

Minutes 779, 780 and 781 were considered by Council on 23 February 2009.

## **EXECUTIVE**

Minutes of the meeting held on 4 February 2009 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Michael Doody (Chairman); Councillors Mrs Bunker, Caborn, Mrs Grainger, Hammon, Kinson, Kirton, and White.

**ALSO PRESENT:** Councillor Crowther (Labour Group Observer); Councillor Ms De-Lara-Bond (Liberal Democrat Group Observer); Councillor Gifford (Chair of Overview and Scrutiny Committee); and Councillor Mrs Knight (Chair of Audit and Resources Scrutiny Committee).

An apology for absence was received from Councillor Shilton.

### **776. DECLARATIONS OF INTEREST**

#### Minute number 779 Budget 2009/10 and Council Tax – Revenue and Capital

Councillors Caborn, Doody and Kirton all declared a personal interest because they were Warwickshire County Councillors.

#### Minute number 786 Countering the Economic Downturn – Supplementary Report

Councillor Grainger declared a personal interest because she was the Citizen's Advice Bureau representative for Council.

### **777. MINUTES**

The minutes of the meeting held on 3 December and 22 December 2008 having been circulated were taken as read and signed by the Chairman as a correct record.

#### **PART 1**

(Items which a decision by Council is required)

### **778. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE COUNCIL 2009/10**

#### **RECOMMENDED** that

- (1) Councillor Pratt be appointed Chairman of the Council for 2009/2010; and
- (2) Councillor MacKay be appointed Vice-Chairman of the Council for 2009/2010.

## **EXECUTIVE MINUTES (Continued)**

### **779. BUDGET 2009/10 AND COUNCIL TAX – REVENUE AND CAPITAL**

The Executive considered a report from the Section 151 Officer and Head of Finance that reviewed the overall financial position of the Council for 2009/10 onwards, including the General Fund Revenue budget and the Capital Budget.

The recommendations relate to the setting of the level of council tax for 2009/10 and to agree the revenue and capital budgets.

The Council was required to set a budget and council tax each year taking into account the many factors that were set out in section 5 and onwards of the report. These areas were:-

- The revenue and capital budget were being considered together;
- The Council was required to determine an affordable borrowing limit in accordance with The Local Government Act 2004, Section 3, and to agree prudential indicators in accordance with the CIPFA Code for Capital Finance in Local Authorities; and
- The Chief Financial Officer was required to report on the robustness of the estimates made and the adequacy of the proposed financial reserves. (This statement is made at Appendix 2).

The financial strategy and capital strategy were revised in the light of the proposed revenue and capital budgets, and the issues that these budgets addressed.

No specific alternative to the recommendation was made, however the information given would enable members to propose variations to the proposals. The key recommendations on the revenue budget were set out in paragraphs 7.2 and 8.1 of the report, and paragraph 12 for the capital budget.

Members had a duty to consider all possible options. The proposals in the report reflected the Portfolio holder priorities as put to the last Executive and consulted on with the Scrutiny Committees and others.

The Overview and Scrutiny Committee noted the recommendations in the report.

The Audit and Resources Scrutiny Committee reviewed the balances and reserves as requested and were satisfied with this element of the report. Members of the Committee expressed some areas of concern, those being: the high level of payments from the early retirement reserve over recent years; the potential for a continued freeze on members allowances, detracting new potential Members from standing, and; that Building Control might be affected by the number of planning applications and would be faced with competition from less scrupulous operators.

The Audit and Resources Scrutiny Committee also reviewed a suggestion from the Deputy Chief Executive concerning the volatile elements of the budget that they will give special attention to in budget monitoring next year.

The Audit and Resources Scrutiny Committee noted the remainder of the report.

The Chairman of the Executive explained that there were a few amendments to the recommendations in the report that he would propose to enable an informed debate

## **EXECUTIVE MINUTES (Continued)**

at Council and therefore thanked the scrutiny committees for their comments which could be debated in full at Council.

The Chairman of the Executive then proposed the recommendations in the report with the following amendments:

(17) (additional sentence at the end of the recommendation) Subject to both the Police and County Council being prepared to see some of the benefit that they will also receive being directed towards services provided by this Council;

(22) To make an allocation of £4,000 per neighbourhood for each of the eight neighbourhood areas from the contingency fund subject to the County matching this in the spirit of joint partnership; and

(23) To agree a pre-emption of carrying forward of underspend of £24,000 in 2008/09 to 2009/10 in the policy budget. This is in order to fund a systems thinking pilot aimed at both improving customer satisfaction and achieving cost savings.

### **RECOMMENDED** that:

- (1) the 2008/09 Revised General Fund Revenue Estimated net expenditure of £17,523,700 as summarized in Appendix 1 to the report, after taking into account the allocations in paragraph 6.10 of the report. The treatment of any balance upon closure of the accounts to be considered by the Executive in June 2009;
- (2) the changes to the 2009/10 General Fund revenue base budget in paragraph 7.2 of the report, together with the Portfolio holder proposals for savings in paragraph 8.1 of the report be agreed with net expenditure of £17,956,521, as summarised in Appendix 1 (and the formal resolution to this effect be contained in the further budget report that will be prepared for the 23 February Council meeting. This report is to include the parish, county and police precepts.);

## **EXECUTIVE MINUTES (Continued)**

- (3) the Council Tax for Warwick District Council for 2009/10 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police Authority precepts be agreed at £144.38. This increase is made up of 2.3% related to the increased costs of assisted travel and 2.3% to other increased costs, giving a total increase of 4.6% (£6.35) on 2008/09;
- (4) the Council Tax charges for Warwick District Council for 2009/10 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police Authority precepts, for each band be as follows:-
- |   |         |
|---|---------|
| A | £96.25  |
| B | £112.30 |
| C | £128.34 |
| D | £144.38 |
| E | £176.46 |
| F | £208.55 |
| G | £240.63 |
| H | £288.76 |
- (5) the General Fund Capital Programme and the Housing Investment Programme as set out in Appendix 9 and Paragraph 12 to the report are agreed together with their financing as shown in paragraph 12.4 and 12.5 of the report, and should the Executive receive viable self –funded business cases, amendments be made to the budget;
- (6) a report is brought to members in March 2008 detailing the statutory and non-statutory elements of the Housing Investment Programme, and how the Programme can be reduced to be within the resources available. (paragraph 12.3.4 of the report);
- (7) if there is any mismatch between these subsidiary strategies and action plans officers bring forward proposals for managing within the agreed budgets (Para 5.1 of the report);

## **EXECUTIVE MINUTES (Continued)**

- (8) the release of monies from the Equipment Renewal Reserve continue to be supported by a report to the CMT, and made subject to CMT agreeing the need for the allocation in consultation with the relevant service Portfolio holder and the Corporate and Strategic Leadership Portfolio holder (Para 7.2 (f) of the report);
- (9) the Benefits Administration budget for 2009/10 is increased for any additional subsidy received, for which notification is currently awaited (Para 7.6 of the report);
- (10) £147,100 be allocated to the contingency budget in 2009/10 in addition to the £200,000 in the contingency maintained solely in respect of concessionary fares until all costs are certain. (Paras 7.2 (d) and 11.3 of the report);
- (11) the concurrent services scheme, which reimburses parishes for services provided in the towns by the District, should be reviewed during 2009/10 ahead of any changes to the 2009/10 allocations. (Para 8.1.7 (a) of the report);
- (12) the implications for future year's taxes as set out in Paragraph 9 of the report and Appendix 3 to the report are noted;
- (13) Audit and Resources be asked to pay particular Scrutiny attention to the reserves and balances set out in Appendix 6 (Para 10) to the report;
- (14) the Prudential indicators as set out in Appendix 7 to the report and highlighted in Paragraph 13.1 of the report are agreed and recommended to Council for approval;
- (15) the revised financial strategy as set out in Appendix 11 to the report is agreed, and further updated in the light of a review of all resource strategies (Para 15 of the report);
- (16) the Executive consider future requests to utilise the £1,033,000 of the General Fund Balance held for "Spend to Save Schemes" (Para 10.1.2 of the report);

## **EXECUTIVE MINUTES (Continued)**

- (17) that the level of discounts for council tax applying to “second homes” be set at 10% for prescribed class A & B dwellings from 1 April 2009 and that the level of discount for council tax applying to long term empty properties be set at zero for prescribed class C dwellings from 1 April 2009, and that this decision is duly publicised. (Para 8.1.3.b of the report). Subject to both the Police and County Council being prepared to see some of the benefit that they will also receive being directed towards services provided by this Council;
- (18) the amended Fees and Charges for 2009/10 in Appendix 5 to the report in light of the VAT rate change to 15% be agreed;
- (19) a further review of the Concurrent Services Scheme is undertaken and duly reported to the Executive for consideration (paragraph 8.1.7.a of the report);
- (20) the responsibility for the Capital Budget for Dog Bins be transferred from Environmental Health to Neighbourhood Services;
- (21) in order to implement new search fees from 1 April 2009 it is recommended that the Council delegates authority to the Chief Executive and Chief Finance Officer to implement any fee changes agreed at the March Executive meeting (Para 7.3.3 of the report).
- (22) to make an allocation of £4,000 per neighbourhood for each of the eight neighbourhood areas from the contingency fund subject to the County matching this in the spirit of joint partnership; and
- (23) agree a pre-emption of carrying forward of an underspend of £24,000 in 2008/09 to 2009/10 in the policy budget in order to fund a systems thinking pilot aimed at both improving customer satisfaction and achieving cost savings.

(Portfolio holders for this item were Councillors Mrs Bunker, Caborn, Michael Doody; Mrs Grainger; Hammon, Kinson, Kirton, Shilton, White)

(Forward Plan reference 136)

## **EXECUTIVE MINUTES (Continued)**

### **780. HOUSING REVENUE ACCOUNT BUDGET 2009/10 AND HOUSING RENTS**

The Executive considered a report from Housing and Property Services and Finance that set out the latest projections for the Housing and Revenue Account (HRA) revenue estimates in respect of 2008/09 and 2009/10. The report also set out proposed increases to Council tenant rents, garage rents and supporting people charges for 2009/10.

The Council was required to set a budget for the HRA each year, requiring agreement on the level of rents and other charges that were levied. The Executive was therefore required to make recommendations to Council that took into account the base budget revenue estimates for the HRA, the 2009/10 final subsidy determination and the current Government guidance on rent restructuring.

The proposed dwelling rent increase was in accordance with Government guidance and the Council's financial strategy.

Garage rent increases were not governed by the guidance for rent restructuring, which used the September 2008 inflation rate of 5% in the calculation. No increase was proposed, as over a third of current garage lettings were to housing tenants who would be experiencing a rent increase for their home that was significantly above the current rate of inflation. The proposal minimised the potential for these tenants to fall into rent arrears without compromising the financial stability and viability of the HRA.

The proposed Supporting People charge increase was equivalent to the inflationary increase, awarded by Warwickshire County Council for all Supporting People contracts, effective from April 2008. The County Council's decision on this increase was received too late for it to be reflected in the 2008/09 charge levied to tenants and became a retrospective inflationary charge to be applied one year in arrears.

The recommendations would enable the proposed Housing Investment Programme for 2009/10 to be carried out, partially funded by a revenue contribution to capital outlay (RCCO) payment from the HRA, whilst maintaining a minimum working balance on the HRA of at least £750,000, in line with Council policy.

There was no alternative option for the setting of housing dwelling rents other than to comply with the Government's rent restructuring criteria.

There were alternative options in relation to garage rents as these were not subject to the Government's rent restructuring guidelines. Any option, from a nil increase to a percentage in excess of the current inflation rate, could be selected. Each option would realise a greater or lesser level of additional income to the HRA. A nil increase would result in a loss of potential income of around £4,460 per 1% of any proposed increase.

## **EXECUTIVE MINUTES (Continued)**

The Supporting People charge was also not subject to the rent restructuring criteria. The proposed increase reflected the level of the inflationary increase set by Warwickshire County Council for the financial year 2008/09. If there was an increase, the formal notification would again come too late to be reflected in the rent and charge setting process.

It was not a viable option to wait for the decision on supporting people and set an increase for the year that reflected both the 2008/09 and 2009/10 inflationary awards. If it had been possible, it would mean some of the Council's most vulnerable tenants facing an increase of around 3% in addition to the proposed rent increase of 6.44%.

The Overview and Scrutiny Committee supported the recommendations in the report and requested that the Executive writes to the Housing Minister, local MP's and the Local Government Association, requesting that the monies paid to the national rent pool be retained by the Council to enable building of more social housing in the District.

The Portfolio Holder for Housing, on behalf of the Executive, thanked the Scrutiny Committee for its comments on this matter and proposed this action to the Executive for agreement in addition to the recommendations.

### **RECOMMENDED** that:

- (1) housing dwelling rents for 2009/10 be increased by an average of 6.44%;
- (2) garage rents are not increased;
- (3) Supporting People charges be increased by 2%;
- (4) the 2009/10 Housing Revenue Account (HRA) budget, updated with the Final Subsidy Determination information, as set out at Appendix 3 to the report, be agreed; and
- (5) the Executive writes to the Housing Minister, local MP's and the Local Government Association, requesting that the monies paid to the national rent pool be retained by the Council to enable building of more social housing in the District.

(Portfolio Holder for this item was Councillor Grainger)  
(Forward Plan reference 137)



## **EXECUTIVE MINUTES (Continued)**

### **781. TREASURY MANAGEMENT STRATEGY PLAN**

The Executive considered a report from Finance that detailed the strategy for 2009/2010 that the Council would follow in carrying out its Treasury Management activities including the Annual Investment Strategy and Minimum Revenue Provision (MRP) Policy Statement. The latter item was a new requirement arising as a result of regulations changing MRP provision from a statutory basis of 4% of the Council's General Fund Capital Financing Requirement to one of statutory guidance. Further explanation was provided in appendix C to the report.

The Council was required to have an approved Treasury Management Strategy, including an Annual Investment Strategy and Minimum Revenue Provision Policy within which its Treasury Management operations could be carried out. The Council would invest approximately £9.93 million in new capital in 2009/10 and had average investments of £30.9 million. This level of investment arose from our reserves and provisions, the General Fund and Housing Revenue Account balances, and accumulated capital receipts.

The approval of an annual Treasury Management Strategy was a requirement of the C.I.P.F.A. Treasury Management in the Public Services Code of Practice which had been adopted by the Council.

The Audit and Resources Scrutiny Committee was pleased with assurances given by the Principal Accountant that the Council's investments were being managed as prudently as possible. The Committee decided to monitor the performance of the external cash fund portfolio every other meeting from now on, and supported the recommendations in the report.

The Executive thanked the scrutiny committee for their work on this matter.

#### **RECOMMENDED** that:

- (1) the 2009/10 Annual Investment Strategy in Appendix B to the report be approved; and
- (2) the Minimum Revenue Provision Policy Statement contained in paragraphs 3.1 and 3.2 of Appendix C to the report; be approved.

#### **RESOLVED** that:

- (1) the Treasury Management Strategy for 2009/10 as outlined in Appendix A to the report be approved, and
- (2) the increase in the counterparty limit from £4 to £5m as outlined in Appendix B paragraph 2.4 to the report be approved; and

## **EXECUTIVE MINUTES (Continued)**

- (3) the changes to the relevant Treasury Management Practices (TMP's) as detailed in paragraph 1.5 of Appendix A, to the report ,following the banking crisis during 2008, with regard to investment counterparty limits and credit rating criteria, be approved.

(Portfolio Holder Councillor Michael Doody)  
(Forward Plan reference 135)

### **782. CODES OF FINANCIAL PRACTICE AND CONTRACT PRACTICE**

The Executive considered a report from Finance that presented proposed amendments to the codes of Financial Practice and Contract Practice.

The Council's Code of Financial Practice was last formally reviewed and amended last year. It was recognised good practice to keep this document under review and make amendments as necessary to meet the changing environment in which the authority and its finances operate. This was also an expectation of the Use of Resources assessment.

The Council's Code of Contract Practice had been reviewed to reflect changes in the structure of procurement within the Council and legislation, and the Council now had a Procurement Manager with overall responsibility for procurement.

In accepting the revised Code of Contract Practice there was a need to grant a temporary exemption of the code with regard to the use of select lists until the replacement framework agreements had been formalised. It was anticipated that these could be formalised within 6 months.

The amended documents set out how the District Council's financial arrangements and procurement activities should operate to comply with best practice and current legislation. The updated Codes should therefore be accepted.

The Audit and Resources Scrutiny Committee supported the recommendations in the report, but wished to draw the Executive's attention to the fact that it had a Procurement Working Party that intended to bring forward proposals on alternative wording and other arrangements to ensure that the Procurement Manager's role had sufficient authority within the organisation.

The Executive noted the comments from the Audit & Resources Scrutiny Committee.

#### **RECOMMENDED that:**

- (1) the updated Code of Financial Practice and the Code of Contract Practice as detailed in the attached Appendices, be approved; and
- (2) subject to acceptance of the above Council agree to an exemption of the revised version of the Code of Contract Practice, for a period no longer than six

## **EXECUTIVE MINUTES (Continued)**

months, with regard to the use of select lists while framework agreements are being tendered.

(The Portfolio Holders for this item was Councillor Michael Doody)  
(Forward Plan reference 142 & 143)

### **783. FEES FOR SEX SHOP LICENCES**

The Executive considered a report from Members' Services that sought their support to Council for the setting of fees for Sex Shop Licences at £2000.

At the meeting of the Executive on 15 October 2008, consideration was given to the fees and charges to be introduced in April 2009.

Approval of the proposed fee for applications for sex shop licences was deferred pending a further report regarding the reasons for recommending the introduction of a fee of £2000.

A further report was made to the Executive meeting on 3 December 2008 providing background information regarding the proposed fee.

At that meeting, the matter was deferred so that a further report could be prepared taking into account the proposal of the Overview and Scrutiny Committee that the fee should be set at £3500 on the basis that sex shops should be inspected on a quarterly basis.

The requirement under statute was that licence fees should be sufficient to cover the costs of the Council in administering the licensing function. Therefore a fee of £2,000 was correct because it covered all aspects of administering the licence including visits to the premises in accordance with the regulators compliance code.

In the previous reports on this subject, it was proposed that the fee should be increased from £795 to £2000. Members had expressed the view that the fee should be increased to £3500, however as set out the fee needed to be sufficient to cover the costs of this Council which the proposed £2,000 fee would.

**RECOMMENDED** that the fees for licences for sex shops be set at £2000.

(Portfolio Holder for this item was Councillor Kinson)

## **PART 2**

(Items upon which the approval of the Council is not required)

### **784. APPROVAL OF HEATING, LIGHTING AND WATER CHARGES 2009/10 – COUNCIL TENANTS**

The Executive considered a report from Housing and Property Services and Finance that set out the proposed service charges to council housing tenants for 2009/10, for the provision of communal heating, lighting and water supply.

Service charges were levied for the costs of electricity, gas and water supply usage

## **EXECUTIVE MINUTES (Continued)**

in the communal areas of sheltered and very sheltered housing schemes and for direct supply to individual properties through communal heating schemes. The costs of maintaining communal laundry facilities were also recharged as a service charge at those sites benefiting from these facilities under the heading of miscellaneous charges. The charges were reviewed annually as a result of variations in the costs associated with these services with tenants being notified of the change at the same time as the annual rent increase.

Service charges ensure that the direct costs of services provided were only recharged to those tenants benefiting from the service. There was no alternative to having service charges and reviewing them annually as otherwise the costs would have to be met through rent pooling, i.e. covering the cost from the rental income received from all tenants. This would impact on the annual rent rise and lead to charges being made to tenants who would never benefit from the service provided.

**RESOLVED** that from 1 April 2009 the fees be set as follows;

- (1) the hot water and central heating charges for Radcliffe Gardens, Brunswick Street, Royal Leamington Spa be set as

	Current Charge per Week 2008/09 £	Proposed Charge per Week 2009/10 £
Bedsits and 1 bedroom flats	£ 5.00	£ 4.20
2 bedroom flats	£ 7.95	£ 6.65

- (2) the service charges for Fetherston Court, Tachbrook Road, Royal Leamington Spa be reduced from £10.65 to £10.00 per week.

- (3) the heating, lighting and miscellaneous service charges for the very sheltered housing schemes be varied as follows :-

	Current Charge per Week 2008/09 £	Proposed Charge per Week 2009/10 £
<u>(a) Acorn Court, Pound Lane, Lillington</u>		
Nos. 1 - 12, 14 – 41	£ 7.10	£6.70
Nos. 43, 44, 46 and 47 (Misc. Charge only)	£ 0.60	£ 0.60
<u>(b) Tannery Court, Bertie Road, Kenilworth</u>		
Nos. 1, 2, 4 – 6, 7a, 8 -	£ 7.75	£ 7.10

## EXECUTIVE MINUTES (Continued)

12, 22a, 14 - 40		
No. 3 ( Warden's accommodation)	£ 11.40	£ 10.40
<u>(c) Yeomanry Close, Priory Road, Warwick</u>		
Nos. 1 - 12, 14 – 32	£ 5.70	£ 5.10
<u>(d) James Court, Weston Close, Warwick</u>		
Nos. 1 - 12, 14 – 26	£ 8.50	£ 7.40
<u>(e) Chandos Court, Chandos Street, Leamington Spa</u>		
Nos. 1 - 12, 11a, 25a, 14 – 46	£ 8.40	£ 7.60

- (4) the water charges for the very sheltered housing schemes *be varied as follows:-*

	Current Charge per Week 2008/09 £	Proposed Charge per Week 2009/10 £
<u>(a) Acorn Court, Pound Lane, Lillington</u>		
Nos. 1 - 12, 14 - 41, 43 – 47	£ 1.45	£ 3.00
<u>(b) Tannery Court, Bertie Road, Kenilworth</u>		
Nos. 1, 2, 3, 4 - 6, 7a, 8 - 12, 22a, 14 - 40	£ 2.00	£ 2.75
<u>(c) Yeomanry Close, Priory Road, Warwick</u>		
Nos. 1 - 12, 14 - 32, 33 and 34	£ 2.15	£ 2.65
<u>(d) James Court, Weston Close, Warwick</u>		
Nos. 1 - 12, 14 – 28	£ 2.40	£ 2.80
<u>(e) Chandos Court, Leamington Spa</u>		
Nos. 1 - 12, 11a, 25a, 14 - 46, 47	£ 2.00	£ 2.40

(The Portfolio Holder for this item was Councillor Grainger)  
(Forward Plan reference 138)

## **EXECUTIVE MINUTES (Continued)**

### **785. COUNTERING THE ECONOMIC DOWNTURN**

The Executive considered a report from Economic Development and Regeneration on the impact of the credit crunch and the effect on the local economy and the local community.

The report updated the Executive on the action that was being taken to counter the economic downturn in the District and recommended that the Executive reiterates the commitment of the Council to take a proactive leadership role at a District and sub-regional level.

The report set out a brief overview of planning for the medium and longer term to ensure that the District was prepared and in a strong position to benefit from economic development opportunities following this downturn and included proposals to ensure that local businesses were aware of the opportunity to work with the Warwick District Council.

The economic downturn was continuing to have a direct impact on the local economy and the local community. Redundancies and jobs at risk (notified to Job Centre Plus or reported in the local press since September 2008) totalled nearly 3,000 for the County. The trend of unemployment growth had continued and was expected to continue over 2009. There was evidence of an increase in the number of homeowners in mortgage difficulties and seeking advice.

In response to the deterioration of the economic situation an internal officer working group had been established to manage the Council's response to countering the economic downturn and ensure that it was coordinated and effectively managed. The 'Credit Crunch guide' was the first element of the Council's response.

Evidence suggested that there was a need to clarify and signpost where residents and businesses could go for support and advice. A 'credit crunch guide' had been prepared and would be delivered to all householders and businesses in the District. The purpose of the guide was to raise the awareness of individuals and businesses of the help and support that may be available to them.

The content of the Warwick District Council website had been reviewed and updated to reflect the impact the economic downturn was having on the local economy and community. It has become of an ongoing information and publicity campaign to ensure that residents and businesses were effectively signposted to the help that they need.

Front line staff, on the customer helpline and at the one-stop shops, had been briefed on the help open to individuals and businesses that could be concerned by the economic downturn.

The Council had already seen a significant increase in the demand for frontline services particularly the Benefits Service. Visitor numbers to all of the Council's reception points were much higher than the corresponding point last year and the Benefits caseload (the number of claimants receiving benefit at any one point in time) was at its largest level for ten years. A report elsewhere on the Executive agenda explained how officers were ensuring that adequate resources were made available to support the Benefits Service.

## **EXECUTIVE MINUTES (Continued)**

The Council was working with colleagues at the Coventry and Warwickshire Chamber of Commerce to consider the feasibility of delivering additional seminars aimed at local independent Small Medium Enterprises (SME) in the District. The 'Weathering the Storm' seminar was designed to give businesses the forum to ensure that they were aware of the support available, the opportunity to ask the advice of a panel of experts and share best practice. The seminars would be delivered on a rolling basis and would be publicised through existing business groups such as the Chambers of Trade and the Rural Hub.

Officers were discussing the feasibility of working with colleagues at Business Link to increase the availability of direct business advice to rural and urban independent SMEs.

The economic downturn was a very real and pressing issue for the community in Warwick District and it was important that the Council reacts to the current situation. However, it was important that the actions in response to the current financial downturn were considered as part of the wider commitment of Warwick District Council to economic development and regeneration.

The Council was in the final stages of the project to deliver the Althorpe Enterprise Hub, which would greatly enhance the opportunities for entrepreneurship and innovation in the District. The Enterprise Hub was expected to open its doors to the first tenants in early March 2009. To support the Enterprise Hub the Council has set up an Enterprise Team, this team was pledged to work with West Midlands Business Link the Regional Agency providing support to SME businesses.

Work had started to extend Brunswick Healthy Living Centre to provide a small 'community enterprise centre', this should be completed by early summer 2009 and this facility would further extend the scope of the Council's work to encourage new business start ups. Court Street Creative Arches were expected to be ready by spring 2009 offering 12000 sq.ft. of grow –on space to businesses in the creative industries sector.

The Council was pressing forward with medium to longer term Economic Development and Regeneration projects.

The Council was supportive and working in partnership to bring forward a number of other projects, such as the expansion of the University of Warwick, Stoneleigh Park and Prodrive.

The economy of Warwick District was a diverse and relatively vibrant, it was anticipated that the economy would recover (although the timescale and type of recovery was unclear). Indeed, past experience of economic downturn suggests that the Warwickshire economy entered recession early and also comes out of recession at a relatively early point.

It was also important that the Council considered and reviewed other ways that it may be able to support the local economy. The Managing Housing Supply Supplementary Planning Document (SPD), was one such review. The removal of the SPD would enable residential development to take place which was currently restricted. It was not anticipated that this would have an immediate and significant

## **EXECUTIVE MINUTES (Continued)**

positive impact on the economy, but it could bring forward some development in the short term. The message that it sent to the development industry was, perhaps, more important.

The Council was engaged in preparing strategic options for the medium to long term regeneration and economic growth in the District. The Council had commissioned consultants to prepare a study looking at the vitality and viability of the town centres (Warwick, Leamington and Kenilworth). External consultants had been commissioned to review the availability, suitability and location of employment land within the District. The reports would be used as an evidence base for the Local Development Framework (LDF) and would also be used to develop an economic development strategy for the District and strategies for the town centres.

Warwick District Council was a lead partner in the Coventry and Warwickshire Economic Recovery Partnership (CWERP). CWERP had been established through the Coventry, Solihull and Warwickshire Partnership (CSWP), to proactively respond to the economic downturn on a sub-regional basis. CSWP established five priority actions that could be delivered quickly and had the capability of making an impact.

CSWP requested that lead Partners, such as Warwick District Council, confirm that they would take the lead responsibility for the delivery of the actions. The Council was already taking the lead in delivering actions 2 and 3 in the District. The Local Government Association states that it was essential that Local Authorities work in partnership at a sub-regional level to respond effectively to the economic slowdown to support communities.

A number of practical actions were being developed through the Warwickshire Public Service Board (PSB) which, when adopted, would support the actions of the Council to counter the impact of the economic downturn. Some of which the Council had started to implement, such as the integrated partnership approach through CWERP.

The emerging PSB action plan set out that Local Authorities would be invited to sign up to the 'public sector skills pledge' and the 'public sectors challenge'. The PSB established that the key issues in relation to jobs and skills were:

- The role of transport and social housing in maximising employment opportunities.
- Greater opportunities required for self employment.
- The public sector needed to attract young people through apprenticeships and contact to identify marketing strategies.
- The importance of the Public Sector Skills Pledge.
- The public sector needed to make more vacancies accessible to unemployed priority groups.

The draft PSB action plan established that all necessary steps should be taken to secure increased levels of social housing, the development of an employer supported volunteering policy and a focussed response to local issues related to poverty.



## **EXECUTIVE MINUTES (Continued)**

The Procurement Manager, supported by colleagues from Economic Development and Regeneration, would be holding a number of evening events for SMEs and other businesses in the District to ensure that they could benefit from working with the Council. These events would enable the Council to explain the constraints of the Public Procurement Regulations, how the Council offered any contract opportunities and the procedures that take place. It was anticipated, that following the events, the Procurement Manager would offer to contact individual local businesses to alert them of opportunities which may arise to work with the Council. However, it would not be possible within the limitations of the regulations to offer any preferential treatment to these potential suppliers. The Procurement Manager and the Economic Development and Regeneration team would continue to work in partnership with other local business groups (such as the Chambers of Trade) to ensure that their members were aware of opportunities to work with the Council as they arise.

The Council was committed to the prompt payment of invoices, currently the policy was that invoices were paid within 28 days of receipt. This ensured that the business received payment for goods and services promptly and helped with liquidity of the business concerned. The Council was looking into the potential to pay invoices to local business within a shorter time frame, which was often the case already.

The economic downturn had a direct impact on the ability of the Council to meet the requirements of key performance indicators and national indicators (for example affordable housing completions and town centre management indicators) established through the Corporate Strategy. It was therefore proposed that an Officer Group undertook a full review of current performance to identify those targets under pressure due to the economic downturn and that this work was used to inform Corporate Management Team and Executive discussions on any revisions to the current Corporate Strategy.

The Officer Group would also establish a monitoring framework to ensure that CMT received regular reports as to any impacts the economic downturn was having on service area workloads. The impact on the Benefits team was highlighted in section 3.1.6 of the report but other areas could be affected e.g. housing rent arrears, one stop shops, housing advice and homelessness and it was important that these changes were identified and monitored to ensure appropriate resources were available to maintain effective service provision.

Alternatively the Council could take the view that there were other organisations which delivered support and advice to customers and that this should be relied upon. However, this did not take into account the severity of the financial downturn and the potential increase in people who could need to access such services. It was difficult to gauge how severe or widespread the issues relating to the economic downturn would impact upon Warwick District.

The Council could take on a more direct role in developing interventions. However, there would be a risk of duplication between the role of delivery providers (such as, Business Link, Citizens' Advice Bureaux, etc.) and could create unnecessary bureaucracy.

The introduction of Local Labour Clauses were considered but discounted. The Public Procurement Regulations 2006 did not permit the use of Local Labour

## **EXECUTIVE MINUTES (Continued)**

Clauses since all potential suppliers within the EU must be given equal opportunity to bid for work that used public funds. However, working with local businesses to help them understand the processes and how to submit successful bids was permissible and would be actively pursued.

The Overview and Scrutiny Committee supported the recommendations in the report.

### **RESOLVED** that

- (1) the actions that have been taken by the Council (following the resolution of the Executive 22 December, 2008) and the importance of planning positively for future economic opportunities, be noted;
- (2) the five priority actions established at the sub-regional level by Coventry and Warwickshire Economic Recovery Partnership (CWERP) and confirm the leadership role that the Council plays in the response to the economic downturn through the sub-regional partnership, be noted;
- (3) it be noted that an action plan is being developed by the Warwickshire Public Service Board to counter the impact of the economic downturn;
- (4) the officer group established to co-ordinate the Council's response to the economic downturn will evaluate its impact on the current Corporate Strategy, key performance indicators and other national indicators and establish a monitoring framework to assess any changes in service area workload. This work will assist the formulation of the 2009/10 Portfolio Holder statements and a review of the Corporate Strategy to ensure the continuing relevance and realism of all its targets, be noted; and
- (5) the proposed actions to ensure that Local Businesses can benefit from working with Warwick District Council, be noted.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 156)

## **786. COUNTERING THE ECONOMIC DOWNTURN – SUPPLEMENTARY REPORT**

The Executive considered a report Revenues and Customer Services that requested approval of a budget virement of £10,000 from Revenues – Postages and £10,000 from Payments Channels – Payments Processing to Benefits Warwickshire-wide Local Public Service Agreement 2 (LPSA2) – Agency Services to cover Citizens Advice Bureau (CAB) local staffing costs at the CAB for three months. The Public Services Board (overseeing the Local Area Agreement (LAA))

## **EXECUTIVE MINUTES (Continued)**

would shortly be making a decision on the future funding of the CABlocal project but not soon enough to remove the prospect of redundancy for many CAB staff unless temporary funding could be secured.

As part of the (LPSA2) funding round, the CAB developed a project to provide debt and benefit advice at outreach centres throughout Warwick District. The project was approved for funding, branded as CABlocal and had been running for nearly three years.

It was clear from the outset that the funding for the project was time limited, however, there was an expectation that should the project achieve its targets then it would receive further funding from the LPSA2 rewards pot. The guaranteed funding expired on 31 March 2009 and the Public Services Board was consulting on the allocation of the LAA reward funding. It was hoped that the Board would be in a position to make a decision about interim funding for the CABlocal project in the near future. However, given the expiry of the current funding at the end of March, the CAB had to issue redundancy notices to the staff working on the project.

The CAB approached Warwick District Council for funding as it was a partner in the Tackling Poverty strand of the LPSA2 funding bid. Whilst there was no unallocated funding available, due to under spends in the Revenues and Customer Services Service Area, an amount of £20,000 could be released to support the CABlocal project for a further three months.

The CABlocal project was not the Council's responsibility and could decide not to fund the work for this temporary period. Taking this position was not responding as a community leader as it was clear that the District was facing very uncertain times with many of its residents struggling with debt or needing professional benefit advice.

An amount less than £20,000 could be granted, however, this would still mean that CAB staff would need to go through a redundancy process, causing uncertainty and encouraging staff to look elsewhere for work.

### **RESOLVED** that

- (1) an additional grant to CAB of £20,000 to cover staffing costs for the period March-May 2009, be approved;
- (2) a budget virement of £10,000 from Revenues – Postages and £10,000 from Payments Channels – Payments Processing to Benefits LPSA2 – Agency Services to cover CABlocal staffing costs at the CAB for three months, be approved; and
- (3) the award be made in the form of a loan rather than a grant, provided that the loan will only become repayable should CAB receive backdated reward funding from the Public Services Board covering the period March-May 2009. Should this option be considered CAB should be advised accordingly but a

## **EXECUTIVE MINUTES (Continued)**

final decision need not be reached until the outcome of the Public Service Board decision is known.

(The Portfolio Holder for this item was Councillor Hammon)

(Forward Plan reference 156)

This item was supplementary to the previous item on the agenda

### **787. RETROSPECTIVE APPROVAL OF BUDGET VIREMENT – BENEFITS SERVICE**

The Executive considered a report from Revenues and Customer Services informing them of a decision the Chief Executive had taken under delegated powers of a budget virement of £17,000 from Warwickshire Direct – Kenilworth Salaries and £8,000 from Customer Service Centre Salaries to Benefits Salaries to pay for agency staff.

The virement had been approved by the Chief Executive in consultation with the Council Leader and Deputy Chief Executive (Living, Lifestyles and Resources) but it is a requirement for the Executive to retrospectively approve the action.

During the last four months, through a combination of retirement, promotion, maternity leave, voluntary reduced time and sickness, the Benefits Service has found itself 50% down in Benefits processing staff.

Although the Service was aware of many of these issues and had planned for them, a series of internal promotions and “acting-ups” meant that the service had four full time vacancies.

Three of the four posts had people at various stages of the recruitment process and it was to be hoped that all the posts would be filled by the end of the financial year. This would mean that by March the Service would have been operating below a full complement of processing staff for a significant period. Consequently it had been necessary to use expensive agency staff to ensure that Benefit claims were processed.

The vacancies on the Benefits Service had created some underspend in the Benefits budget to use against the agency costs but this was not enough to cover the costs of specialised agency staff. Consequently after consulting with the Council Leader and Deputy Chief Executive (Living, Lifestyles and Resources) the Chief Executive approved the virement of budgets from budget codes with underspends.

The virements from Warwickshire Direct – Kenilworth Salaries and Customer Service Centre Salaries were possible due to staffing turnover in those respective service areas.

The Benefits Services was a frontline service and it was essential that the service had the resources to deal with the significant increase in benefit claims and requests for service as part of the leadership role the Council was taking in addressing the effects of the economic downturn.

## **EXECUTIVE MINUTES (Continued)**

To pay for the agency staff, the Service could have overspent the current budget. This would have meant that the budget would have been seen in isolation. By requesting a formal virement from one budget to another, the Council was much clearer about its budgetary position and ensured that the budget code from which the budget was transferred was managed within its new estimate.

**RESOLVED** that the decision of the Chief Executive under delegated powers of a budget virement £17,000 from Warwickshire Direct – Kenilworth Salaries and £8,000 from Customer Service Centre Salaries, to Benefits Salaries to pay for agency staff, be noted.

(The Portfolio Holder for this item was Councillor Caborn)  
(Forward Plan reference 163)

### **788. MANAGING HOUSING SUPPLY SPD**

The Executive considered a report on a revision to the report previously considered by Executive on the 15 October 2008.

The report summarised the effect of implementing the Managing Housing Supply Supplementary Planning Document (SPD) since it was approved by Executive in September 2005. It updated the housing supply situation, within the context of both new Government guidance on housing monitoring and the RSS Revision requirements for the period 2006 to 2026, and recommended that it would now be appropriate to cease to apply the policy.

On 12 September 2005, Executive approved the Managing Housing Supply Supplementary Planning Document (SPD) for development control purposes, following a period of public consultation. The purpose of the SPD was to restrict the number of permissions granted for housing development on urban windfall sites in order to contain the supply of housing.

The decision followed concerns at government and regional level that the levels of housing growth in the District were well above those set out in the adopted West Midlands Regional Spatial Strategy (RSS) (2004) and could threaten the regional objective of achieving urban renaissance of the major urban areas. In April 2004, the supply of housing in the District was already 15% over and above the RSS housing requirement for the period 2001 - 2011. Should urban windfall sites have continued to come forward according to recent trends, this over supply was expected to increase to 49%.

The SPD had therefore been successful in stemming the number of permissions granted and thereby controlling the housing growth of the District in line with the adopted RSS.

In November 2006, the Government published new planning policy on housing (PPS3). This introduced a requirement for Local Planning Authorities to demonstrate an up-to-date five year supply of deliverable sites in accordance with the housing requirement in the *adopted* RSS. Where Local Planning Authorities could not demonstrate a five year supply, they were advised to “consider favourably planning applications for housing”, having regard to the policies set out in PPS3. In

## **EXECUTIVE MINUTES (Continued)**

such cases, therefore, it would be difficult for a Local Planning Authority to refuse a planning application for housing in a suitable location.

The review of the Regional Spatial Strategy commenced in November 2005 and in December 2007 the Preferred Option was submitted to Communities and Local Government by the West Midlands Regional Assembly. The emerging RSS included a housing requirement for Warwick District of 10,800 dwellings between 2006 and 2026 which equated to 540 dwellings a year. In July of last year the Council decided to support the preferred options and accepted the future housing target of 10,800 dwellings for the District.

Although the Council would be able to meet the requirement for a five year supply of housing land up until the date at which the RSS Revision was adopted in 2010, it would not be prudent to operate the current SPD policy up until that time. This was because, the supply of land would have diminished significantly by 2010 and, it would take time to build up a supply of new housing sites with planning permission given the current market. The failure to demonstrate a five year land supply come 2010 would leave the Council extremely vulnerable to losing planning appeals on sites where it might otherwise wish to resist housing, such as on greenfield sites outside of the urban areas.

Apart from the housing supply issue, there was also the issue of the urgent need for affordable housing in the District and the need to enable medium to large housing sites to come forward where a proportion of affordable homes could be provided alongside the market homes. Although the SPD policy allowed for sites of 100% affordable homes to come forward, only 26 affordable homes had actually received permission on such sites which would be significantly less than targeted to be achieved by 2011 within the Council's Corporate Strategy.

It was not envisaged that future windfall housing developments would necessarily take the same form as those developments which received permission prior to the SPD policy. Since the SPD policy was approved in September 2005, the Council had adopted the Warwick District Local Plan and agreed new supplementary planning policies and guidance in relevant areas such as, the Affordable Housing SPD, the Vehicle Parking Standards SPD, the Guidance on the Mix of Housing, the Sustainable Buildings SPD, and the Open Space SPD which was currently out for consultation.

These up-to-date policies would ensure that new housing development would better meet the needs of the District in a more sustainable manner having regard to local issues of concern.

It was recommended therefore that the Council ceased to apply the Managing Housing Supply SPD policy forthwith in order that new urban windfall housing sites could come forward to help meet the five year supply of housing once the RSS Revision is adopted in 2010. This would ensure that the Council could continue to determine planning applications for housing by applying locally agreed policies rather than simply Government guidance in PPS3. It would allow additional affordable homes to be provided and, due to the existence of a suite of up-to-date policies agreed since the approval of the SPD, any new windfall housing developments will better meet the needs of the District.

## **EXECUTIVE MINUTES (Continued)**

An additional and obvious consequence of the removal of the SPD was that it would enable development to take place which was currently restricted, and therefore assist the local economy in helping to address the effects of the current downturn in the economy.

Officers considered the option of delaying the cessation of the SPD policy until the new housing requirement in the RSS Revision had been adopted (likely to be during 2010). However, since it would take time to build up a supply of housing land to meet the new housing requirement, particularly given the current market conditions, officers consider that it would be appropriate to cease to apply the SPD policy now prior to the adoption of the RSS revision. This would enable the Council could maintain a five year housing land supply and therefore be less vulnerable to ad hoc planning permissions granted on appeal on inappropriate greenfield sites within the District.

**RESOLVED** that the Council cease to apply the Managing Housing Supply SPD policy for the purposes of development control decision making with immediate effect.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 127)

### **789. CUSTOMER ACCESS AT RIVERSIDE HOUSE**

The Executive considered a report that requested approval for officers to develop a business case for the redevelopment of the customer reception points at Riverside House.

Preliminary work suggested that there were significant revenue savings and customer service improvements to be gained from developing a One Stop Shop at Riverside House. There was already funding within the capital budget for building changes and any design would need to take account of the allocated budget.

The potential savings were predicted on the Customer Service Centre remaining at Riverside House. The plans to relocate the Customer Service Centre to Shire Hall had encountered technology difficulties which could require additional funding to resolve. Given the Council's decision to relocate only if there was no additional cost, it was sensible to examine the customer service operation at Riverside House as a whole.

The Council undertook a Best Value Review of customer access in 2003/2004 and the vast majority of the recommendations had been implemented. As a result of this the Council had introduced a customer service centre; significantly enhanced the website; expanded the payment channels available to customers; centralised the processing of incoming and outgoing post; and opened a number of One Stop Shops.

The remaining action was to move the reception points for the majority of Riverside House customer enquiries to The Royal Pump Rooms. Unfortunately due to factors outside the Council's control, this project met with significant delays and an agreement could not be reached with the County Council on the space requirements to deliver the enquiry service.

## **EXECUTIVE MINUTES (Continued)**

Officers considered that a One Stop Shop approach to customer enquiries was the way forward and the success of Kenilworth, Whitnash and Warwick One Stop Shops demonstrated this. Therefore officers would like to examine the case for a One Stop Shop at Riverside House.

The proposed feasibility study came at a time when there was an opportunity to explore whether the recently closed Post Office in Milverton could be re-opened in Riverside House. The obstacles to achieving this were significant, however, the success of the relocated Warwick Post Office into Shire Hall suggested that this option should at least be examined.

Initial work indicated that there could be an opportunity for the Council to realise significant savings by making more flexible use of customer service staff based at Riverside House. This would mean that some counter staff would take on phone duties where demand allowed and vice-versa. However, this would not be possible if the Customer Service Centre was to move to Shire Hall. It was therefore recommended that this project was put on hold until a business case for a One Stop Shop at Riverside House has been developed.

Having concluded that the space requirements at The Royal Pump Rooms were not going to be agreed by all the partners, there was the option to do nothing and retain the current customer enquiry points at Riverside House. This approach did not allow the residents of Leamington to benefit from the One Stop Shop facility enjoyed by other parts of the district. It also made the opportunity of realising revenue savings more difficult as enabling staff to work generically would not be as practical.

The Overview and Scrutiny Committee noted the report, but there was concern that Riverside was not easily accessible by public transport and the Committee felt that the Council should press for a bus service to Riverside House. There was also support in principle, for the idea of post office provision at Riverside House.

The Executive noted the comments of the Overview & Scrutiny Committee and accepted that there was no direct bus service to Riverside House but at the same time there was insufficient space at the Pump Rooms or the Town Hall. In addition the idea of developing a business case was to look at all of these issues in more detail.

### **RESOLVED** that

- (1) a business case for a One Stop Shop at Riverside House is developed in time for the June Executive and that the plans to move customer service points to The Royal Pump Rooms are discontinued; and
- (2) the relocation of the Customer Service Centre to Shire Hall should not take place until a business case for a Riverside House One Stop Shop has been considered.

(The Portfolio Holder for this item was Councillor Caborn)



## **EXECUTIVE MINUTES (Continued)**

### **790. LEGAL CHALLENGE TO WARWICK DISTRICT LOCAL PLAN**

The Executive considered a report that summarised the outcome of the legal challenge against the Council's adoption of the Warwick District Local Plan.

The challenge was made in respect of the designation of land north of Kenilworth within the Green Belt and was successful in the High Court in December. The report also noted the Chief Executive's subsequent use of his emergency powers in consultation with Group Leaders to not take action against the decision, and to make an offer of settlement of costs to the claimants.

A legal challenge was made to the Council's adoption of the Warwick District Local Plan by the owners of a piece of land immediately to the north of Kenilworth bounded by Highland Road and Woodland Road. The land was known locally as the "Crackley Triangle". It was farmland which previously had not been designated within the Green Belt until the Council's adoption of the Local Plan in September 2007, in accordance with the Local Plan Inspectors Report. The land owners objected to this designation and their challenge was heard in the High Court on Monday 15 December 2008.

Following the submission of evidence by both parties, the Judge accepted the case and quashed the decision to include the land within the Green Belt. The Judge took the view that the Local Plan Inspector's decision to include the land within the Green Belt was without proper basis.

The Local Plan Inspector had concluded that there was no logical reason for the land not being designated Green Belt and that the original decision made by an Inspector in 1982 to exclude the land from the Green Belt was illogical and based upon the former Kenilworth UDC boundary which separated the Green Belt designated from the Kenilworth urban area. The Judge noted, however, that there was no clear evidence to support this conclusion as it had not been demonstrated to the Local Plan Inspector or himself what the basis was on which the land had been excluded from the Green Belt in 1982.

The judge granted an opportunity for the Council to appeal his decision. This appeal had to be made in the courts by the 16 January 2009 and required Counsel to be instructed prior to the Christmas break. This necessitated the use of the Chief Executive's emergency powers under G17 of the Constitution, in consultation with the Group Leaders.

Notwithstanding the disappointment with the decision, it was not considered appropriate to pursue this matter through the Courts and appeal the decision. The land had limited access and therefore the failure to designate the land as Green Belt was not considered likely to result in any greater opportunity for potential development. The land had never previously been protected as Green Belt (until the adoption of the Local Plan in 2007) and therefore the legal challenge had merely resulted in the land being reverted to its previous status. The cost of pursuing this matter and the likelihood of success are also factors which weighed in the balance.

## **EXECUTIVE MINUTES (Continued)**

The High Court ordered the Council to pay the costs of Land Owners in challenging the Council's decision. An offer, detailed in the report, had now been made to the claimants following the use of the Chief Executive's emergency powers, in consultation with Group Leaders.

Please note that the Local Plan remained adopted, however, the Council would need to formally amend the Plan to reflect the judge's decision. A report would therefore be prepared for the next available Executive, once the court order had been received by the Council.

Officers considered the option of appealing against the decision of the High Court. However, for the reasons set out above this was not pursued.

### **RESOLVED** that

- (1) the decision of the High Court in respect of the Legal Challenge against the Warwick District Local Plan, be noted;
- (2) the use by the Chief Executive of his emergency powers under G17 of the Constitution to, instruct counsel, not to take any further action, and to make an offer of settlement of costs to the claimants, be noted.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 164)

## **791. REVIEW OF THE STAFF AND COUNCILLOR OFF-STREET CAR PARK PERMIT SCHEME**

The Executive considered a report from Neighbourhood Services that detailed the changes to the way staff and councillor off-street parking permits introduced in August 2007.

The report detailed where the passes could be used and the how the system was administered and permits monitored.

With the introduction of Decriminalised Parking Enforcement (DPE) and the installation of the new parking management I.T. system in August 2007 a revision of the existing staff car park scheme was required to further meet the needs of the business and to provide a more secure and effective enforcement system.

The introduction of DPE increased on-street enforcement and introduced on-street charges in some areas of the town centres. As a result staff or councillors undertaking business on behalf of the Council would have been required to purchase on-street tickets when parking on-street.

By providing additional off-street car parks where permits were valid, staff and councillors were able to undertake Council business without the need to purchase on-street pay and display tickets and then have those costs reimbursed at a considerable administrative cost to the Council.

## **EXECUTIVE MINUTES (Continued)**

**RESOLVED** that the report be noted.

(The Portfolio Holder for this item was Councillor Kinson)  
(Forward Plan reference 153)

### **792. REPAIRS AND MAINTENANCE TO PLAY AREAS IN THE DISTRICT**

The Executive considered a report from Cultural Services updated the situation relating to the provision of play areas in the district and their role in relation to the WDC Play Strategy 2007 – 2012.

The report summarised the condition of play areas with particular reference to those in need of major repairs or replacement and addressed the specific issues raised by local residents in relation the Windmill Road play area and suggested how the situation could be addressed. The report detailed resources which were currently available for play area maintenance, and highlighted any alternative sources of funding which may provide opportunities in the future.

In 2007, the Council developed and adopted a five year Play Strategy which sought to improve the public realm as a child and a “play friendly” environment. Widespread consultation with children and parents designed to inform the development of the Strategy, identified that many children found the traditional play areas to be boring and without adult supervision, often did not feel safe using them. Whilst fixed play areas would continue to have a role in supporting children’s play, the results of the survey, supported by guidance provided through the Department of Children, Schools and Families, encouraged the Council to adopt a more holistic approach to its support of play area provision. Therefore it was essential that any future investment was undertaken in a fully considered and strategic manner that took into account children and young peoples play needs.

The play areas in the district received a significant injection of funding in 2001 to 2003 when approximately £1 million was invested from the capital programme and section 106 agreements to install new play areas throughout the district and bring all our play areas up to the new European Standards which was accepted good practice at the time.

It had recently been announced that Warwickshire County Council had been allocated £1.1 million funding to improve fixed play areas in the County. It was currently unknown how these resources would be allocated and officers were currently working with colleagues across the county to clarify the situation. Any funding allocated to Warwick District would be used to address the issues highlighted in the audit.

Windmill Road Play area was a popular local play area for residents as outlined in the petition presented to Council in December 2008. Items of equipment had been removed over time from this play area due to vandalism and on the recommendation from an independent health and safety inspection as set out Appendix A to the report.

Of the 47 play areas in the district, there were a further 4 which shared similar issues with Windmill Road, these were Mason Avenue, Shrublands/Fords Fields; Kennedy Square and Calder Walk.

## **EXECUTIVE MINUTES (Continued)**

Officers had visited Windmill Road play area and had worked up an alternative option which was achievable within a maximum budget of £13,000 which could be funded from the Leisure Improvement Budget for 2008/09 and 2009/10. However, there was concern that this would raise questions about other play areas in the district requiring improvements i.e. Mason Avenue, Kennedy Square, Calder Walk, Shrublands and others, and the resources were not available to take the same action in the 5 play areas including Windmill Road.

There was the possibility that the play areas listed above and others may be appropriate for the resources coming from the County; however, until details of this allocation were known it was not possible to confirm this option.

The Overview and Scrutiny Committee supported the recommendations in the report, but were concerned about recommendation 2.3 because there was no money in the budget.

The Executive thanked the Overview & Scrutiny Committee for their comments.

### **RESOLVED** that

- (1) an audit of the condition, value and levels of usage of the 47 play areas in the district is undertaken throughout the next 12 months and an action plan produced with recommendations for the future of play areas in light of the Warwick District Play Strategy, new design guidelines from Play England “Design for Play” and KIDS “Inclusion by Design” and the opportunities presented by internal and external funding. Resources to carry out this audit would be funded from the Leisure Improvement Budget 2008/09 and 2009/10 with officers working with ward councillors to complete the audit and public consultation exercises;
- (2) the Play Working Party is given delegated authority to agree the programme of works to play areas if the details of the Warwick district allocation from the £1million allocated to Warwickshire County Council to improve fixed play equipment are confirmed prior to the results of the audit being known; and
- (3) a further report be brought to the Executive in due course with a fully costed action plan based on the outcomes of the audit of play areas.

(The Portfolio Holder for this item was Councillor White)

## **793. TENNIS DEVELOPMENT PROGRAMME AT VICTORIA PARK**

The Executive considered a report from Cultural Services that outlined the details of a project to introduce a community tennis programme in the district, based in Victoria Park and run by a local organisation known as VP Tennis.

## **EXECUTIVE MINUTES (Continued)**

The project had obtained funding from the national Community Investment Fund (CIF) but in order to draw down the funding VP Tennis needed to demonstrate that the project had the support of all partners as outlined in the CIF application. Warwick District Council were one of these partners and were looking to support the project through use of facilities at a discounted rate and in kind support through officer time.

Over the last 12 months, Warwickshire Lawn Tennis Association (WLTA) had been working with local coaches and the Council to develop a funding application to The Community Investment Fund to develop a community tennis programme in Victoria Park. This project had been approved by Warwick District Community Sports Network and Coventry Solihull and Warwickshire Sports Partnership to go forward for funding. The agreement contributed to the Councils wider sports development remit and would provide a good quality community programme for the residents of the district.

In particular the project would work with local groups/residents from the Brunswick Ward, through the Brunswick Healthy Living Centre Active Coordinator to encourage participation from residents who could not otherwise consider tennis a possible opportunity for them. The project would develop links with local tennis clubs to provide exit routes for participants who wished to join local clubs.

VP Tennis would produce a timetable of expected court usage every term (6-8 weeks) and ensure communication with the Council to avoid 'double bookings' and appropriate signage was in place to inform the public that the courts were reserved for the VP Tennis Programme. A minimum of 5 courts would be made available for public use at all times.

The agreement between the Council and VP Tennis would run for 10 years from the date of signing, although a break clause applies if either party provided 6 months notice to terminate.

The CIF funding would be awarded to the VP Community Tennis Initiative only if all partners committed to their contributions. This included the in kind contribution from the Council.

At some point in the future through potential WLTA funding streams, there could be an opportunity to develop floodlighting on the 5 courts allocated to the project. This would enable the programme to be expanded and enable tennis to be played throughout the year midweek. Any such development would require consultation with Planning Officers before any further investigations into such a development was undertaken.

The alternative was that Warwick District Council did not offer the in kind support to the project, however CIF funding would then be withheld.

The charges could be increased from those recommended, however the £500 p.a (subject to annual fees and charges review) was considered a reasonable fee in the circumstances.

**RESOLVED** that

- (1) a 10 year agreement (with break clauses) with VP Tennis to deliver a community tennis programme using 5 courts in Victoria Park at a charge of £500 p.a, be approved,
- (2) the project through officer time and joint initiatives and marketing to a value of approximately £7,000 over three years and as part of the agreement VP Tennis organise an annual community tennis tournament to tie in with Leamington's claim to be the home of tennis, be approved, and
- (3) A further report be brought to the Executive in the event of a proposal for floodlights being considered.

(The Portfolio Holder for this item was Councillor White)

**794. COMPLAINTS ISSUE RAISED BY STANDARDS COMMITTEE**

The Executive considered a report from the Standards Committee with regard to a concern it had about a corporate complaint.

At its meeting of 1 December 2008 the Standards Committee received its half yearly report on the outcomes of complaints about this authority. It had particular concern about corporate complaint 953, investigated by the Local Government Ombudsman as 08 004 397.

The Standards Committee concerns related to the length of time taken to resolve the matter in general.

The Complaint had been investigated during the summer of 2008 and a number of issues were found. A summary of the complaint and the outcomes are set out at Appendix 1 to the report. The total compensation agreed by the Chief Executive at stage 3 of the Council's complaints process was £3525.

In addition to the compensation for the complainant that was agreed by the Chief Executive as an outcome of the stage 3 complaint, the Local Government Ombudsman recommended two further payments to the complainants. These were that the Council covers the 4% increase in building cost due to the delay in works starting and the Council pays the complainants architects fees. The increase in costs was agreed but the value will not be determined until the works are completed. The practice of this Council is to pay the architects fees for any Disabled Facilities Grant as long as they are reasonable, therefore these would have been paid as part of the usual practice. The costs of these was £1183.

With regard to the outcome of the complaint Private Sector Housing had already recognised that there was a significant problem with the service provided for Disabled Facilities Grants. For this reasons a review of the service had been undertaken with targets in place to improve the service. These targets along with workload for the whole of the Private Sector Housing Team would be closely

## **EXECUTIVE MINUTES (Continued)**

monitored by the Divisional Environmental Health Officer Private Sector Housing to identify any problems arising and take remedial action for these as early as possible. Progress on the implementation of the review and monitoring of work loads would be reported to the Head of Housing Strategy during one to one meetings with the Divisional Environmental Health Officer Private Sector Housing.

There are no alternative options that could be considered because it is a direct request from the Standards Committee.

### **RESOLVED** that

- (1) the compensation awarded be noted ; and
- (2) the actions taken by the Private Sector Housing Team to ensure that this issue is not repeated, be noted and that the Standards Committee are informed of these.

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

## **795. REVIEW OF THE WASTE AND STREET CLEANSING BUDGET**

The Executive considered a report from Neighbourhood Services and the Waste Management Finance Working Party outlining their recommendations following a review of the street cleansing and waste management budget.

The Audit & Resources Committee agreed at its meeting in July 2008 to appoint a Waste Finance Working Party to look at the waste and street cleansing budget following the implementation of the new Integrated Waste Contract in April 2008. The appointed Members were Councillor Janice Dean, Councillor Sidney Tyrrell and Councillor George Illingworth.

A significant amount of additional resource had been allocated to the budget to accommodate the provisions of the new Contract together with an increase in ancillary and staff costs. The Working Party was charged with:

- Reviewing the income and expenditure to date against the newly agreed ongoing budget and additional one-off expenditure.
- Considering the impact of additional recycling by residents in terms of potential for additional contract costs and recycling credits and other income.
- Reviewing the potential for future developments in the service and also for cost reductions.
- Seeking an understanding of the financial risks.

The Report of the Members Working Party on the Waste and Street Cleansing Budget was attached as Appendix A to the report.

The recommendations of the Working Party were based upon an examination the Waste and Street Cleansing Budget in the context of the current services and within the scope of the task set and were agreed by the Audit & Resources Scrutiny Committee in December 2008

## **EXECUTIVE MINUTES (Continued)**

No alternatives were considered since this report is from the Members Working Party.

The Audit and Resources Scrutiny Committee expressed considerable concern that the contract remained unsigned, but supported the recommendations in the report.

Councillor Kinson responded on behalf of the Executive to the comments of the Audit & resources Scrutiny Committee. Councillor Kinson thanked the Working Party for their work on this and the Scrutiny Committee for instigating the review. He was aware of their concerns with regard to the contract remaining unsigned however he was sure that it would be signed soon. He also informed the meeting that the ongoing negotiations had proved to be useful for both parties.

The Executive also extended their thanks to all for their input in this report and also extended their gratitude to the sort it team for how they had kept all Councillors informed on the delivery of the service during the recent inclement weather.

### **RESOLVED** that

- (1) the recommendations of the working party, as set out below, be approved:
  - (i) a review of the staffing levels of all contract management officers and ancillary staff within Neighbourhood Services is carried out within 12 months of the merger of the teams.
  - (ii) to make provision for a knowledge and transfer handover period with the new Contract Manager prior to the departure of the Community Services Manager.
  - (iii) officers continue to review the collection methods and type of container for those residents who have requested that their collections be reviewed.
  - (iv) all schools who wish to participate are offered recycling facilities.
  - (v) recycling facilities be offered to all flats complexes where practicable
  - (vi) the possibilities for siting additional public recycling banks be investigated and a separate report should be brought forward for consideration if there is potential for expansion of this provision.
  - (vii) joint funded partnership working on graffiti and other environmental crimes continues to provide an effective means of overcoming such issues.



## **EXECUTIVE MINUTES (Continued)**

- (viii) the Council consider its charging policy for collections from properties other than residential properties and a separate report should be brought forward for consideration.
  - (ix) there should be close monitoring of the volatile market for recyclables to ensure that best prices are obtained.
  - (x) the contract be signed as soon as all details are agreed
  - (xi) a report be prepared comparing the benefits and outcomes of kerbside sort versus co-mingled collections prior to the re-tendering of the Integrated Waste Contract for 2013.
  - (xii) a further report be prepared in twelve months comparing performance with other Councils
  - (xiii) an annual review be carried out of the contract with particular reference to the financial viability of the various elements.
  - (xiv) all the financial and other risks are closely monitored and are updated on a quarterly basis as part of the regular risk reporting process; and
- (2) where the above recommendations have budgetary or staffing implications they will be the subject of further reports to either Executive or relevant Committees.

(The Portfolio Holder for this item was Councillor Kinson)

### **796. OVERVIEW & SCRUTINY COMMITTEE AND AUDIT & RESOURCES SCRUTINY COMMITTEE – SCRUTINY WORK CURRENTLY BEING UNDERTAKEN**

The Executive consider a report from the Audit & Resources Scrutiny Committee the Overview & Scrutiny Committee informing them about the scrutiny work being undertaken by the Committees.

This report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee & Audit and Resources Scrutiny Committee.

This item on the Executive was previously the Scrutiny Committees' minutes from the previous cycle. However, producing a report was considered a more effective way of keeping the Executive informed of the Overview and Scrutiny Committees' and Audit & Resources Scrutiny Committees' activities.

## **EXECUTIVE MINUTES (Continued)**

The Executive could receive the Overview and Scrutiny Committees' and Audit & Resources Scrutiny Committees' minutes for information, as there was a legal obligation for this flow of information. However this report provided a brief and meaningful information on the scrutiny work and further details can be supplied if necessary.

**RESOLVED** that the report be noted.

(The Portfolio Holders for this item were Councillors Mrs Bunker, Caborn, Doody, Mrs Grainger, Hammon, Kinson, Kirton, Shilton and White)

### **797. GENERAL REPORT**

#### **(A) RURAL INITIATIVES GRANT**

The Executive considered a report from Finance that provided details of a new application for a Rural Initiatives Grant from Bishops Tachbrook Parish Council, a request for a top up to a grant previously awarded to Hatton Village Hall and an update on a grant to Whitnash Town Council for a scheme which had become dormant but has now commenced.

The Executive is asked to consider the level of funding it wishes to grant in light of the merits of the schemes and the implications on the budget remaining for this financial year.

In December 2004, Whitnash Town Council was granted £5,800 towards the repair and improvement of the road to the community hall. This project lay dormant for some time due to the Town Council's unsuccessful attempts to raise the balance of the cost of the project from other external sources. Following a fresh enquiry in September 2008, the grant was returned to the Rural Initiatives unallocated budget as based on comments received from the Town Council there seemed little prospect of the project being carried out. However, the Town Council seems to have misunderstood the nature of the enquiry made in September and thought that it related to projects which would not start in 2008/09. The Town Council has since commenced work on the project and therefore it is necessary to re-instate the Council's grant in order to help finance the cost. The portfolio holder for Rural Initiatives grants, Cllr. Mrs. Bunker, has given her agreement to the re-instatement of the grant and accordingly the grant has been re-instated and the Town Council informed.

Hatton Village Hall Committee were seeking a further £5,022 towards the additional works they had commissioned for improvements to the village hall roof which were seen as desirable. This would take the Council's contribution to £15,022 (50%) of the overall costs of replacing the village hall roof.

Bishop's Tachbrook Parish Council had requested a grant to assist the Council with the provision play facilities at the Meadow for older age groups of children 10/11 and 15/16 year olds. The facilities they wanted to provide were a BMX track, football goal and hard standing basketball a new footpath around the Meadow and improved signage giving directions to the

## **EXECUTIVE MINUTES (Continued)**

Meadow within the village. The scheme would cost £43,235. It was recommended that the Executive awarded a Rural Initiatives grant of 50% of the total project cost of £43,235 ( excluding VAT ) subject to a maximum grant of £21,618.

The Council had only a specific capital budget to provide grants of this nature and therefore there are no alternatives if the Council is to provide funding for Rural Initiatives.

The Executive could chose not to approve grant funding, or to vary the amount awarded.

### **RESOLVED** that

- (1) a grant of £5,800 for Whitnash Town Coucnil towards the repair and improvement of the road to the community hall be reinstated;
- (2) Hatton Village Hall Committee be awarded a total £15,022 towards the improvements to the village hall roof; and
- (3) Bishop's Tachbrook Parish Council be awarded a grant of 50% of the costs of the scheme for improving facilities at the meadow subject to a maximum grant of £21,618.

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

## **798. 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 three 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 Nos.	Para Nos.	Reason
801 & 802	1	Information relating to an individual
801 & 802	2	Information with is likely to reveal the identity of an individual
799, 800 802 & 803	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

## **EXECUTIVE MINUTES (Continued)**

### **799. SPENCER YARD UPDATE REPORT**

The Executive considered a report from the Director for Housing and Development setting latest position in regard to the Spencer Yard project and updates members on progress since the previous report to the Executive in December 2008.

The Audit & resources Scrutiny Committee supported the recommendations in the report.

#### **RESOLVED that**

- (1) the current progress with regard to finalisation of the legal agreements necessary for the project to proceed, be noted
- (2) the current status of the procurement and planning issues relating to the project, be noted
- (3) work with a value not exceeding £5,000, required in connection with the refurbishment of the former United Reform Church (URC), can be exempted from Code of Contract Practice requirements and procured by officers without advertisement on the WDC website, provided an appropriate quotation is sought, be approved
- (4) the process that will be followed to remove and re-inter human remains buried within the former United Reform Church (URC) and potentially others buried within the paved yard, be noted;
- (5) the initial publicity launch for the project should be timetabled to coincide with either the signing of the necessary legal agreements, publication of the revised planning application to be submitted for the URC or publication of the new planning application to be submitted for the Riverside Business Centre, whichever is soonest, be confirmed; and
- (6) a report on future project management arrangements will be presented to the March Audit and Resources Scrutiny Committee in advance of the next update report to Executive.

(The Portfolio Holders for this item were Councillors Michael Doody and Hammon)  
(Forward Plan reference 147)

### **800. A NEW COMMITTEE MANAGEMENT SYSTEM**

The Executive considered a report from Members' Services regarding the replacement of the current Committee Management System used by the Council.

## **EXECUTIVE MINUTES (Continued)**

The current Committee Management System used by Warwick District Council to publish Councillor and Committee information on the internet did not meet the accessibility criteria set for the Council's website. In general the quality of the presentation of the documents was poor and the system was not easy to use. In addition Warwickshire County Council who were the current suppliers of the system were looking to move to a new system.

The current approved budget for the Council includes £25,000 for the purchase of a new Committee Management System. However, this was dependent on the Executive approving the business case for a new system.

The current system (hosted by Warwickshire County Council) was used to publish information about Councillors and Committees but failed to meet the accessibility standards for our Council's website. As Warwickshire County Council was in the process of purchasing a replacement system, it was recognised that our current system would in time become obsolete. A new system could realise savings both in officer time, by re-engineering the Council's Committee management processes and also through a reduction in printing and its associated costs.

This Council was committed to partnership working across Warwickshire and the use of a single system would enable joint working along with a common approach and increased support in the use of a system. Recommendation 2.2 provided this Council with a position to work in partnership with WCC for the purchase of the system.

Recommendation 2.3 ensures that the budget provision was carried forward in case the purchase of the system was delayed because of the aim that all Warwickshire authorities join in the joint purchase.

The introduction of wireless network connectivity within the Council Chamber would mean that Councillors and Officers could use electronic reports and agendas instead of paper copies. It would also mean that officers when attending meetings and waiting for their matter to be considered, if they desired could access email and other work if they so wished.

This Council could consider not purchasing a new system and reclaim the budgeted money as savings. However because of the issues with the current system and the move away from the current system by WCC it seemed prudent to join with them in the purchase of a new system rather than waiting to be forced to purchase a new system later at a potentially higher price.

The Audit and Resources Scrutiny Committee had some concerns over minor details relating to the introduction of a new system and were unhappy that officer involvement would be required before content produced by Councillors could be loaded on to the web. Members requested more clarity on savings, but supported the recommendations in the report.

The Executive noted the comments of the Scrutiny Committee.

**RESOLVED** that

- (1) business case as set out at Appendix A, be accepted and the release of the £25,000 allocated for the purchase of a Committee Management System as set out within the agreed budget, be approved;
- (2) the joint purchase approach of a Committee Management System across Warwickshire, be approved, subject to:
  - (1) the system meeting the requirements of this Council;
  - (2) the cost is less than that already quoted; and
  - (3) it is a joint purchase of stand alone systems.
- (3) the potential slippage of the capital budget allocated for 2008/09 to 2009/10 and all the revenue budgets for Years 2 -5 (09/10-12/13) back by one year if a decision on a shared system has not been reached by 31 March 2009, be noted;
- (4) in accordance with the Code of Contract Practice the decision on which system this Council should purchase be taken by the Assistant Chief Executive (Members' Services), but in consultation with the Portfolio Holders for Corporate Resources and Customer & Business Improvement; and
- (5) if there were sufficient funds in the year 1 budget this be used to provide secure wireless network access in the Council Chamber for use by Councillors and Officers.

(The Portfolio Holders for this item were Councillor Caborn and Michael Doody)  
(Forward Plan reference get from February forward plan)

**801. RETIREMENTS AND REDUNDANCIES**

The Executive considered a report from the Chief Executive that explained that as part of the budget setting process for 2009/10 it had been necessary to review staffing in all services within the council.

As a result a number of posts were identified as being redundant; the majority of these were vacant however two staff have been identified as being at risk of redundancy and would become part of the Council's redeployment process. Two members of staff had requested early retirement under the Council's early retirement scheme and the opportunity would be taken to review the services under their responsibility if approval was granted for their retirement. One post remained at risk of redundancy from the Building on Excellence proposals.

The preparation for setting the budget for 2009/10 involved consideration of a range of proposals including the removal of a number of posts from the establishment.

## **EXECUTIVE MINUTES (Continued)**

The Snowdrop HR Information Management System would replace a number of the functions undertaken by the Personnel and Training Administration Officer.

The Executive had indicated a desire to reduce the number of Heads of Service posts within the Council to reflect the decision to reduce the number of directors to two Deputy Chief Executives. The redundancy of the Head of ODPI and the early retirement of the Head of ICT supported this restructuring and the early retirement of the Head of Planning allowed consideration of the structure of the planning service.

The post of Assistant Chief Executive (Policy and Performance) was retained under the Building on Excellence proposals to undertake project work for the Chief Executive. The post was due to be reviewed in December 2008. As part of the budget setting process the funding for this post had been extended until 30 June 2009 therefore the postholder remained at risk of redundancy. There was potential for redeployment opportunities to support some corporate projects and these would be explored.

The three posts identified in recommendation 2.5 were vacant and their deletion supported setting the budget for 2009/10.

The alternative option was to not agree to the redundancies and retirements requested but this would require the redundant posts to be re-instated and the staff requesting early retirement to continue in post. The effect would be felt on the budget both this year but also in future years if the salary savings could not be realised.

The Overview and Scrutiny Committee noted the recommendations in the report.

### **RESOLVED** that

- (1) the funding for the early retirement on the grounds of redundancy for the Head of Organisational Development and Performance Improvement with effect from 31 May 2009, be approved
- (2) the funding for the early retirement on the grounds of redundancy of the Personnel and Training Administration Officer with effect from 30 September 2009, be approved
- (3) the funding for the early retirement to the Head of Planning with effect from 30 June 2009, be approved
- (4) the funding for the early retirement to the Head of ICT with effect from 31 May 2009, be approved; and
- (5) the funding for the redundancy of the Assistant Chief Executive (Policy and Performance) if redeployment is unsuccessful with effect from 31 May 2009, be approved.

## **EXECUTIVE MINUTES (Continued)**

(The Portfolio Holders for this item were Councillor)

### **802. BUILDING ON EXCELLENCE - ONE YEAR ON**

The Executive considered a report from the Chief Executive that provided an up to date position statement on those aspects of the Building on Excellence proposals agreed by the Executive in September 2007 relating to alterations to Riverside House; the Town Hall; organisational structure changes; and WiMAX and ITP Roll out.

The Executive agreed the Building on Excellence proposals in September 2007. It received an update on most of the proposals in October 2008 but asked for more details regarding the proposals for Riverside house, the Town Hall, WiMax and ITP Roll out and the Organisational Changes. The report set out in detail the progress and any changes in financial returns for these four areas.

Two of the WiMax base stations were located on multi-storey blocks of residential flats (Westbrook House and Christine Ledger Square). Given the Council's previously ambiguous stance on the siting of telecommunications equipment on such blocks, consideration needed to be given as to any need for a further consultation exercise. However, the Executive should note that no residents have expressed any concerns since the base stations were erected.

Alternatively members could decide to desist with any of the proposals or alter the expected timeline of those which were as yet incomplete. However, members would as a consequence have to consider the financial consequences of any changes.

The Audit and Resources Scrutiny Committee congratulated the Chief Executive on achievements made to date, agreed to review progress at every other meeting and supported the recommendations in the report.

The Executive thanked the Scrutiny Committee for its comments.

#### **RESOLVED** that

- (1) the progress and the reasons for any changes for the original forecasts, be noted;
- (2) a further report on the overall programme at be submitted to the next Executive; and.
- (3) a further consultation with residents is required on the retention of the WiMax base stations on top of selected blocks of flats, be undertaken

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



## **EXECUTIVE MINUTES (Continued)**

### **803. SOUTH WARWICKSHIRE TOURISM**

The Executive considered a report from Finance that considered the financial standing of South Warwickshire Tourism Limited (SWT) and a course of action to assist SWT over the short term.

Recent discussion, led by Councillor Andrew Mobbs had brought to the Council's attention the difficult financial position that South Warwickshire Tourism were in. The main concern at present was with regards to their cashflow. A detailed meeting had been held with Councillor Mobbs, the Council's Head of Finance and key SWT officers to try to understand the position in more detail and agree how things may be progressed.

The finances of SWT were managed on a daily basis by their Finance Executive Officer, the current post holder had been in post for a year. In that time greater analysis of their cashflow had been undertaken, with detailed projections being undertaken for the first time. These had highlighted the possible difficult position in March/April.

SWT recognised that some changes needed to be made so as to ensure its continued viability.

SWT agree that there needed to greater continued monitoring and challenge of their financial position on an on-going basis. They had agreed that there would be monthly meetings of their officers, from February 2009, key directors and their Accountants. A letter was attached to the report from Phil Hackett, SWT Chief Executive, detailing some of the actions being undertaken as a result of the meeting with Councillor Mobbs and the Head of Finance.

A draft budget had been prepared for 2009/10. This showed a small surplus. This had been prepared on a very prudent basis, and did not take into account the changes referred to in 3.5. With regards to income, this had largely been based on 2007/08 and 2008/09 levels, for which it was generally acknowledged were very difficult times for tourism in the region. With the state of the world economy it was anticipated that there should be more visitors to the region.

With the changes proposed in the report and other initiatives to secure more income and reduce costs, 2009/10 should prove to be more profitable.

SWT initially requested payment of the Council's quarterly contributions for April and July 2009 in March to ease their cashflow. A similar request was made to Stratford on Avon District Council. Detailed scrutiny and discussion of their request had shown that paying the April contribution in mid March, and that for July in May should satisfactorily ease their cashflow. SWT had agreed with this.

The normal payment dates of April, July, October and January could continue to be adhered to throughout 2009. This would not assist SWT with their cashflow in the short term. This would increase the risk of the company not being able to pay their creditors, and having to go into liquidation. This would put the Tourist Information Centre in Leamington at serious risk, along with all the tourism promotion work provided by SWT for the District. In such eventuality there would be pressure on the

## **EXECUTIVE MINUTES (Continued)**

Council to assist in the provision of these services more directly, with more than likely additional costs falling on the Council.

The Audit and Resources Scrutiny Committee were keen to see that the Council received value for money, were assured by the fact that Stratford District Council were broadly in agreement with Warwick District's approach, and supported the recommendations in the report. The Committee reminded the Executive that it has a working party scrutinising tourism which would review the value for money the Council receives in the light of the changes proposed.

The Executive thanked the Scrutiny Committee for their comments and noted their review of the value for money exercise being undertaken.

**RESOLVED** that South Warwickshire Tourism Limited, be paid, the Council's April contribution in mid March 2009 and that for July in May 2009 subject to the Council receiving regular monthly financial monitoring reports.

(The Portfolio Holder for this item was Councillor Hammon)

(The meeting ended at 7.57pm)