

WARWICK DISTRICT COUNCIL

Minutes of the meeting of the Council held on Thursday 2 January 2003 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Gill (Chair); Councillors Aujla, Mrs Begg, Boad, Mrs Boad, Butler, Caborn, Cockburn, Coker, Copping, Crowther, Darmody, Doody, Dove, Mrs Edwards, Mrs Evans, Evans, Gifford, Golby, Mrs Goode, Hammon, Harris, Mrs Hodgetts, Holland, Kent, Kohler, Mrs Leddy, MacKay, Mrs McFarland, Shilton, Tamlin, Thomas and Windybank.

674. PRAYER

A prayer was offered by the Chair's Chaplin.

675. APOLOGIES

Apologies for absence were received from Councillors Cleaver, Mrs Compton, Dray, Ms Flanagan, Guest, Kirton, Roberts, Short and Talbot.

676. MINUTES

The minutes of the meeting of the Council held on 27 November 2002, were taken as read, approved and signed by the Chair.

677. COMMUNICATIONS AND ANNOUNCEMENTS

(A) The Chair referred to the retirement of Mr Cliff Wiggins as Town Hall Superintended on 31 December 2002. On behalf of Members of the Council, the Chair presented a gift to Mr Wiggins in appreciation of his long and valued service with the Council, and thanked him that he was continuing as Chauffeur and Attendant to the Chair of the Council.

(B) The Chair reminded Members that his Civic Dinner, in aid of his Charities, would be held on Saturday 18 January 2003, and encouraged as many as possible to attend.

678. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 7(2)

(A) From Councillor J S Hammon to the Leader of the Executive:-

"There seems to be an increase in problems relating to the misuse of fireworks generally in the country. Would the Leader of the Executive say whether there has been an increase in complaints from within this District and, if so, whether a local byelaw should be considered to deal with the situation?"

COUNCIL MINUTES (Continued)

Councillor R Crowther, Leader of the Executive, replied:-

“In the past the Environmental Health Unit received few complaints and therefore these were not logged separately from other noise nuisance complaints. More recently the subjective impression has been that there is an increase and consequently numbers have been logged. In the year beginning 1 January 2002 there were 5 complaints. This year so far there have been 12 complaints.

Byelaws can only be made by local authorities if there is agreement by Government. Usually they will enable this process by creating a model byelaw which Councils can adopt. There is no model byelaw in relation to the use of fireworks and therefore the process of making a local byelaw is not likely to be a successful route.

The most effective action at this stage may be for Members to express their views on the public’s rising concern about nuisance from fireworks, by writing to the Government.”

In a supplementary question, Councillor Hammon asked the Leader:-

“I wonder whether we could give it more profile by bringing it to the next but one Executive so that we have a report on it of the type of complaints we are getting from our area, because I gather these complaints are not coming just from Leamington but from Kenilworth, Warwick and all round. It is the all year round use of fireworks that is the problem. I do not think anybody minds a good firework display but it is the indiscriminate use of fireworks that goes on through the year which is becoming a nuisance to the area”.

In reply, Councillor Crowther said:-

“I cannot see any problem in having a report on this. There was a report to the Warwick District Safety Committee in June 2002 which probably covered most of the issues. We are pushing at an open door by seeking to have action on a national level. I do have information published by the Department of Trade and Industry in October about actions which the Government are proposing at this time to tighten the regulations and practice in the fireworks industry generally, partly through voluntary action but also some action to put a clause in an Act of Parliament. I would be happy for Councillor Hammon to have a copy of the facts sheet”.

679. EXECUTIVE

It was moved by Councillor Crowther and duly seconded that the reports of the Executive dated 11 November and 9 December 2002, be approved and adopted.

COUNCIL MINUTES (Continued)

(A) Approval of Fees and Charges 2003/2004 (563)

First Amendment: It was moved by Councillor Tamlin and duly seconded that in Minute 563, recommendation 3 be deleted and replaced by the following:

“(3) That option C, as detailed in the report in paragraphs 12.1.5, 12.1.6, and 12.1.7, be adopted.”

On a vote being taken, the amendment was declared lost.

(B) Adoption of Report

The original motion was then put to the meeting and declared carried subject to the names of Councillors Coker and Hammon being shown as having voted against the resolution set out in Minute 654.

680. REGULATORY COMMITTEE

It was moved by Councillor Shilton, duly seconded and

RESOLVED that the reports of the Regulatory Committee dated 31 October, 18 November and 25 November 2002, be approved and adopted.

681. COMMUNITY SCRUTINY COMMITTEE

It was moved by Councillor Doody, duly seconded and

RESOLVED that the reports of the Community Scrutiny Committee dated 5 November and 3 December 2002, be approved and adopted.

682. ENVIRONMENT SCRUTINY COMMITTEE

It was moved by Councillor Cockburn, duly seconded and

RESOLVED that the reports of the Environment Scrutiny Committee dated 5 November and 3 December 2002, be approved and adopted.

683. RESOURCES SCRUTINY COMMITTEE

It was moved by Councillor Caborn, duly seconded and

RESOLVED that the reports of the Resources Scrutiny Committee dated 5 November and 3 December 2002, be approved and adopted.

COUNCIL MINUTES (Continued)

684. MEMBERS/TRADES UNIONS JOINT CONSULTATION AND SAFETY ADVISORY PANEL

It was moved by Councillor Darmody, duly seconded and

RESOLVED that the report of the Members/Trades Unions Joint Consultation and Safety Advisory Panel dated 13 November 2002, be approved and adopted.

685. STANDARDS COMMITTEE

It was moved by Councillor Mrs Boad, duly seconded and

RESOLVED that the report of the Standards Committee dated 20 November 2002, be approved and adopted.

686. PLANNING COMMITTEE

It was moved by Councillor MacKay, duly seconded and

RESOLVED that the reports of the Planning Committee dated 21 October, 13 November and 11 December 2002, be approved and adopted subject to the reference to DW ENV8 in the resolution set out in Minute 659 being amended to DW ENV18.

687. NOTICES OF MOTION

(A) It was moved by Councillor W L Gifford and duly seconded:-

“This Council believes that any bus service to Riverside House must be suitable for those with walking disabilities, the aged and those with wheel chairs or push chairs. This will require that the buses on such a service be the same as those now running on the route 66. The council sees little point in having a bus service to Riverside House unless it meets the requirements of those with the greatest difficulties in walking”.

RESOLVED that the motion stand referred to the Executive.

(B) It was moved by Councillor M Doody and duly seconded:-

“Although Warwick District Council still gives the 80% mandatory rate relief, the 20% discretionary part of the Council Tax has in some cases been withheld, causing an unreasonably penalty on Clubs and Village Halls that are charitable organisations”.

RESOLVED that the motion stand referred to the Executive.

COUNCIL MINUTES (Continued)

688. SECTION 92, LOCAL GOVERNMENT ACT 1972 - DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Subject</u>	<u>Person declaring interest</u>
629	Discretionary Rate Relief Budget Allocation - 2002/2003	Councillor Copping* (Personal)
640	South Warwickshire Primary Care Trust Clinical Service Reviews Consultation	Councillor Mrs Boad (Personal)

689. COMMON SEAL

It was

RESOLVED that the Common Seal of Warwick District Council be affixed to such deeds and documents as may be required for implementing decisions of the Council arrived at this day.

(The meeting ended at 8.00 pm)

CHAIR