by the Planning and Compulsory Purchase Act. The Framework replaced Structure Plans, Local Plans and Unitary Development Plans in an attempt to speed up the adoption of development plans across all local authority areas.

Work on the Warwick Town Centre Area Action Plan had been held in abeyance since it could not proceed until the Warwick District Local Plan had been adopted.

This work ceased in 2013 and events had overtaken the proposals put forward through the Plan process, including the development of many of the sites which were considered through the Plan.

The remaining work to complete the Plan would be in writing policies. The Local Plan, which was at an advanced stage, contained all the policies

needed for the town centres within the district. In spite of a setback to the programme for the Local Plan, these policies would be taken into account when planning applications were considered, along with those saved in the previous Plan.

Additional work and resources spent on a Plan which was clearly now outdated would seem wasteful, especially when an application for a Neighbourhood Plan Area designation was expected from Warwick Town Council in the near future; this now being a more appropriate vehicle to carry town centre proposals through and met the objectives of the Localism Act 2011.

The Council could carry on with the production of the Warwick Town Centre Area Action Plan but this did not seem to present a sustainable use of time and resources given the stage reached by proposals for the majority of the sites and the progress at examination of the Local Plan.

Additionally, there were indications that Warwick Town Council was preparing to submit the area for designation for Neighbourhood Plan status. If this was the case, the Neighbourhood Plan would quickly outdate the Area Action Plan and although it would not have the same status, the Local Plan assured that town centre policies were put in place to control and develop that area. A Neighbourhood Plan was therefore considered to be the preferable approach at this stage, supporting the objectives of the Localism Act 2011.

Having considered the recommendations in the report, the Executive

**Resolved** that

- (1) the results of the 'Options and Preferred Options' Consultation are noted; and
- (2) the cessation of work on the Warwick Town Centre Area Action Plan is approved.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference 653)

**12. Request for funding for improvements to King George's Playing Fields at Barford**

The Executive considered a report from the Chief Executive which set out a proposal developed by the local community within the joint parish of Barford, Wasperton and Sherbourne for improvements to the King George Playing Fields in Barford village. The report sought a decision from the Council to fund the remaining gap of £96,000 which would allow a contract to be entered into allowing for the completion of the works by the end of the year (2015). The proposal was set out in Appendix 1 to the report.

The funding could be provided by advancing money that was due to be forthcoming to the Council via a Section 106 agreement tied to a development in Barford of 60 homes, and by allocation of New Homes Bonus Scheme (NHBS) money also to be generated from the development in Barford. This approach was consistent with national policy about the purpose of NHBS and this Council's own policy of reinvesting in the communities that had accepted development.

The report recognised in the Council's Playing Field Pitch Strategy that the King George's playing fields in Barford were in need of improvement and that the Section 106 money should go to that location. The payment of the S106 monies was dictated by the speed of construction of the new homes rather than a calendar date and therefore it was uncertain when the payment would be made.

However, the Council could advance that sum from reserves to the Parish Council, knowing that in a relatively short space of time it would be made up by the S106 monies owed, with little impairment.

An alternative option was that the Council had the option of putting no further funding into the scheme. The consequence of this would be a delay to the scheme which in turn may lose the scheme some of its existing funding. Given that the funding the Council could put forward was in effect 'forward funding', it should be able to make good the impact on its reserves in a short period of time and allow significant community benefit to be realised. Therefore, this option was not recommended.

The Finance & Audit Scrutiny Committee supported the recommendations with an amendment to the figure in bullet point 2 of recommendation 2.1 – this should read £81,000 not £71,000, & the subsequent changes to paragraphs 3.4 & 5.3 of the report.

Having read the report and subject to the amendments to the figures detailed above, the Executive

**Resolved that**

- (1) the scheme set out in Appendix 1 to the report is supported; the extent of public involvement and fund raising is noted and, the necessary sum will be funded by:
  - forward funding £85,000 from reserves against a provision of £85,000 that is due via a S106 agreement for the development of 60 homes in Barford (noting that the parish council has accounted for £40,000 of this as having been received but has not);
  - forward fund £81,000 from reserves against an expected sum of £403,000 over six years of this Council's share of New Homes Bonus

Scheme money to be generated by the development of 60 homes in Barford.

- (2) the existing commitment of £30,000 from the Council's RUCIS scheme is withdrawn and returned to be used elsewhere.

(The Portfolio Holder for this item were Councillors Cross, Mrs Gallagher, Mrs Grainger, Shilton and Whiting)

### 13. **Housing Advisory Group – Terms of Reference**

The Executive considered a report from the Democratic Services Manager and Deputy Monitoring Officer which informed the Executive of an urgent decision taken by the Chief Executive to increase the size of Housing Advisory Group by one Warwick District Councillor so that it was politically proportionate to the Council.

The Terms of Reference for the Housing Advisory Group had been approved by the Executive in March 2015 and proposed a membership of the Group as ten Warwick District Councillors.

Following the Warwick District Council election, ten members did not truly reflect the political proportionality of the Council and would exclude one of the recognised Political Groups on the Council from the Housing Advisory Group.

A notice of Motion was received from Councillors, Mobbs, Illingworth, Boad, Mrs Gallagher, Gifford, Shilton, Mrs Cain, Howe, Cain and Mrs Stevens. The Notice of Motion stated:

*"That, we the undersigned Councillors, ask the Executive to amend the membership of the Housing Advisory Group so that it comprises of 11 Councillors allocated by the Group Leaders on a proportionate basis (including the Portfolio Holder)"*

The Executive was not due to meet to consider formal business until 1 July and officers were keen to get the new Housing Advisory Group up and running as soon as possible. It was for this reason that the Chief Executive looked to take this as an urgent decision. He consulted with Group Leaders on the proposal and no objection was received.

No alternative options were proposed because the decision had already been taken and the report was for information only.

**Resolved** that the urgent decision taken by the Chief Executive, on 4 June 2015, under delegated authority CE(4), to amend the Housing Advisory Group Terms of Reference, from 10 Warwick District Councillors to 11 Warwick District Councillors, is noted.

(The Portfolio Holder for this item was Councillor Mobbs)

**14. 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 Cubbington Village Hall to renovate and extend the hall to achieve a more substantial, safe, warm and welcoming building which would enable more usage all-year round and require less maintenance.

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 report advised that Cubbington Village Hall had submitted a RUCIS application to renovate and extend the hall and section 8.1 of the report provided a breakdown of the various works being proposed. The application was for 50% of the total project costs up to a maximum of £7,640.

The village hall had previously had a successful RUCIS application but met the criteria whereby an organisation had to wait for a minimum of two years before re-applying for a new grant.

The report therefore recommended that the Executive approve an award of a Rural/Urban Capital Improvement grant to Cubbington Village Hall of 50% of the total cost of the project including VAT subject to a maximum of £7,640.

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.

Having considered the recommendations in the report, the Executive

**Resolved** that a Rural/Urban Capital Improvement Grant from the rural cost centre budget for Cubbington Village Hall of 50% of the total project costs to renovate and extend the hall, is agreed up to a maximum of £7,640 inclusive of VAT.

(The Portfolio Holder for this item was Councillor Whiting)

**15. Baginton, Bubbenhall, Stoneleigh & Ashow Neighbourhood Plan Designation**

The Executive considered a report from Development Services which set out the process for the formal designation of a new neighbourhood plan area. This neighbourhood plan area related to the parishes of Baginton,

Bubbenhall, Stoneleigh and Ashow. This joint parish plan area would replace the previously approved neighbourhood plan area for Stoneleigh and Ashow, refused by Executive on 5 November 2014 but replaced and approved as a revised neighbourhood plan boundary at that meeting, conforming to the new parish boundaries approved by the Boundary Commission in January this year.

Nine Neighbourhood Plan Areas had been designated to date and these were detailed in paragraph 3.1 of the report.

A joint application had been received from Baginton, Bubbenhall, Stoneleigh and Ashow Parish Councils dated 21 November 2014 in accordance with the Town and County Planning England: Neighbourhood Planning (England) Regulations 2012 and under the statutory regime for neighbourhood planning, introduced by the Localism Act 2011.

The report advised that a public consultation was held for a period of six weeks, ending on 27 March 2015. A total of seven comments were received; three were in favour and one against with three being mixed responses. The objections received were against the inclusion of Stoneleigh Park in the Neighbourhood Plan Area; considering instead that it should be designated a 'business area'.

An alternative option was that the Executive could decide not to designate this new neighbourhood area, but this would leave a designated area inconsistent with new parish boundaries and would not allow these four parishes to work together as they wished, which would be contrary to the spirit of the Localism Act 2011.

The request to remove Stoneleigh Park and Coventry Airport from the designation area because they were business areas could be considered and these parts of the parishes could be excluded. However, National Guidance stated that when designating a neighbourhood area a local planning authority should not make assumptions about the neighbourhood plan or order that will emerge from developing, testing and consulting upon the draft plan.

Having considered the recommendations in the report, the Executive

**Resolved** that

- (1) the designation of the new neighbourhood plan area as submitted in the joint application by the parishes of Baginton, Bubbenhall, Stoneleigh and Ashow attached at Appendix 1 to the report, is approved, having regard to the representations made and replacing the previously designated Stoneleigh and Ashow neighbourhood plan area;
- (2) the funding available from the Department for Communities and Local Government for the



financial year 2015/16 as set out in the Budgetary Framework section of this report, is noted.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference 693)

## 16. **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
18	1	Information relating to an Individual
18	2	Information which is likely to reveal the identity of an individual
17 & 18	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full minute for the following items would be set out in the confidential minutes of the meeting.

### **Part 1**

(Items on which a decision by Council is required)

## 17. **Disposal of WDC owned land at Station Approach in Leamington Spa**

The Executive agreed the recommendations as written.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference 692)

### **Part 2**

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

## 18. **Discretionary Relief Application (Council Tax)**

The Executive reached a decision which would be detailed in full in the confidential minutes.

(The Portfolio Holder for this item was Councillor Whiting)

19. **Minutes**

The confidential minutes of the meetings held on 11 March and 9 April 2015 were agreed as written and signed by the Chairman as a correct record.

(The meeting ended at 7:03 pm)