

Executive

Minutes of the meeting held on Wednesday 9 March 2016 at the Town Hall, Royal Leamington Spa, at 6.00 pm.

Present: Councillor Mobbs (Chairman); Councillors Coker, Cross, Mrs Gallagher, Mrs Grainger, Phillips and Shilton.

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

Apologies for absence were received from Councillor Whiting.

113. **Declarations of Interest**

Minute number 122 – St Nicholas Park Petition

Councillors Cross and Mrs Grainger declared a personal interest because they were Warwick Town Councillors.

114. **Minutes**

The minutes of the meeting held on 10 February 2016 were agreed as written and signed by the Chairman as a correct record.

Part 1

(Items on which a decision by Council is required)

115. **Housing Allocations Policy Review**

The Executive considered a report from Housing and Property Services, that proposed changes to the Housing Allocations Policy to reflect current practice and to take account of recent new case law.

The current adopted Housing Allocations Policy was approved in 2008 and stated, in relation to bedroom standards:

"The following guide is used to determine whether or not a family meets the bedroom standard. The Council considers that each of the following require one bedroom:-

- Partners living together or a lone parent.
- Those over 16 years of age.
- A child or two children sharing unless:-
 - Of the same sex, both over 8 years old with more than 4 years' age difference, or
 - They are of opposite sex and the eldest is over 8 years of age."

From 1 April 2013 new Housing Benefit regulations came into force whereby those considered as having one or more spare bedrooms had their Housing

Benefit reduced. The standard applying for this assessment was that a separate bedroom was required for:

- An adult couple;
- Any other person aged 16 or over;
- Two children of the same sex under the age of 16;
- Two children under the age of 10 regardless of their sex'; and
- Any other child who's main and principal home was with the applicant and they lived there permanently.

Prior to the introduction of the regulations in April 2013, there was considerable discussion at Overview & Scrutiny Committee, Executive and Council. The adoption of the revised bedroom standard had been informally applied since that date but recommendation 2.1 of the report provided for the formal inclusion within the policy.

The withdrawal of "one bedroom in excess of need" principle from the Housing Allocations Policy was approved by Council in August 2015. This took account of the new Housing Benefit regulations to ensure that applicants did not move into properties where they would then be subject to the under-occupation charge.

However, it was not made clear in the report at the time that the charge did not apply to many people over retirement age and a small number of households with other specific needs (for example some families that include a person with a disability). Those households could continue to be offered one bedroom in excess of need.

This could be an important incentive in encouraging older tenants to downsize from large properties which, in turn, underpinned current strategy of seeking a small number of two-bedroom bungalows in the affordable housing mix on new housing developments.

With regard to disability, the additional space may be essential for use by a carer or where it was inappropriate for children to share.

For the avoidance of doubt Council was asked to note that the decision to no longer allocate one bedroom in excess of need was not intended to apply to age-designated properties or to applicants exempt from the under-occupation charge for other specific reasons.

One of the principal changes agreed in July 2015 was the introduction of local connection criteria whereby those without a local connection (defined in the same way as in homelessness legislation) would be excluded from the housing register with the exception of:

- a) People needing to move to the district to receive support;
- b) Armed forces cases;
- c) Domestic violence/harassment cases (assessed in the same way as under homelessness legislation);
- d) Council and RP tenants who had a reasonable preference because of a need to move to the district to avoid hardship and need to move because the tenant worked or had been offered work in the district and had a genuine intention to take up the offer;
- e) Key workers who did not qualify under d);

f) Cases where we had accepted a full homeless duty.

After the Council decision, the Court of Appeal handed down judgment in the case of HA, R (On the Application Of) v London Borough of Ealing [2015] which restricted the extent to which local connection criteria could exclude applicants from the housing register.

Applicants with a "reasonable preference" as defined by the Housing Act 1996 should not be excluded from the housing register, even if they had no local connection. Those with a reasonable preference were:

- People who were homeless;
- People who were owed a duty by another local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who were occupying accommodation secured by any such authority under section 192(3);
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who needed to move on medical or welfare grounds (including any grounds relating to disability); and
- People who needed to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

The Council could take account of local connection in deciding how much priority to give to those applicants. The recommendation was therefore that the cases that the Council was intending to exclude, but were now entitled to be admitted to the register, should be placed in Band Four.

As a result of needing to respond to these issues there was likely to be some slippage in implementing the new allocations policy. The original project plan anticipated an implementation date of 1 April 2016 but this was now expected to be 1 June 2016.

Part 3 Section 3 of the Constitution (Executive Functions) defined that, subject to those matters reserved to Council and except matters delegated to an officer by Council, the Executive could exercise all the powers and duties of the Council as Housing Authority (Page C8 and C9 of the Constitution).

The option of not introducing the changes had been considered but not brought forward.

The Bedroom Standard could be left but this would mean reverting to the rules from around three years ago that it was agreed at the time should be changed. The practical effect would be the potential for applicants entitled to Housing Benefit to be signed up for properties for which their benefit would not cover the full rent and the consequent risk of rent arrears and repossession.

The second recommendation about "one-bedroom in excess of need" was a point of clarification for the avoidance of doubt rather than a change to policy.

The third recommendation was in response to a High Court decision so failure to introduce this could risk a legal challenge at a later date.

Recommended to Council that;

- (1) it amends the bedroom standard applied within the Housing Allocations Policy to ensure consistency with that specified in the Housing Benefit regulations and to grant delegated authority to the Head of Housing & Property Services in consultation with the Portfolio Holder for Housing and Property to make minor adjustments to the standard should any such issues be raised in consultation with Registered Providers;
- (2) age-designated properties and applicants exempt from the under-occupation charge for specific reasons will continue to be eligible for allocations of a size equivalent to one bedroom in excess of need, be noted;
- (3) applicants without a local connection, and not exempted from the local connection criteria for one of the reasons set out in the previously approved changes, shall be registered and placed in Band Four, but only if they are in a designated reasonable preference category.
- (4) subject to approval of (1) to (3) above, the timetable for implementing the new Housing Allocations Policy will not be completed until 1 June 2016.

(The Portfolio Holder for this item was Councillor Phillips)
(Forward Plan Reference number 767)

116. Hackney Carriage & Private Hire Drivers – Policy and Scheme of Delegation Changes

The Executive considered a report, from Health & Community Protection, that sought agreement to amend Council policies associated with Hackney Carriage Private Hire Drivers (HCPH) and Private Hire Operators (PHO's). The report also recommended changes to the Officer Scheme of Delegation by Council.

After detailed discussion, the Licensing and Regulatory Committee had supported officer proposals that changes were made to Council policies and the Officer Scheme of Delegation for matters relating to HCPH drivers and PHO's.

The primary role of the Licensing Authority was the protection, safety and wellbeing of the public. Through the introduction of a mandatory course in

the prevention of Child Sexual Exploitation (CSE), the authority could contribute to this role.

Throughout 2015 the Drivers and Operators Forum had been reviewing what could be done to spread the message of the 'Something's not right campaign' (Warwickshire's campaign to raise awareness of child sexual exploitation) and had discussed during the Forum what would be the best method of increasing awareness of safeguarding.

The Drivers and Operators Forum were in full agreement that a course should be delivered and that it was an extremely important subject area. The forum had requested a compulsory course, as they believed it was the only way all drivers would attend.

From 1 April 2016, the recommendation was that attendance at a prevention of CSE course was made a compulsory requirement for all HCPH Driver Licences in Warwick District.

A Warwick District HCPH Drivers Licence was three years in duration. If the mandatory requirement was introduced for all licence holders to undertake the course before their licence required renewal, it would take until the end of 2019 to ensure that all drivers had been trained in the prevention of CSE.

Therefore, it was proposed that all licenced drivers must attend the course by the 1 April 2016. There were currently 174 drivers who had not attended one of the free courses provided in January 2016.

Following a full and detailed discussion, the Licensing and Regulatory Committee strongly supported:

- The introduction of a mandatory prevention of CSE course run by our nominated provider with a requirement for all HCPH drivers to attend; and
- The introduction of a condition on the PHO Licence to ensure that staff employed by a PHO are trained in the prevention of CSE.

The alteration to the Scheme of Delegation to enable officers to refuse an application, or renewal of licence from drivers who failed to undertake the prevention of CSE course, would contribute to the protection of children. The alteration of the conditions for an operator's licence and the introduction of a mandatory course on the prevention of CSE for HCPH drivers would bring Warwick District Council in line with good practice being demonstrated in HCPH licensing around the country.

Due to a change in legislation there had been an increase in the statutory duration of a PHO's licence. However, there was a provision within the legislation that allowed for the granting of a reduced duration of licence after consideration of individual circumstances. Licensing and Regulatory Committee had recommended that the scheme of delegation be altered to allow an officer decision to be made following consultation with the Chair/ Vice Chair of the Licensing and Regulatory Committee and a representative of Legal Services to prevent the undue delay of the processing of an existing operator's application.

The Licensing and Regulatory Committee had asked that Executive reaffirm the current policy which stated that a HCPH driver who had allowed their licence to lapse was required to retake the disability awareness course and for the insertion of wording to make clear that failing to undertake the course raised questions regarding a person's suitability to be licenced.

Alternatively, the Executive could decide that the safeguarding training was only voluntary and was not introduced as a requirement of the hackney carriage private hire driver licence application process. However, six free courses had been organised and promoted and yet only 64% of the currently licenced drivers had attended. There were sufficient places provided for all of the licenced drivers to attend. If the courses were not made mandatory, officers believed that this attendance rate would drop until there was no attendance. Therefore, this was not recommended as a suitable alternative option. In addition, failing to introduce suitable training in this subject area could leave the Council open to criticism and significant challenge in the event of an incident occurring.

An addendum was circulated at the meeting outlining a revised recommendation 2.1 to the report that read as follows:

"2.1 The Executive agrees that from 1 April 2016, a hackney carriage private hire drivers' licence will not be granted and from 1 July 2016 not renewed unless the driver can demonstrate that they have undertaken a prevention of child sexual exploitation training course provided by Warwick District Council's nominated trainer and that all current hackney carriage private hire driver licence holders will be required to attend a prevention of child sexual exploitation training course provided by Warwick District Council's nominated trainer by the 1 July 2016. Any current licence holder who has failed to undertake the course by this date will be sent before the Licensing and Regulatory to explain their lack of attendance"

To support this revised recommendation, an update was provided that informed the Executive that there were currently 112 drivers who had not attended one of the nine free courses provided to date and that there would be four more sessions provided before the 1 July 2016.

The Overview & Scrutiny Committee supported the recommendations in the report and agreed that the report was excellent.

The Executive welcomed the report and the proposals behind it recognising the significant effort that had been undertaken by officers to bring these proposals forward. They also welcomed the addendum to the report which provided clarity on one of the recommendations.

Resolved that:

- (1) from 1 April 2016, a Hackney Carriage Private Hire Drivers' Licence (HCPH DL) will not be granted or renewed unless the driver can prove that they have undertaken a *Prevention of Child Sexual Exploitation* (CSE) training course

provided by Warwick District Council's nominated trainer;

- (2) all Private Hire Operators (PHO) and call handlers employed by those PHO's must be trained in *Safeguarding* and that a condition to that effect is applied to a PHO licence renewal; and
- (3) the Executive reaffirms the Council's policy which requires a HCPH driver who has allowed their licence to lapse to retake the disability awareness course and that the wording of the policy is expanded as follows:

"Drivers who have allowed their licences to lapse and reapplied for HCPH drivers' licence are required to retake the disability awareness course."

"Failure to complete the disability awareness course is considered to be a very serious matter that impacts upon a person's fitness to be licenced. Completion of the course is mandatory. It is essential that all drivers licensed by Warwick District Council comply with the requirements of the Equalities Act 2010 and that people with disabilities, who often particularly rely on taxis, are not subject to discrimination. Current licence holders who fail to attend the course will be brought before the Licensing and Regulatory Committee for consideration of appropriate action."

Recommended that Council

- (1) delegates to officers the power to refuse the licence of a person who fails or refuses to attend the prevention of CSE course; and
- (2) the decision to grant a Private Hire Operators licence or Hackney Carriage/Private Hire Drivers Licence of reduced duration is delegated to the Head of Health and Community Protection following consultation with the Chair/ Vice Chair of the Licensing and Regulatory Committee and a representative of Legal Services.

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

Part 2
(Items on which a decision by Council is not required)

117. HRA Business Plan Review for 2016/17 to 2061/62

The Executive considered a report, from Housing & Property Services, that set out an updated Housing Revenue Account Business Plan (HRA BP) that reflected the most recent changes in performance and business assumptions along with the impact of those changes.

The report demonstrated that, on current assumptions, the Business Plan remained viable, able to service its debt and provided financial headroom for building new homes, this report was only an interim statement.

Further significant changes to the HRA BP were likely to arise from the Housing and Planning Bill, currently before Parliament, which had the potential to substantially alter the financial framework within which the HRA would operate. The potential impact of the Bill's changes would require careful consideration and response which would require a thorough review of the HRA BP and an assessment of the impact on the Council's wider Housing Strategy. The Council would be undertaking a thorough review of these issues through a project known as Housing Futures.

In April 2012, the Housing Revenue Account subsidy system was replaced with the Self Financing System. This required the Council to take on a loan of £136.2m to secure independence of the HRA from the Government control over rents, notional cost setting and the payment of subsidy. On the 6 March 2012 Executive approved the first, self-financing HRA BP 2012/13 to 2061/62 which, based on the assumptions made at that time on income and expenditure, and the debt arrangements made by the Council, allowed the Council to maintain a viable role as a social landlord.

Performance of the HRA BP had subsequently been reviewed on a regular basis with reports being submitted on a six monthly basis to the Finance and Audit Scrutiny Committee. A revised Business Plan, based on updated financial assumptions was approved by Executive in March 2015.

The assumptions underpinning the HRA BP had been reviewed again to reflect recent changes in legislation and a review of staffing and budget projections. Specifically, in July 2015 the Government announced that social housing rents would be required to be reduced by 1% per year, for four years beginning in April 2016. This policy replaced the previous guidance on rents issued in 2013 by the Government, in which rents were to rise by CPI + 1% per year for ten years, starting from April 2015.

The revised HRA BP, attached at Appendix One to the report, used the same methodology as that previously presented, with forward projections over a 50 year period. These projections demonstrated that the Business Plan provided for a sustainable position that allowed for existing refurbishment and service standards to be maintained, provided financial headroom to develop new homes and allowed for a minimum balance of £1.3m (increased annually in line with inflation) to be maintained and for the projected debt interest and scheduled debt repayments to remain affordable.

However, it was clear that the 1% reduction in dwelling rents for four years had had a significant impact on the current HRA BP projections. After allowing for all necessary expenditure to maintain the current standard of services, repairs and maintenance, and the expected changes to the staffing structure of the service, the projections showed that over the remaining 46 years of the approved 50 year plan, there was a potential surplus of £189m to invest in new homes. This was a reduction of £371m from the surplus projected in the March 2015 HRA BP.

The assumptions made in the original HRA BP on the cost of developing new homes were revised in March 2015, along with the impact of the Council's preference to levy social rents for municipally provided homes. The latest HRA BP demonstrated that the ability of the Council to develop additional affordable homes from 2016/17 until 2061/62 (the end of the current 50 Year Business Plan and the date when the Council was due to fully repay HRA debt) had been reduced from 2,288 to 658 homes. The latest projected capacity of the HRA to provide new homes was detailed in the report.

In October 2015, the Government published the Housing and Planning Bill. This Bill contained proposals that had the potential to significantly impact on the HRA BP. In the absence of detailed regulations from the Government setting out how these proposals would be taken forward, it had not been possible to make definitive assumptions about the impact they would have on the HRA BP, hence this review being based solely on known changes to the operating environment for the HRA BP.

The current proposals in the Housing and Planning Bill, were they to remain unchanged as the Bill progressed through Parliament, had the potential to require the Council to fundamentally review the HRA BP to ensure it remained viable. Officers would therefore be undertaking a significant piece of work known as the Housing Futures project, during 2016, to review the HRA BP once the Housing & Planning Bill was enacted and also to review the impact on the Council's Housing Strategy, which would, in any case, require review before the current strategy expired in April 2017.

A further report would be presented with the outcomes of this work as soon as possible. It was currently envisaged that this would require a further revision later this year to the HRA BP and that this could require a fundamental re-appraisal of the methodology used to assess the viability of the HRA BP given that the uncertainties of the validity of the assumptions decreases significantly over a 50 year period.

Alternatively the Housing Business Plan could remain as agreed by Executive in 2015. However, the 1% rent reduction policy introduced by Government was a significant policy change and should be reflected within the HRA BP. The review also ensured the HRA BP reflected budget movements and assumptions and up-to-date research on the conditions of the local housing and land markets.

Members could choose to vary the assumptions within the HRA BP or agree alternative policies, service standards and investment options. If these alternative options were financially viable and deliverable, the HRA BP could

be amended. However, officers considered that, given the uncertainties around what would ultimately emerge into legislation after the Housing and Planning Bill had progressed through Parliament to enactment, it would be prudent to retain the current assumptions and policy positions that underpin the HRA BP at this stage.

The Finance & Audit Scrutiny Committee supported the recommendations.

Resolved that

- (1) the revised Housing Revenue Account Business Plan (HRA BP) 2016/17 to 2061/62, as set out in Appendix One to the report, be approved;
- (2) there are a number of significant provisions within the draft Housing and Planning Bill, published in October 2015, that mean that a number of the business assumptions made in this update of HRA BP may need to be revised as the detailed regulations associated with the Bill are agreed by Parliament; and
- (3) a further report on the HRA BP, and any associated impacts on the wider Housing Strategy, will be presented to a future Executive once the impact of the final Housing & Planning Bill provisions has been assessed through the Housing Futures project.

(The Portfolio Holder for this item was Councillor Phillips)
(Forward Plan Reference 736)

118. Rural/Urban Capital Improvement Scheme (RUCIS) Criteria

The Executive considered a report, from Finance, that sought approval of revised criteria for the Rural / Urban Capital Improvement Scheme, as set out at Appendix 1 to the report.

Historically there had been a steady volume of RUCIS applications throughout each year which on the whole had been approved if they met the scheme criteria. However, the budget for the scheme had usually been under spent with slippage being carried forward into the next financial year.

Anecdotally there was evidence that smaller organisations struggled with 50% matched funding on projects which either potentially delayed applications being made or applications not being made at all. In addition, the number of applications below £10,000 in 2015/16 had reduced by 50% compared to the number of applications in 2013/14.

It was therefore proposed that for projects up to £10,000, the Council would be awarding up to a maximum of £8,000 as opposed to the current £5,000. It was anticipated to have little effect on the annual budget but would potentially enable more grants to be awarded. This would be in line with

other capital grant providers such as WREN and BIFFA operate schemes with two categories; one for smaller awards and one for larger awards

The current cash reserves criterion wording had confused some applicants and did not take into account that some organisations had “restricted” cash reserves, i.e. grants or donations that could only be used for a specific use or project. The proposed change would better define what the Council consider as the operating expenditure to ensure that an organisation could continue to operate for a 12 month period should there be no income.

Historically, there had been applications which had raised doubts over the organisations sustainability, for example; they had recently lost hirers and / or grants that had previously been a main source of their income. Currently the criteria was not robust enough to avoid potential challenges on applications that officers did not progress, the proposed change would introduce specific examples where the Council could decline applications due to sustainability concerns.

Currently a grant could only be awarded once in a two year period; this criterion was added to prevent the same organisations continually applying for and benefitting from the RUCIS scheme, the idea was to enable more organisations and communities to benefit from the scheme. In recent years organisations had struggled financially and as a consequence the government had encouraged sports organisations to join up and share facilities which was also the view taken by Sports England when considering grant applications. However, the current criteria prevented the Council from considering further applications from multi-sport organisations that were legally one entity when one of the organisations had already received a grant within the last two years despite the organisations operating independently with regards to separate memberships, committees, constitutions and bank accounts.

There were no requirements in the current criteria for organisations to hold insurance cover for the assets that the Council were contributing towards. If the assets were vandalised / stolen / broken / destroyed with no means to replace them, the RUCIS grant provided for the community to benefit would be wasted. There had been one recent example of this whereby the project funded by the Council had been destroyed.

The current wording of “non-profit organisation” could lead to confusion and interest from organisations for whom a grant could not be appropriate. Amending the wording to “not-for-profit” and including the stipulations that organisations must make use of volunteer labour and operate within Warwick District should help to reduce ‘grey areas’ around eligibility created by the current criteria and guidelines.

The Overview & Scrutiny Committee noted the report.

Resolved that the criteria for the Rural / Urban Capital Improvement Scheme be amended as follows:

- (1) the RUCIS scheme is split into two categories

- "Small Grant Scheme" – projects with a total cost of up to £10,000 with a maximum contribution of up to 80%
 - "Main Grant Scheme" – projects with total costs of more than £10,000 which remains as now at a maximum contribution of 50%;
- (2) the current cash reserves criterion for whether an organisation is eligible to apply for a grant or not is redefined as:
- Grants cannot be awarded if... the organisation has reserves to fund the project themselves; unrestricted cash reserves / savings that total more than 12 months operating expenditure costs (i.e. basic fixed costs to ensure the organisation can exist for a further 12 month period should there be no income);
- (3) the current criterion with regards to an organisation's sustainability is redefined as:
- The organisation and / or project are not deemed sustainable for a minimum 5 year period, for example;
 - Income streams with a set time period of less than 5 years that are relied upon to meet annual expenditure costs without which there is potential risk of the organisation or the project being unable to continue to operate
 - Annual expenditure is higher than income resulting in operational losses
 - Leasehold premises with less than 5 years lease remaining
 - Risks of leasehold premises / land being sold
 - Lack of demand; low usage of facilities with no evidence that usage will increase
 - Non-payment or continual late payment of Warwick District Council invoices / debts;

- (4) the current criterion whereby grants will only be awarded once in a two year period is redefined as:
- Individual organisations (e.g. Village Halls, Parish Councils, Sports Clubs, Voluntary Organisations) - Grants will only be awarded once in a 2 year period.
 - Multi-sport organisations that are legally one entity but with separate sports activities that are operated and managed independently on a day-to-day basis with separate memberships, committees, volunteers, constitutions and bank accounts;
 - Each individual sport organisation can apply for a grant in their own right for a project that is connected to their sport / facilities. Grants will only be awarded once in a 2 year period.
 - If the project is for a shared facility, for example, a clubhouse used by each organisation; providing one of the individual sports organisations has not had a grant within the last 2 years and are prepared to be the applicant, a grant may be awarded. Grants will only be awarded once in a 2 year period.
 - In all the above; if an organisation is successful with a grant application in 2016 they will not be able to apply again until 2018 after the 2 year anniversary of the previous award;
- (5) a new criterion is added to state that grants cannot be awarded if there is no insurance cover, or there is an insufficient level of cover, for the capital asset that the project is connected to; and
- (6) the current definition of a "non-profit making organisation" is redefined as a "not-for-profit organisation within Warwick District which makes use of volunteer labour"

(The Portfolio Holder for this item was Councillor Whiting)
(Forward Plan reference 773)

119. **Funding for Coventry & Warwickshire Growth Hub**

The Executive considered a report from the Chief Executive, that sought approval of a funding contribution from this Council towards the Coventry & Warwickshire Growth Hub.

In 2014 Warwick District Council signed the Coventry and Warwickshire City Deal which lasted for 5 years. Amongst other things this secured government support for a clearing house to help local companies find a way through a veritable maze of agencies and offerings to the right kind of support. This was a key part of an overall effort to help improve the local economy. The City Deal involved an undertaking from this Council to support the Clearing House, which would be known as the Growth Hub. A wide package of funding was brought together to enable this business support activity to be brought to fruition including in 2014/15 £23,453, from this Council.

The Growth Hub had in Warwick District engaged or assisted 428 businesses from April 2014 to December 2016. It had helped companies create 194 jobs in this District with a combined investment of £5.5 million. The Growth Hub's work had the support of the Chamber of Commerce and the Federation of Small Businesses (FSB).

This Council, as part of the City Deal, committed to provide support for the period of the City Deal period. One year funding from the Council was agreed for 2014/2015, none was needed for 2015/16 but funding was again requested for the remaining three years of the City Deal period albeit at a lower level than originally forecast. It had been hoped that other funding streams would mean that no more Council funding was required but regrettably this had not proved to be the case and a request had now been received for financial support.

It was considered that the results for the local business community and the local economy justified the Council providing such financial support but given that other Councils needed to agree to provide support it was proposed that the eventual decision should be delegated to the Chief Executive in consultation with the Leader of the Council.

The outcomes of the work of the Growth Hub in the Warwick District Council area were summarised at Appendix 2, to the report. If similar levels of performance were achieved then the Council's proposed contribution of £31,195 over three years represented good value for money.

Officers had enquired of agencies representing business most likely to benefit for the work of the Growth Hub, i.e. the Chamber of Commerce and the Federation of Small Business, and they were supportive of its continued work.

It was suggested, therefore, that the Council should provide the financial support requested which could be funded for the Council's contingency fund, subject to two caveats, that other Councils pay their share and that the Growth Hub continued its good performance in Warwick District.

It was, therefore, further proposed that delegated authority be given to the Chief Executive, in consultation with the Leader of the Council, for the release of this funding each year subject to them being satisfied that the two caveats were met.

Alternatively, the Executive could decide to reject the request in which case the Growth Hub had an uncertain future and businesses may not be able to receive the support they were currently able to obtain. This option had been rejected given that the Council has identified prosperity as a priority for the area.

The Finance & Audit Scrutiny Committee supported the recommendation once they had been given assurance that the Chief Executive was content with the delegation being proposed.

Resolved that total funding of £31,195 for the Growth Hub over the next 3 years, as set out in the letter at Appendix 1 to the report, be funded from the 2016/17 contingency budget subject to the Chief Executive in consultation with the Leader of the Council being satisfied that the other Councils are paying their share and of the continuing good performance of the Growth Hub in the Warwick District area, subject to annual review.

(The Portfolio Holder for this item was Councillor Mobbs)

120. **The Rental Exchange Project**

The Executive considered a report from Housing & Property Services that sought approval to join the national Rental Exchange project which helped people secure lower priced credit and improve their digital profile.

Helping people to have access to reasonably priced credit from reputable providers and a range of options to buy from organisations such as energy providers, represented an important part of the Council's strategy to encourage and support financial inclusion.

Big Issue Invest, the social investment arm of The Big Issue Group and the credit rating firm Experian, had developed The Rental Exchange in response to the financial, digital and social exclusion challenges that tenants compared to homeowners face in Britain. By observing rental payment data in the same way that mortgage payment data was viewed by credit rating agencies, the Rental Exchange allowed tenants with little or no credit history to build up a good credit file.

Warwick District had a strong financial infrastructure. However, this was not the case for a significant minority of residents. Data from City Save Credit Union indicated that the average credit rating for our tenants who had applied for a loan or a savings account was relatively low at 297. There were very few ways for our tenants to improve this score in order to access cheaper goods and services.

In the same way that mortgage payment information counted towards a credit profile, rental payment history could be used as proof of a tenant's financial standing and reliability through the use of the Rental Exchange. This would help tenants to create a proven and robust online identity and a good credit history and so make it easier to open a bank account, receive better gas and electricity rates or obtain cheaper credit. It would help reduce the risk of people turning to loan sharks and payday lenders for credit.

The Rental Exchange helped tenants to build an online proof of identity which was important when applying for a utility supplier, a mobile phone provider or online shopping.

There were three stages to joining the Rental Exchange that were set out in the report.

Before making any decision on full participation the Council needed to complete Stage One. It was proposed that, subject to approval, a further report would be brought back to a future Executive setting out the outcomes of the Stage One analysis and making recommendations as to whether there were sufficient benefits to justify proceeding to Stages Two and Three.

The Rental Exchange was a national initiative developed by Big Issue Invest and Experian. There was currently no alternative to this scheme which could provide the same benefits to the Council's tenants. If the Council chose not to explore joining the Rental Exchange, it could miss out on an opportunity to help reduce the cost of credit and increase the payment options for services such as energy supplies for its tenants.

Resolved that

- (1) the Council joins Stage One of the Rental Exchange project; and
- (2) following an assessment of the results of Stage One a further report will be submitted with recommendations based on the Stage One outcomes .

(The Portfolio Holder for this item was Councillor Phillips)
(Forward Plan reference 747)

121. Corporate Property Planned Preventative Maintenance Programme 2016/17

The Executive considered a report, from Housing & Property Services, that provided the rationale for the proposed allocation of works against the budget for the Corporate Repairs and Maintenance Programme for 2016/17.

The planned preventative maintenance programme for 2016/17 was based on the data and recommendations from the stock condition survey undertaken as part of the on-going assets review work. The data had been reviewed by officers within Housing and Property Services in consultation

with nominated representatives of the management team for each of the assets.

The budget for 2015/16 was to be reduced by circa £128,000. This funding would be returned to the Corporate Assets Repairs Reserve and was the result of underspend on the 2015/16 programme of works.

The total base Corporate Property Repairs and Maintenance budget for 2016/17 was £1,166,100. The total budget required to service the 2016/17 Corporate Property PPM was £2,117,100 of which £502,500 was slippage from 2015/16. Therefore, £466,500 was required from the Corporate Asset Reserve to support the delivery of the programme. Housing and Property Services managed the budget and coordinate the proposed programme of works, which had been set following consultation with the Asset Maintenance Group and the Asset Strategy Group.

The Royal Pump Rooms, and in particular the art gallery and museum within the building was suffering from water ingress due to multiple roof leaks. The roof structure and coverings were complex, and several mechanical plant installations were located on the roof deck. In previous years several temporary repairs to the origins of suspected leaks had been completed with varying degrees of effect. In order to fully understand the roof defects and design a long term solution to eradicate the leaks and prevent further water ingress it was necessary to procure a specialist technical appraisal of the roof structure, coverings and plant installations. It was therefore recommended that £20,000 be released from the Corporate Assets Reserve to support this need.

Considerable work, overseen by the Asset Steering Group (ASG) had already been undertaken to review and refine the Corporate Property PPM which had allowed the 2016/17 budget to be set. However, at present all costs associated with the programme were estimated and the actual costs of delivering the programme of work was liable to change as works were procured. In addition, the ASG work programme would continue and it was possible that both the work programme and overall budget requirement could vary in line with organisational & service area priorities.

Equally, opportunities could emerge during the course of the financial year that could lead to the programme of work being re-profiled if, to do so, would secure better long term value or enable the Council to respond to an opportunity to improve services or the performance of the corporate asset stock. It was therefore recommended that the Head of Housing and Property Services and the Head of Finance, in consultation with their respective Portfolio Holders, be granted delegated authority to approve programme amendments and revised budget allocations within the overall base budget of £2,117,100.

One alternative would be to not apply the refreshed budget setting criteria and/or not to manage the budget centrally but instead let service areas decide priorities and allocation. These options had been rejected when the initial review was carried out in 2008.

A second alternative would be not to proceed with the current proposed programme of works, but instead defer the programme in part or in full to future years and accept the risks of properties and assets falling into disrepair and not being available to support services associated with deferring the recommended projects.

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

Resolved that

- (1) the proposed budget allocation of £2,117,100 for the 2016/17 Corporate Property Repair and Improvement Programme, as set out in table 2 at 5.3 of the report, be approved;
- (2) £502,500 of the 2015/16 budget and funding will be slipped for items that will now proceed in 2016/17;
- (3) the 2015/16 budget will reduce by circa £128,000 and this money will be returned to the Corporate Assets Repairs Reserve;
- (4) up to a maximum of £466,500, be released from the Corporate Asset Reserve to support the 2016/17 Corporate Property and Repair and Improvement Programme;
- (5) £20,000 be released from the Corporate Asset Reserve to support technical inspections of the roof and mechanical plant of the Royal Pump Rooms;
- (6) the Head of Housing & Property Services, in consultation with the Procurement Manager, will procure the work set out in (1) to (3) in accordance with the Code of Procurement Practice;
- (7) the Head of Housing and Property Services and the Head of Finance, be delegated authority, in consultation with their respective portfolio holders, to approve programme amendments and revised budget allocations within the overall base budget of £2,117,100; and
- (8) the funding from the Corporate Asset Repairs Reserve is ring-fenced for the Planned Preventative Maintenance Programme (PPM) and not to subsidise any Budget Shortfall on the Responsive Repairs, Warwick Plant Maintenance or

Open Spaces Repairs & Maintenance which will be reported and considered separately.

(The Portfolio Holder for this item was Councillor Phillips)
(Forward Plan reference 768)

122. **St Nicholas Park Petition**

The Executive considered a report from Neighbourhood Services that enabled them to consider the issues raised in the petition presented to the Council meeting of 27 January 2016 by the Friends of St. Nicholas Park.

The petition related to the creation of meadow areas within the park, previously agreed by Executive in December 2012, as part of a wider agreement of the St. Nicholas Park Improvement Budget.

The areas marked on the original plan, set out at Appendix 2 to the report, where sprayed out in October 2015 and a subsequent petition was raised for the reinstatement back to amenity grass.

The Council meeting of 27 January 2016 referred the petition to Executive for consideration.

The petition, set out in full at Appendix One to the report, called for the two areas of the park, already sprayed and marked out for use as wildflower meadows to be restored to their former condition as soon as possible. The chosen locations were along the river corridor and on the banked area at the back of the all-weather pitch, which was not used and difficult to cut. These areas had been chosen after consultation with stakeholders, as detailed in Appendix Three to the report.

The proposal to create meadow areas within the park was first introduced in 2008 as part of a plan, approved by Council, to bid for Heritage Lottery Fund (HLF) monies to improve the park. They were subsequently included in the proposals for the St. Nicholas Park remaining projects, presented to Executive in 2012, with the idea for a "meadow/improvement to wildlife along river corridor" had emerged from the public survey 'Have Your Say' undertaken in 2009.

A petition, relating to CCTV proposals within the park was presented by residents of Pickard Street in December 2012. As a result it was agreed that any remaining budget not required for CCTV enhancements would be used on other desirable projects with "Wildlife enhancements, especially river corridor" being one of them.

A presentation on the current proposals was made to Warwick Town Council in December 2014. They recommended that further consultation be undertaken with local stakeholders and as a result presentations were also made to Warwick Community Forum on 5 March 2015 and the Friends of St. Nicholas Park on 16 March 2015. As a result of these consultations the chosen areas were scaled back with, in particular, a significant reduction in size of the area along the river corridor as requested by the Friends group.

The wildflower meadow proposals would contribute to the delivery of the Council's Local Biodiversity Action Plan (LBAP) and had received support from Warwickshire Wildlife Trust. Under the Natural Environment and Rural Communities Act 2006, Warwick District Council had a duty to have regard to conserving biodiversity as part of policy or decision making. Conserving biodiversity could include restoring or enhancing a population or habitat.

The meadows would also provide an educational facility for local schools and visitors and it was intended to involve local schools in their establishment in order to provide an educational resource aimed at Key Stage 1, 2 and 3 children. The Green Space Team already had an established network of schools interested in the project.

Wildflower meadows would also make a positive contribution to the marking criteria used for Green Flag Award assessments.

The proposed areas only took up 6.6% of the total park area, leaving plenty of space for recreation, and would create another dimension to St. Nicholas Park and draw visitors down to the river corridor.

The whole band along the river had been sprayed out with the intention of cutting paths through the wild flower meadow to allow access to and from the river side path, as shown at Appendix Two to the report.

Given the advanced stage of preparation for planting, the biodiversity and educational benefits and the extensive consultation already undertaken, it was recommended that the existing locations be retained and that the Friends Group notified accordingly.

It was proposed that the impact and benefits of the meadows were closely monitored over a two year period and the results reported back to Executive. The impact could be measured as part of the Parks survey carried out during the summer and customer feedback from other sources including school participation. The biodiversity impact could be assessed by County Council Ecology and Warwickshire Wildlife Trust. Their value could be assessed by the parks audit carried out by an external body and marked against the Green Flag Criteria.

The true value of the meadows would only become apparent over time and once these assessments had been made. It was worth noting that the value of the removal of flower beds and replacement with sustainable plants, a move that was also the subject of objections, now contributed to Warwick receiving a Gold award for the West Midlands in Bloom competition.

Alternatively the Executive could accept the petition as written. This had been rejected for the reasons set out in the report. The Executive could agree that the meadows areas be scaled back further. This had been rejected because they had already been scaled back following the consultation exercise and their benefit to biodiversity and as an educational resource would be adversely affected.

An alternative proposal would be to site the meadow on Myton Fields, allowing viewing from St. Nicholas Park but this had been rejected because

Myton Fields was used as a car park during the summer and this would impact on revenue. There were also currently meadow areas within Myton Fields.

A revised plan for the planting areas was circulated at the meeting by the Leader that took into consideration the concerns raised by the petition and members of the Executive. The recommendations were proposed as laid out subject to amendments to the proposed location in the revised plan for the planting areas, as circulated at the meeting.

Resolved that

- (1) the petition presented by the Friends of St. Nicholas Park, as set out at Appendix One to the report, be noted;
- (2) the locations chosen to improve biodiversity in St. Nicholas Park through the creation of wildflower meadows are amended as outlined in the plan circulated at the meeting and the petition organisers notified accordingly;
- (3) the areas will take time to become fully established and that monitoring and evaluation is undertaken of their impact, contribution and aesthetics and the results reported back to the Executive after they have been in place for at least two years.

(The Portfolio Holder for this item was Councillor Shilton)

123. Pump Rooms Gardens Parks for People Project

The Executive considered a report from Neighbourhood Services that informed them of the outcome of the Council's second round application to the Heritage Lottery Fund (HLF) for restoration work to Pump Room Gardens.

The HLF had awarded the Council a second round pass and a grant of £995,656 towards the total project cost of £1,455,146, which would enable the Council to proceed with the delivery stage of the project.

To deliver the project the Executive was asked to accept the terms and conditions of the grant award and to authorise the Council to enter into a contract with the HLF.

The Heritage Lottery Fund had asked for evidence of the decision (or the decision of the relevant properly constituted committee, Executive or authorised officer) authorising acceptance of the terms of grant, together with a statement containing specified information as requested in Appendix A, section 30 of the report.

The grant would deliver the Pump Room Gardens Restoration project in line with the costs included in Appendix B to the report and the timetable attached in Appendix C to the report.

The grant would allow the Council to meet its objectives for the Pump Room Gardens and ensure that the community benefitted from the heritage and recreational value.

Accepting the grant would eliminate the potential need to repay the HLF's development grant (a maximum of £48,800) which could be required if Warwick District Council decided not to accept the grant award.

The grant would generate over £1.4 million of investment into Warwick district green spaces as detailed in Appendix B to the report.

Alternatively, the Council could decide not to accept the HLF funding and deal with the significant repairs and maintenance problems facing the Gardens on an ad hoc basis. However, given the condition of the Gardens including the bandstand, footpaths and other infrastructure, this was not a feasible option if the Gardens were to be kept open to the public over the longer term. Furthermore, the Council would miss out on the opportunity to secure £995,656 of HLF funding and other external funding.

Another option was that the Council could deliver a smaller project with no funding from the HLF. This would include doing a basic makeover of the park with all of the capital and on-going revenue costs being met by the Council. This option provided little overall benefit other than to retain the park at its current offer. Again this option would miss the opportunity of external investment. It would however allow the gardens to remain open to the public.

An addendum circulated at the meeting that set out a further risk to the project with regard to the need to complete an agreement with Warwickshire County Council in respect of the path and bridge, which was as yet to be completed.

The Overview & Scrutiny Committee recommended that a Member of the Council should be appointed to the Project Steering Group.

In response, the Executive?

Resolved that

- (1) the Heritage Lottery Fund (HLF) delivery grant of £995,656, be accepted, and the Council enters into a formal contract with the HLF on the terms and conditions set out in Appendix A to the report;
- (2) authority be delegated to the Head of Neighbourhood Services, in consultation with the Portfolio Holder for Neighbourhood Services, to finalise the contract with HLF; and

- (3) on completion of the contract and receipt of the HLF grant, the funding detailed in section 5.2 of the report, is added to the Council's Capital Programme, with the sum 'ring-fenced' to the delivery of the Pump Room Gardens project.

(The Portfolio Holder for this item was Councillor Whiting)
(Forward Plan reference 781)

124. **Use of Building Control Reserve**

The Executive considered a report from Development Services that sought approval to release monies from the Building Control reserve account to fund the engagement of a Marketing Consultant for six months, as approved by Employment Committee, as part of the recent re-structure of the service and to fund scanning of files.

As part of the recent re-structure of the Building Control Service, a temporary post had been approved to provide much needed marketing support from a consultant. There was a gap in this area of expertise in the service and there was a need to brand and promote the service better to increase levels of income. The work would be for a maximum period of six months and the cost would be capped at £40,000. This work was likely to include:

- marketing to increase customer base and win further business,
- producing improved marketing literature,
- advising staff on how to produce tender documents that sold the service in a more professional way to maximise its ability to successfully compete against the private sector, who spend considerable amounts of money on producing such documents.

It was not possible to easily quantify the financial benefits immediately from this investment, but it was reasonable to suggest that if income increased in subsequent years, then the investment had been a contributing factor. It did appear the next essential stage to the success of the business. It should be noted that the service was ring-fenced, and whilst in this current financial year it appeared that the Council would break even, (which was a CiPFA requirement), any potential for additional income through marketing would be put into the reserves to re-cycle back into developing the service. Measures of success were increased or maintained income and levels of new business, providing resilience of service and maintaining choice for customers in the market place.

There were a number of historic files that were required to be scanned in the system for Daventry District Council. Daventry were part of the joint service and this work was necessary to ensure that Warwick District's files were held electronically to enable the whole service to work more efficiently, as all officers needed access to the historic files from time to time, in particular the Business Support team. Quotations had been received in accordance with the Code of Procurement Practice. A supplier that the Council had previously used had produced the most competitive quote which was capped at £9,995. Therefore, this amount was requested from the Building Control Reserve. It

should be noted that Daventry District Council had offered to contribute to the cost in the region of £5K.

The Council had considered doing the marketing in-house within Building Control but this was specialist work and currently the team did not have the skills or the capacity to promote and brand the service in a way that competed with the private sector. Carrying out the scanning in-house would take a considerable amount of time and was likely to be more expensive on staff resources.

Resolved that

- (1) the release of a maximum £40,000 from the Building Control Reserve account, be approved, to fund the provision of marketing consultancy for the new service for a period of up to 6 months, as agreed by Employment Committee on 16 December 2015; and
- (2) the release of a further £9,995, be approved, from the Building Control Reserve account to fund the scanning of paper files.

(The Portfolio Holder for this item was Councillor Cross)

125. Urban Capital Improvement Scheme (RUCIS) Application

The Executive considered a report, from Finance, that sought approval of a Rural/Urban Capital Improvement Scheme grant application from Radford Semele Parish Council for the Third Party Funder payment of a grant application made to WREN to refurbish the village playground.

The Council operated a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grant recommended was in accordance with the Council's agreed scheme and would provide funding to help the project progress.

This project contributed to the Council's Sustainable Community Strategy as without a modern well used village playground there were fewer opportunities for children to enjoy and participate in physical activity which potentially resulted in an increase in anti-social behaviour and obesity within children; playgrounds were also an area for parents, grandparents and friends to socialise whilst children were playing. In addition to this, working on this project had already brought families together through researching needs and types of equipment as well as working on funding applications; this would hopefully continue after the project to keep the playground maintained. This all helped to engage and strengthen the community.

The current village playground equipment was somewhat tired, old-fashioned and did not challenge the children either physically or mentally and was only of use for children up to the age of seven, the new equipment that would be provided by the project would be of use to children up to twelve years old

therefore increasing opportunity for children in the community to participate in physical activity and for their families to socialise together.

The Council had only a specific capital budget to provide grants of this nature and therefore there were no alternative sources of funding. In addition, the Executive could choose not to approve the grant funding, or to vary the amount awarded.

Resolved that a Rural/Urban Capital Improvement Grant from the rural cost centre budget for Radford Semele Parish Council of 6% of the total project costs for the Third Party Funder payment for a grant application made to WREN to refurbish the village playground, as detailed within paragraphs 1.1, 3.2 and 8.1, of the report up as supported by appendix 1 to the report, to a maximum of £3,800 excluding VAT be approved.

(The Portfolio Holder for this item was Councillor Whiting)
(Forward Plan reference 759)

126. **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 item 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
127	1	Information relating to an Individual
127	2	Information which is likely to reveal the identity of an individual

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

127. **Extension of Cultural Services Programme Manager Contract**

The Executive considered a report from Cultural Services.

The recommendations of report were agreed as printed and the full details will be included in the confidential minutes.

(The meeting ended at 6.45pm)