

# EXECUTIVE

Minutes of the meeting held on Wednesday 14 September 2011 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Michael Doody (Chairman), Councillors Caborn, Coker, Mrs Gallagher, Mrs Grainger, Hammon, Mobbs, Shilton and Vincett.

**ALSO PRESENT:** Councillor Barrott (Labour Group Observer), Councillor Boad (Liberal Democrat Group Observer), Councillor Gifford (Chair of Overview and Scrutiny Committee) and Councillor Mrs Knight (Chair of Finance and Audit Scrutiny Committee).

## 49. **DECLARATIONS OF INTEREST**

### Minute Number 54 – Warwick Town Centre Area Action Plan Update

Councillor Mrs Grainger declared a personal interest because she was a member of Warwick Town Council.

### Minute Number 58 – Use of Delegated Powers

Councillors Barrott and Mrs Gallagher declared personal interests because they had attended the Regulatory Committee meeting in question.

Councillors Edwards and Gifford declared personal interests because they had deputised for their group leaders when the decision was taken.

### Minute Number 61 – Wilton House – Affordable Housing Contribution

Councillors Coker, Mobbs, Shilton and Vincett declared personal interests because they were Kenilworth Town Councillors.

## 50. **MINUTES**

The minutes of the meeting held on 10 August 2011 were taken as read and signed by the Chairman as a correct record.

### **PART 1**

(Items which a decision by Council is required)

## 51. **DOG CONTROL ORDERS**

The Executive considered a report from Environmental Services which summarised the responses received following amendments made to the Fouling of Land by Dogs Order and the Dogs on Leads by Direction Order at the Council meeting on 29<sup>th</sup> June 2011.

The amendments required public consultation and the report summarised the responses received and requested the Executive to make a final decision on their implementation.

## **EXECUTIVE MINUTES (Continued)**

It was considered that enforcement of the current byelaws was ineffective and further controls on some specific areas of open spaces in the District would improve the Council's regulatory effectiveness and thus produce efficiencies. Given the limited nature of these areas, it was not considered that this would have a significant impact on the majority of responsible dog owners being able to exercise their dogs off lead.

The report advised that enforcement of Dog Control Orders could be undertaken more efficiently than Byelaws through the use of fixed penalty notices to avoid the lengthy process of preparing a prosecution file and court appearances. If an offence was considered sufficiently serious to require prosecution, the maximum fine on summary conviction was £1000 which was significantly more than for Byelaws.

The Dog Control Orders (Procedures) Regulations 2006 required that, after considering representations on a proposal to make an order, any significant amendments must be subject to further consultation. This period of consultation had ended and a summary of the responses received were detailed in section 7 of the report.

The report requested that the orders as set out in appendix 1 to the report be approved and would come into force on 1<sup>st</sup> November 2011. In addition, approval was required for a list of sites for the purposes of Section 1 of the Schedule in Dogs Exclusion (Warwick District Council) Order.

An alternative option was to not introduce either or both of the proposed Dog Control Orders. The Orders could be implemented as originally set out in the report to the Executive on 24<sup>th</sup> November 2010 or any additional changes could be made to this recommendation if Members wished more or less areas to be included. However, any material changes to the recommendation would necessitate a further public consultation exercise.

The Overview & Scrutiny Committee felt there was a need for the areas that were clearly designated by location, i.e. Newbold Comyn play area with a road on one side and hedges on the other three sides, to be brought to the next Executive to ensure public confidence can be maintained in the introduction of these orders.

They welcomed the comment from the Portfolio Holder that Bishop's Tachbrook and Norton Lindsey play areas, as fenced play areas, would be included in the decision by Executive in the first round.

The Overview & Scrutiny Committee felt there was a need for additional bins across the District, either dog waste specific or general ones, which could be used and it needed to be publicised that dog waste could be put into normal waste bins. The Committee was pleased to hear that money saved on removing dog bins would all be spent on a considerable increase in dual use bins.

They also asked the Portfolio Holder to investigate the reporting process for contacting the Dog Warden because at present both the public and Councillors had experienced problems.

## **EXECUTIVE MINUTES (Continued)**

In response the Portfolio Holder for Environmental Services, Councillor Coker, assured members that the issues raised regarding the difficulties in contacting the Dog Warden were being investigated and officers were working on improving the delivery of this important service. Councillor Coker also advised that the two areas noted by the Overview and Scrutiny Committee as missing from the original reports would be included and the comments made concerning clearer demarcation would also be highlighted to officers.

Members felt strongly that the situation regarding dog bins was imperative to get right, which included not only the installation but also the maintenance of them. Councillor Shilton assured members that area officers could be contacted in Neighbourhood Services if members were made aware of any problems with the bins and agreed that further advertising was needed to promote the use of the dual bins to the public.

There was a strong feeling that all play areas needed to be treated with respect and these areas should be able to be maintained satisfactorily with clearer demarcation of the areas in question and the perseverance of officers to work with dog owners and the public.

### **RECOMMENDED** that

- (1) the Dogs on Leads (Warwick District Council) Order and the Dogs Exclusion (Warwick District Council) Order as set out in Appendix 1 to the report, be approved;
- (2) the sites listed in paragraph 7.4 of the report be agreed for the purposes of section 1 of the Schedule in the Dogs Exclusion (Warwick District Council) Order and any future additions would require prior Executive approval; and
- (3) the Orders together with the Fouling of Land by Dogs (Warwick District Council) Order and the Dogs on Leads by Direction (Warwick District Council) Order come into force on 1<sup>st</sup> November 2011.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan reference 327)

## **52. EMPTY HOMES STRATEGY 2011-2014**

The Executive considered a report from Housing Strategy which set out the reasons why empty homes in the District should be brought back into use and outlines the options available to achieve this.

The report highlighted that long term empty properties were classified as properties that had been empty in excess of 6 months and some of these would be exempt for council tax purposes. This could be for a variety of reasons for example, they are uninhabitable, left empty by deceased person estate or person receiving care.

## **EXECUTIVE MINUTES (Continued)**

The report detailed the issues surrounding empty properties with regard to crime and environmental issues. The Royal Institution of Chartered Surveyors had stated that a long term empty home could reduce the value of surrounding properties by at least 10 per cent and the only effective way to reduce the negative impact of an empty dwelling was to occupy it.

The draft Empty Homes Strategy 2011-2014 and the supporting draft action plan that outlined delivery of the strategy's objectives, listed some of the initiatives to be undertaken to increase the number of empty properties brought back into use.

The report requested that the draft strategy and action plan be recommended to Council for approval and that an amendment to the scheme of delegation be made, authorising the use of Enforced Sale Procedure under Law of Property Act 1925 including service of notice under Section 103 of the Act, to Head of Housing & Property Services. Officers also felt that authority should be delegated to the Head of Housing and Property Services in consultation with the Housing and Property Services Portfolio Holder to implement any minor changes to the final detail of the draft strategy and action plan prior to submission to Council.

An alternative option was to refuse to recommend the strategy for approval. However the risk of not endorsing this strategy was that there could be a missed opportunity to bring a wasted resource back into use that would not only enhance Warwick District as a great place to live, work and visit but also help meet housing need in the District by increasing housing supply.

In addition, the Council could miss out on maximising revenue through Council Tax payments and the allocation of the New Homes Bonus as outlined in paragraph 3.3 of the report.

The Overview & Scrutiny Committee welcomed the explanation that the Head of Housing & Property Services was looking at the correlation between the reduction in empty homes and the work of the Empty Homes Officer before determining how the strategy could be implemented. In addition, the Committee welcomed the agreement from the Head of Service that for this reason all references to the Empty Home Officers would be removed from the Strategy before the final version was published. The Committee also welcomed the inclusion within the Strategy of working with Councillors to identify empty properties and bringing them into use. The Overview & Scrutiny Committee also noted that a report on the implementation of the Strategy would be brought to the December Executive.

The Executive thanked the committee for their beneficial comments and reiterated that there were alternative options available but this had to be balanced with the risk of a missed opportunity. The Portfolio Holder for Housing, Councillor Vincett, distributed a revised version of the strategy at the meeting but advised that this was still a draft version. Members were keen that a report come back to them in December and welcomed the implementation of the strategy. It was felt that the Executive's thanks

## **EXECUTIVE MINUTES (Continued)**

should be passed to the Empty Homes officers involved in compiling the work to date.

### **RECOMMENDED** that

- (1) the draft Empty Homes Strategy 2011-2014 and the supporting draft action plan that outlines delivery of the strategy's objectives, be approved; and
- (2) an amendment to the scheme of delegation be made, authorising the use of Enforced Sale Procedure under Law of Property Act 1925 including service of notice under Section 103 of the Act, to Head of Housing & Property Services.

**RESOLVED** that authority be delegated to the Head of Housing and Property Services, in consultation with the Housing and Property Services Portfolio Holder, to implement any minor changes to the final detail of the draft strategy and action plan prior to submission to Council.

(The Portfolio Holder for this item was Councillor Vincett)  
(Forward Plan reference 306)

### **53. PROPOSAL TO INSTALL PHOTOVOLTAIC SYSTEMS TO SUITABLE WDC HOUSING AND CORPORATE PROPERTIES**

The Executive considered a report from Housing and Property Services which sought approval to deliver a district-wide programme to install up to 517 photovoltaic systems (PVs) on Housing Revenue Account (HRA) assets and corporate properties by 31<sup>st</sup> March 2012.

The report requested approval of the direct procurement by the council of a programme ('option 3' detailed in section 3 of the report), to procure and install up to 517 PV systems, on up to 511 HRA assets and 6 corporate properties by 31 March 2012. The actual number installed would depend upon structural surveys on proposed properties, tenant agreement, and the volume that could be completed by 31 March 2012.

On 1 April 2010 the Government introduced the Feed-In Tariffs (FiT) to encourage new investment in low carbon green technologies. Local authorities had been eligible to receive FiT payments since late 2010 when the restriction against local authorities selling renewable energy was lifted.

The FiT payments were based on the electricity generated by a renewable energy system which was used in the property. There was also an additional bonus for any energy produced which was exported to the electricity grid.

## **EXECUTIVE MINUTES (Continued)**

The report highlighted that once the system is started at a given tariff rate, this rate is guaranteed for a full 25 years, index linked to the retail price index. FiT rates were expected to reduce from 1 April 2012, to reflect the reducing cost of panels. Therefore, installations completed and registered by 31 March 2012 would benefit from the prevailing tariff which would be fixed for the 25 year duration.

The PV systems would be installed on up to 517 properties, covering potentially all wards. This included 304 council houses, 207 blocks of council flats, including sheltered schemes, and 6 corporate buildings. The 511 dwellings were prioritised due to the longevity of their structures and age of roofs, installed since 2004. The short list of corporate buildings was decided based on certainty as to their future for the next 25 years and detailed structural surveys would be carried out if approval was given.

The report requested agreement to include up to £375,000 in the Other Capital Programme for the installation of PV systems on corporate properties, reduced in proportion for any installations not completed by 31 March 2012. In addition, the financing of this project would be funded throughout its life from internal resources and/or prudential borrowing as appropriate as part of the Council's overall treasury management/funding strategy.

There were a number of alternative options available and the report explained these in detail including the 'Rent a Roof' lease model, establishing an external joint venture or to do nothing. However, this would remove the potential to bring much needed income into the Housing Revenue Account and General Fund and reduce the District's capacity to meet carbon reduction targets and the potential job creation opportunities.

The Finance & Audit Scrutiny Committee supported the recommendations in the report, but expressed a desire for one supplier to install and maintain the Photovoltaic Systems, to minimise the risk of disputes over whether faulty systems were due to poor installation or lack of maintenance. If it was necessary to appoint a second supplier to maintain the systems, it was suggested that the supplier who installed the systems should set the maintenance schedule for the maintenance contractor.

The Overview & Scrutiny Committee welcomed the report but did have concerns about the implementation timescales involved with a large project where a number of people would also be aiming to install similar schemes. In addition, they felt that the Executive should look at what action it could take to help reduce fuel poverty issues by making homes more fuel/energy efficient through schemes such as super insulation or improved water heating schemes.

The Overview & Scrutiny Committee stated that they would also welcome some monitoring of local employment levels to see the impact that this had on reducing long term unemployment in the area and improved skills

## **EXECUTIVE MINUTES (Continued)**

levels. In addition, this money should be treated as windfall money for additional improvements and not stop gap money to fill short falls.

In response, Councillor Doody advised the scrutiny chairs that there had been a great deal of work done on the Council's housing stock in previous years including a rolling programme to carry out insulation works to properties. Councillor Mrs Grainger reminded members that a thorough thermal imaging survey had been carried out and work was continuing on this. She stated that many of the issues raised by the scrutiny committees were continually being worked on through the rolling maintenance programme.

Councillor Gifford expressed his committees concerns regarding offering employment opportunities to local people and ensuring that there was equity and fairness to all the Council's tenants.

In response, Councillor Vincett agreed that ideally, any training and employment opportunities would be offered to local people, however, due to the tight timescales this may be more feasible for the maintenance contracts than the initial installation phase. He ensured members that a lot of background research had already been completed and recent discussions with local businesses had proved promising with regard to them employing local labour. In answer to the concerns raised regarding keeping the same contractor for installation and maintenance, Councillor Vincett felt that this would be a convenient solution but may not be practicable in the current economic climate.

Councillor Vincett proposed that the Executive's thanks be passed to Bhavan Jhita, Building Surveyor, whose hard work had ensured the Council were in a position to accept this opportunity and commit to reducing carbon emissions across the District.

### **RECOMMENDED** that

- (1) the direct procurement by the council of a programme ('option 3' detailed in section 3), to procure and install up to 517 PV systems, on up to 511 HRA assets and 6 corporate properties by 31<sup>st</sup> March 2012, be approved. The actual number installed will depend upon structural surveys on proposed properties, tenant agreement, and the volume that can be completed by 31<sup>st</sup> March 2012;
- (2) up to £3,380,000 be included in the Housing Investment Programme for the installation of PV systems on Housing Revenue Account properties, reduced in proportion to the number of installations by 31 March 2012;
- (3) up to £375,000 be included in the Other Capital Programme for the installation of PV systems

## **EXECUTIVE MINUTES (Continued)**

on corporate properties, reduced in proportion for any installations not completed by 31 March 2012;

- (4) the financing of this project will be funded throughout its life from internal resources and/or prudential borrowing as appropriate as part of the councils overall treasury management/funding strategy; however for the HRA the 'Self Financing' debt take on in March 2012 means it is prudent to view the HRA element of this project as effectively debt funded from that point onwards. The precise funding to be determined when the Capital Programme funding is next reviewed;
- (5) the benefits to the council of the FiT as contained in sections 4 and 5 of the report be noted; and
- (6) a future report will be presented providing a post completion review and to explain the following change to FiT post in April 2012.

(The Portfolio Holder for this item was Councillor Vincett)

### **PART 2**

(Items which a decision by Council is not required)

#### **54. WARWICK TOWN CENTRE AREA ACTION PLAN UPDATE**

The Executive considered a report from Development Services which informed Members of the Warwick Town Centre Partnership decision not to consult on the 'Options' paper approved for public consultation at the meeting of the Executive in June 2011. The report also outlined the Partnership's proposed approach to the further work that was now considered necessary.

Following on from the "Report of Public Consultation" on the "Issues" paper, published in June 2010, and in accordance with the requirements of the Local Development Scheme (LDS), a second stage "Options" consultation to address the identified issues was to have been undertaken following Executive approval in June this year. The purpose of this stage of public consultation was to seek views on which option would best address the identified issues in the Area Action Plan.

The Overview & Scrutiny Committee felt there was a need for proceeding this at speed but at the same time there was a need for the partnership to bring the ideas forward and would encourage the Council to outline its plans and vision to the Town Centre Partnership. The Committee did recognise that Stratford Town Council had been driving a neighbourhood



## **EXECUTIVE MINUTES (Continued)**

plan under the localism bill for Stratford Town Centre. It was accepted that Warwick Town Council did want to bring the changes and development while recognising the historical and architectural heritage of the Town but there were other groups who had caused problems for this plan.

The Executive thanked the committee for their comments and assured them that their frustrations were echoed but there was hope that the core group would be able to move this project forward. Members were mindful that there was a lot of frustration for the members involved in the partnership and recognised that the involvement of other authorities had created further issues. Members felt strongly that the Senior Planner in Policy, Projects and Conservation, should be highly commended for her dedication to the work so far.

### **RESOLVED** that

- (1) the contents of this report be noted and Warwick Town Centre Partnership's approach to consultation on the 'Options' paper, be approved; and
- (2) a draft 'Options and Preferred Option' paper be submitted in due course for approval for public consultation.

(The Portfolio Holder for this item was Councillor Hammon)

## **55. UPDATE ON THE FIT FOR THE FUTURE CHANGE PROGRAMME**

The Executive considered a report from the Improvement and Performance team which updated members on the progress made in achieving benefits from the Fit for the Future Change Programme, following a request for this information in February 2011.

The report detailed the three types of benefits that the Programmed had been designed to produce and the benefits accrued so far. Attached as an appendix to the report was a schedule of projects – completed, current future and on-hold, informing of the different financial benefits associated with each project.

An alternative option was to not have a programme with Service Improvement projects being delivered and co-ordinated through the Service Plan process. This option was rejected as the Programme would ensure there was a consistent approach to achieving financial, customer and organisational benefits.

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

## **EXECUTIVE MINUTES (Continued)**

### **RESOLVED** that

- (1) the current position regarding Programme's benefits is noted; and
- (2) the Programme's end date is extended to the financial year 2016/17 and remains aligned with the end date of the Medium Term Financial Strategy (MTFS).

(The Portfolio Holders for this item were Councillors Caborn and Doody)  
(Forward Plan reference 346)

## **56. INTERPRETING THE VISION – THE WAY FORWARD TO 2028**

The Executive considered a report from the Chief Executive proposing a process for the development of the Local Plan (also known as the Core Strategy) for the District to 2028 to help implement the wider vision for the District.

The Council and its key partners agreed a Sustainable Community Strategy (SCS) in 2009 for the period up to 2026 which the then emerging Core Strategy would sit alongside. The SCS set out a long term vision for the area – "To make Warwick District a great place to live, work and visit; where we aspire to build sustainable, safer, stronger and healthier communities" and the purpose of any vision and the accompanying strategies necessary to implement it, was to give clarity of purpose to an organisation and its partners and customers.

The report advised that the relationship, from a national perspective, between a SCS and a Local Plan (Core Strategy) was changing. The latter would no longer have to formally pay regard to the former under the draft National Planning Policy Framework (NPPF). However, a SCS would remain important for local authorities, because the vision it contained was much wider than the spatial vision for the area that was contained within a Council's Local Plan.

It was therefore proposed that the SCS should have an extended timescale to 2028, that would cover the same 15 year timeframe as the new Local Plan, as it set out an overall vision for the future of the area and that remained necessary.

The report recommended that the process for developing the Local Plan for the District for the period up to 2028 be approved and this was detailed as an appendix to the report. In addition, key partners would be asked to co-operate and actively engage with the Council and officers would work with Localities to develop their priorities for their area in conjunction with this process and timescale.

An alternative option was that the Council could consider the response to the public consultation in scenarios, in the traditional way. However, this would ignore the increasing connectedness of issues and implications and indeed would ignore the development of the wider vision for the area. As a consequence it was an option which was not recommended.

## **EXECUTIVE MINUTES (Continued)**

Councillor Caborn addressed members and advised that this was the time to move this forward as a District document, that support was available if queries were raised and the issue was open to discussion at any time. Members agreed that this was wide visionary thinking and promoted excellent engagement with the District but may need more publicity if it was to be driven forward successfully.

### **RESOLVED** that

- (1) the process for developing the Local Plan for the District for the period up to 2028, as set out in Appendix 1 to the report, be approved;
- (2) Key Partners are asked to co-operate and actively engage with the Council in this process, as set out in Appendix 1 to the report;
- (3) officers will work with Localities to develop their priorities for their area in conjunction with this process and timescale; and
- (4) the work of the Development Plans Working Party be acknowledged.

(The Portfolio Holder for this item was Councillor Caborn)

## **57. EQUIPMENT RENEWAL RESERVE**

The Executive considered a report from Finance which updated members on the latest position and considered further items on the Equipment Renewal Reserve. An update was provided on the sustainability of the Reserve and the report requested the approval of changes to the funding sources of some items alongside budget virements which could have significant financial implications on future revenue budgets.

Included within the report was the Business Case template for future use for the drawing of monies down to enhance the current approval process along with a request seeking to approve the monies required from the Gym Equipment Reserve.

An alternative option was to do nothing, however, it was felt that the recommendations would enhance existing arrangements and the Executive had approved reviewing this Reserve during the Summer/Autumn.

The Finance & Audit Scrutiny Committee noted that paragraph 2.1 should read "...recommendations 2.2, 2.3 and 2.5 below" and supported the recommendations in the report.

The Executive agreed with the comments made by the Finance & Audit Scrutiny Committee and proposed that the recommendations be amended accordingly.

**RESOLVED** that

- (1) the latest schedule at Appendix 3 to the report which incorporates the recommendations in paragraphs 2.2, 2.3 and 2.5 of the report, be noted;
- (2) since the Housing Surveys detailed in section 7.6 are not renewals of items of equipment and do not produce fixed assets, it is recommended that these (2015-16) be factored into the Medium Term Financial Strategy and duly considered within the Service Planning Process which underpins the Budget Setting Cycle;
- (3) the Equipment Renewal Reserve Schedule be specifically for larger value items in excess of £5,000 with a life span of some years. This would reflect the Council's practice for accounting for other long-term assets, with smaller items being accommodated within Revenue Budgets;
- (4) the items currently contained in the Equipment Renewal Schedule totalling £80,000, relating to Play Equipment, be removed from this schedule and contained within the Play Equipment Reserve, with the corresponding £80,000 being vired to the Play Equipment Reserve, from the Equipment Renewal Reserve;
- (5) the virements between the Equipment Renewal Reserve, Corporate Property Programme Reserve, and the Assembly Rooms Repairs and Renewals Reserve, be approved as outlined in Section 7.10., the Corporate Property Programme Reserve, and the Assembly Rooms Repairs and Renewals Reserve becoming obsolete and being closed;
- (6) where practicable and appropriate, the timing of the reports to SMT and the actual procurement of the item be flexible enough to allow sufficient time to enable any significant revenue implications to be accommodated within the Budget Setting Cycle;
- (7) the drawing down of £66,000 from the Gym Equipment Reserve, be approved;
- (8) future requests from the Gym Equipment Reserve be approved under delegated powers by the Head of Cultural Services Section in

## **EXECUTIVE MINUTES (Continued)**

consultation with the 151 Officer and Cultural Services Portfolio Holder; and

- (9) the Portfolio Holders and Heads of Service review the items on a quarterly basis to identify those which are no longer required and the robustness of the latest projections.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 343)

### **58. USE OF DELEGATED POWERS**

The Executive considered a report from the Deputy Chief Executive (BH) noting the use of delegated power CE(4) to obtain Group Leader's (or their Deputy's) approval for the potential use of the contingency budget to cover any future costs associated with defence of the Council against Judicial Review proceedings.

The Scheme of Delegation, contained within the Council's Constitution provided for the Chief Executive (and in their absence the Deputies) to have authority to 'deal with urgent items that occur between meetings, in consultation with the relevant Deputy Chief Executives, Heads of Service (if available) and Group Leaders (or in their absence Deputy Group Leaders) subject to the matter being reported to the Executive at its next meeting'. [CE(4)]

In the absence of the Chief Executive, the Deputy Chief Executive (BH) used this delegated power to seek approval for the potential use of the contingency budget, if required at a later date, in advance of consideration by the Regulatory Committee of a confidential urgent item which would require them to decide whether or not to contest an application for a Judicial Review.

To ensure that the Committee's decision was not clouded or potentially open to challenge, Group Leader's (or in two cases due to their absence and in another that the Group Leader was a substitute member who would be attending Regulatory Committee, their Deputy's) were requested to approve the future use of the contingency budget in order to cover any potential costs associated with contesting the Judicial Review application, if required, depending on the decision made by Regulatory Committee.

The alternative option would have been not to seek authority under delegated powers but this was discounted on the basis that it was preferable to ensure that any temptation to consider the issue of financial consideration was entirely removed from the Regulatory Committee's decision making process.

The Finance & Audit Scrutiny Committee made no comment, recognising that a decision had already been taken and that Executive was being asked only to note the decision.

(Councillors Illingworth and Wreford-Bush realised that they had personal interests in this item as members of the Regulatory Committee and

## **EXECUTIVE MINUTES (Continued)**

declared their interests at this point in the proceedings. Councillor Edwards also declared a personal interest due to being a Deputy Group Leader that originally approved the use of delegated powers.)

**RESOLVED** that the use of delegated power CE(4) to obtain Group Leader's (or their Deputy's) approval for the potential use of the contingency budget to cover any future costs associated with defence of the Council against Judicial Review proceedings, be noted.

(The Portfolio Holder for this item was Councillor Doody)

### **59. SAFEGUARDING CHILDREN ACTION PLAN**

The Executive considered a report from the Deputy Chief Executive (BH) which advised members of the outcome of the audit of this Council's compliance with its statutory safeguarding responsibilities, as set out in Section 11 of the Children Act 2004 and sought approval for an Action Plan to address issues arising from that audit, in order to strengthen the Council's safeguarding activities.

The audit was undertaken at the request of the Independent Chair of Warwickshire Safeguarding Children's Board (WSCB) by all the Board's partner agencies and organisations to assess their level of compliance with Section 11 of the Children Act 2004. Each agency completed a template, tailored to their specific role and function in relation to safeguarding children, drawing on the requirements set out in statutory guidance relating to Section 11.

This Council's response, attached as an appendix to the report, was considered by the Senior Management Team and formally 'signed off' by the Corporate Management Team prior to submission in April 2011. The WSCB received a report in May 2011 meeting summarising the outcome of the audit. It concluded that, overall, all partner agencies and organisations, including this Council, had sound arrangements in place for safeguarding children and were compliant with the requirements of Section 11

The Board also agreed that each agency and organisation should construct an Action Plan enabling them to bring together and monitor implementation of those areas for development and this Council's draft Action Plan was set out at appendix two to the report.

The report highlighted that a key element of the Action Plan related to staff training and the need for this to be co-ordinated at a corporate rather than a service area level. At its August meeting the Executive approved the establishment of a Central Training Budget and the report recommended that this budget be utilised to cover any costs that might arise from the need to provide appropriate staff cover to enable training to be completed.

The WSCB also agreed at their May meeting that partner agencies with similar structures, roles and responsibilities in relation to safeguarding

## **EXECUTIVE MINUTES (Continued)**

children should be encouraged to share their audit findings to identify examples of good practice that could be promoted more widely and ensure that common challenges are addressed in a consistent fashion through the Action Plans. It was therefore possible that the draft Action Plan may require subsequent amendment to reflect the outcomes of discussions due to take place and the report recommended that authority to vary the Action Plan be delegated to the officer Champion (DCE -BH), in consultation with the member Champion.

The Overview & Scrutiny Committee accepted the recommendations in the report, particularly recommendation 2.6.

The Leader of the Council, Councillor Doody, addressed members and advised that Councillor Mrs Gallagher, Portfolio Holder for Cultural Services, had been nominated as the member Champion. He stated that with her background as a foster carer for a number of years, the Chairman of the Youth Court, her work at the Magistrates Court and her role teaching Life Skills, she was in an excellent position to take the role of Champion on.

### **RESOLVED** that

- (1) the audit response submitted to the Warwickshire Safeguarding Children Board (WSCB) as set out at Appendix One to the report, be noted;
- (2) the draft Action Plan as set out at Appendix Two to the report be approved;
- (3) the future use of the Central Training Budget be approved, if required, to cover any costs associated with maintaining service provision at leisure centres to allow operational staff to be trained;
- (4) the Portfolio Holder for Cultural Services, Councillor Mrs Gallagher, acts as the Council's member Safeguarding Children Champion;
- (5) authority be delegated to the Deputy Chief Executive (BH), in consultation with the member Safeguarding Children Champion, to amend the Action Plan as appropriate, following discussion with the other district and borough council's via the WSCB District Council Sub-Committee;
- (6) progress in delivering the Action Plan is monitored by the Overview and Scrutiny Committee.

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

## **EXECUTIVE MINUTES (Continued)**

### **60. 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 two items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute No.	Para Nos.	Reason
62	1	Information relating to an individual
61 & 63	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full minutes of agenda items 14, Wilton House – Affordable Housing Contribution (Minute 61), Item 15, Request for Redundancy and Early Retirement Payment (Minute 62) and Item 16, Minutes (Minute 63) were contained within a confidential minute which would be made available to the public following the implementation of the relevant decisions. However, a summary of the decision was as follows:

#### **61. WILTON HOUSE – AFFORDABLE HOUSING CONTRIBUTION**

The recommendations as set out in the report were agreed.

#### **62. REQUEST FOR REDUNDANCY AND EARLY RETIREMENT PAYMENT**

The recommendations as set out in the report were agreed.

#### **63. MINUTES**

The minutes of the meeting held on 10 August 2011 were taken as read and signed by the Chairman as a correct record.

(The meeting ended at 7.30 pm)