

WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 1 December 2010, at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Boad, Mrs Bromley, Mrs Bunker, Caborn, Coker, Copping, Crowther, Davies, De-Lara-Bond, Ms Dean, Dhillon, Malcolm Doody, Michael Doody, Edwards, Mrs Falp, Mrs Gallagher, Gifford, Gill, Mrs Goode, Mrs Grainger, Guest, Hammon, Heath, Mrs Higgins, Illingworth, Mrs Knight, Mrs McFarland, Mrs Mellor, Pittarello, Pratt, Rhead, Mrs Sawdon, , Shilton, Mrs Tyrrell, Vincett and Ms Weed.

58. **APOLOGIES**

Apologies for absence were received from Councillors Harris, Hatfield, Kinson, Kirton, Mobbs, Mrs Scarrott and Wilkinson.

59. **MINUTES**

The minutes of the meeting of the Council held on the 20 October 2010, were taken as read, approved and signed by the Chairman.

60. **COMMUNICATIONS AND ANNOUNCEMENTS**

The Chairman made the following announcements:

- (a) The Chairman presented Naomi Foulkard with one of his commemorative vases following her Gold Medal in the women's recurve event at the Grand Final of the Archery GB National Series in Jephson Gardens;
- (b) The Chairman congratulated Milverton Primary School for the first introduction of Solar PV Panels on a School in Warwickshire which had lead to the school now contributing energy to the National Grid;
- (c) The Chairman congratulated Hill Close Gardens on its "Highly Commended" award by the UK Landscape Institute for its restoration project;
- (d) The Chairman reminded members about his charity concert at the Town Hall on Friday 3 December 2010 which all were welcome to attend; and
- (e) The Chairman explained that he would be writing to Royal Mail regarding the concerns of the Council about the delivery of mail within the District following the recent reorganisation of sorting arrangements and delivery methods, because as an example it had taken 16 days for a first class letter from Royal Leamington Spa to be delivered to a house in Kenilworth.

61. **PUBLIC INTEREST DEBATE: GYPSY & TRAVELLER SITES**

The Chairman explained that the proposed debate on the motion that "The Council should provide, within the District, two sites for the Gypsy and Traveller community, including both temporary and permanent pitches"

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because no members of the public had come forward to address the Council on this matter.

62. NOTICES OF MOTION

(A) It was moved by Councillor Coker and duly seconded that

“That this Council would ask that the motion passed by it on HS2 on the 20 October 2010 be brought to the notice of the Warwickshire County Council at its meeting on the 14th December 2010 with a request that it should intensify its enquiries regarding the HS2 proposals with a view to supporting the District Council in its efforts and that it should consider cooperating with other Councils along the line and the Action Groups in defending the environment and green belt in general and particularly that of Warwickshire.

Motion passed by the Warwick District Council of the 20 October 2010;

Despite the recent changes to the proposed route of HS2 through the Warwick District, which were intended to mitigate the damage to our community, the preferred route will still cause devastating damage to the homes of many of our electors, the Royal Show ground and many other farms and recreational facilities, together with extreme harm to the environment and the Green Belt which will be destroyed in the area of Kenilworth. That in these circumstances the Council call for an urgent if preliminary report to the next Executive with a view to commencing the preparation of a case and strategy for the defence of our District against the incursion of this line including exploring cooperation with our neighbouring Councils along the route”

In accordance with Council Procedure Rule 6(6) it was moved and seconded that the motion proposed by Councillor Coker be considered at the meeting.

The motion was discussed by Council and in the absence of any proposed amendments was put to the meeting and, on a vote being taken, was declared carried.

(B) It was moved by Councillor Boad and duly seconded that

“This Council notes that the highest priority identified by local residents across the Community Forums in Warwick District Council’s area is Anti Social Behavior and nuisance youths, the Council further recognises the clear evidence that these issues can only be successfully dealt with by a concerted, cross service approach. The potential inability in the future to deal successfully with these issues will have a consequential detrimental impact on local residents, the wider community and District Council services.

Whilst recognising the need for budget reductions, due to the current financial climate, other service cuts being put forward, in isolation, by the County Council, Police Authority and the PCT may also have a detrimental impact on the District Council to provide the services that local residents demand.

The Council therefore calls for an urgent report to be prepared by officers to assess the combined impact on local residents and the wider community of all

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of the proposed changes to policing, County Council services, and any proposed PCT service changes.

The report to include the subsequent potential impact on Warwick District Council service delivery.

The report should be presented for consideration either to the Executive or Council by the December cycle of meetings."

In accordance with Council Procedure Rule 6(6) it was moved and seconded that the motion proposed by Councillor Boad be considered at the meeting.

The motion was discussed by Council and the proposer accepted the suggested revisions so that the motion read as follows:

"The Council recognises the need for budget reductions, due to the current financial climate, along with other service cuts being put forward, in isolation, by the County Council, Police Authority and the PCT may also have a detrimental impact on the District Council to provide the services that local residents demand.

The Council therefore calls for an urgent report to be prepared by officers to assess the combined impact on local residents and the wider community of all of the proposed changes to policing, County Council services, and any proposed PCT service changes.

The report to include the subsequent potential impact on Warwick District Council service delivery."

The report should be presented for consideration either to the Executive or Council as soon as practicable."

The proposal was duly seconded and in the absence of any proposed amendments was put to the meeting and, on a vote being taken, was declared carried.

63. QUESTIONS TO PORTFOLIO HOLDERS

(A) Councillor Crowther asked the Neighbourhood Services Portfolio Holder, Councillor Shilton:

"Can the Portfolio Holder tell us what is the current situation on income to the Council from sale of recycled materials?

How much income from this source is anticipated in the current financial year?

What is this funding received from this source spent on?"

In response Councillor Shilton welcomed the question from Councillor Crowther. He explained that the 2009/10 budget had seen £255,000 income from recycling materials compared with a budgeted £300,000 because of the drop in value of recyclable materials. The prices had now recovered and it was anticipated that there would be £380,000 income

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this year against a predicted income of £400,000 but there were further planned projects for after Christmas which could further boost this figure. The income received from this was not ring fenced and was used to deliver Council Services.

Councillor Crowther asked a supplementary question in response that asked the Portfolio Holder if, because of this additional income, those households who do not have grey bins would now be provided with bin bags by the Council?

Councillor Shilton responded by explaining that most bags submitted for collection were not the grey "WDC bags" but standard black bin liners, however the provision of refuse collection for these households was being reviewed.

(B) Councillor Edwards asked the Leader and Strategic Leadership Portfolio Holder, Councillor Michael Doody:

"Can the portfolio holder explain the Executive's plan to make the necessary savings for this Council of over £3 million over the next four years."

Councillor Michael Doody responded by explained that the Council was required to make £3.4million following a reduction of 7.1% in the revenue support grant, which could be front loaded but the Council would work on the assumption it would be split equally over the years and if necessary funding from reserves would be used to reduce the impact of front loading.

The Council aimed to reduce costs and make savings in a number of different ways including;

- Investigations into discretionary rate relief for charitable bodies/organisations who were not officially registered as a Charity
- Potential further income generation through second homes and empty properties reclassification, depending on the decision to be taken later this evening;
- Review of staff terms and conditions;
- Review of Riverside House, due to the Executive in December;
- Review of the Town Hall, due to the Executive in December; and
- Shared services of Revenues and Benefits.

It was anticipated that these would bring forward £700,000 of savings without cutting services; and in addition it was anticipated that the Support Services and Development Services interventions would bring further significant savings; and that the progress we've made to date gave him confidence these would be made.

There were a number of other areas being considered including improved procurement practices and the relet of the refuse/recycling contract. There were other considerations including the potential for the benefits service to move away from the Council in 2012, the current review of planning fees by the Government and the new local plan possibly providing the Council with an additional homes bonus.

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The Leader concluded by reiterating his previous statement that redundancies were expensive in many ways not only to the individual and for that reason the Council would avoid wholesale redundancies.

Councillor Edwards asked a supplementary question in relation to this explaining that while this was a good start it left £2.7million of savings to find in the budget and the response did not explain how the other savings would be found over the four years and that it was this lack of planning which had led to cuts such as free swimming. Therefore what had been the benefits of system thinking?

Councillor Doody responded explaining the free swimming was still available until the end of March 2011 and it was being stopped because government funding had been withdrawn. The other savings outlined in the response to the original question were because of systems thinking.

Councillor Boad asked a supplementary question that sought the Portfolio Holders views that Government were considering removing the reserves of Councils?

Councillor Doody responded by saying that if this was considered and they requested money from this Council then there would need to be a very good reason.

- (C) Councillor Pittarello asked the Housing and Property Services Portfolio Holder, Councillor Mrs Grainger:

“In the light of the startling discovery by the Audit Commission into the Council’s Landlord Services regarding the huge volume of tenant residences without a valid gas safety certificate, can the Housing Portfolio holder confirm whether there are any other areas that may cause serious health and safety concerns?”

Councillor Mrs Grainger responded by explaining that the issue over gas certificates was discovered by the Council and reported to the Audit Commission and all gas certificates were issued by the end of October 2010. The Council aimed to have all properties electrically tested by October 2011 and to have completed the asbestos surveys by this time ahead of our legal requirement. These targets were on track and would be included in the Portfolio Holder statement.

Councillor Pittarello asked a supplementary question that sought assurance from the Portfolio Holder that she was satisfied with the work undertaken and that the potential risks to tenants had not invalidated their home insurance policies?

Councillor Mrs Grainger explained that the properties were safe and that the service improvement plan had been accepted by the Audit Commission. There was no increased risk to tenants and the Council was legally compliant.

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64. LEADERS AND PORTFOLIO HOLDERS STATEMENTS

- (A) The Portfolio Holder for Cultural Services (Councillor Mrs Gallagher) explained that free swimming had not been cut by the Council but had been time limited by the previous government and that this Council was still providing free swimming until 31 March 2011. In addition the Council was looking at the process of reviewing how to enable opportunities for all children within Warwick District to learn to swim.
- (B) The Housing & Property Services Portfolio Holder (Councillor Mrs Grainger) reported that the Tenants Service Authority was very pleased with the actions taken by and progress made by this Council since the inspection because the action plan being delivered covered a much wider remit than was required by the inspection outcome.
- (C) The Housing & Property Services Portfolio Holder (Councillor Mrs Grainger) also reported that interim measures were still in place following the termination of the contract with ROK. The tendering process was underway and the Council was working with the administrators of ROK to confirm any outstanding payments.
- (D) The Portfolio Holder for Neighbourhood Services (Councillor Shilton) reported that following recent adverse weather the position with regard to refuse and recycling collection was as follows:
Grey bins & Sacks – some roads were not being collected because they were unsafe due to snow and ice but these were being assessed daily;
Red boxes – all collections were now up to date;
Green bin – some have been collected but now suspended because the waste is frozen into them.
The Town Centre paths were being gritted by the Council as well as those areas around pay and display machines in car parks. In addition the autumn leaf collections by the Council saw the Council collect 300 tonnes of leaves for recycling.

65. QUESTIONS TO THE LEADER OF THE COUNCIL

- (A) Councillor Pittarello asked the Leader:

“If in August he had misled the public over the number of houses that needed to be built when he suggested that 8,300 homes would be required. However the RSS removal could lead to a requirement for more homes and the latest Government suggestion is that there is a need for 13,000 homes”

In reply, the Leader said, that originally the Council had a target of 10,800 homes this was increased to 11,000 with an addition of 3,500 to 4,000 homes of the allocation for Coventry but this Council has said it will not accept development in the Kings Hill area. We have a working party along with Councillor Hammon, which I believe you are a member of, and they are working on defining the local plan and the number of houses required. However, the Council has already had four years of development under this target and a number of homes have been completed and approved in this time. However, in the last two years the demand for new homes has been lower and I am of the

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opinion that because of the current economic climate a local plan for 16 years would be too long and a plan for eight years would perhaps be more realistic.

(B) Councillor Boad asked the Leader:

“When will the steering meeting for the Development Plans Working Party, as set out in the Executive minutes of 29 September 2010, be taking place?”

In response, the Leader said that this meeting would be taking place as soon as practicable.

Councillor Boad explained he did not feel that this was a realistic response and therefore asked for a time frame for this to take place.

In response, the Leader said that there was a need for a report to be considered by the Corporate Management Team and once this had happened the meeting would be arranged.

(Councillor Heath left the meeting at the conclusion of this question)

(C) Councillor Malcolm Doody asked the Leader:

“Please can the Leader provide reassurance that the rural initiatives scheme will not be removed because of the significant benefits this provides to the rural community who do not have the easy access to benefit the advantages of living within a town?”

The Leader replied that while this administration was in control they would continue with the rural initiatives scheme on a pound for pound match funding basis. This was because this scheme helped to fund the provision of important community services in the rural area which otherwise would not be available.

(D) Councillor Edwards asked the Leader:

“If he could explain to the Council what Fit for Future stands for?”

In response, the Leader said that he has read a number of documents that talk about systems thinking and the value and quality of the Council’s staff.

Fit for Future established where the Council was going, taking into consideration the spending reduction of 7.1% faced by this Council, but still delivering the vision of the Council. In addition it enables the Council to review the services it provides to ensure they are being delivered effectively with the aim of reducing their costs to the Council for example the Royal Spa Centre where the risk to its future was identified and reported by the press the level of receipts has increased and therefore reduced the deficit this Council has in funding the Spa Centre.

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It was also important to thank the senior management for their work because they have brought the Council to a position other authorities would like to be in.

(E) Councillor Barrott asked the Leader:

"If you could confirm when the report on the outcomes of the systems thinking intervention in housing repairs would be submitted for consideration by members?"

In response, the Leader said that systems thinking was not a start and finish way of working but an ongoing way of working with the aim to providing a better public service.

Councillor Barrott explained that he appreciated the merits of systems thinking but sought assurance that Councillors would see a report on the outcomes of the intervention in housing repairs along with details of the lessons learned?

In response, the Leader said that more work needed to be completed before this information could be presented.

(F) Councillor Mrs McFarland asked the Leader:

"I noted your statement earlier that the Rural Initiative Grant funding would continue and was this an outcome of the grants review working party, which was yet to publish its report, or a decision you had taken?"

In response, the Leader said that the rural initiatives scheme was not a grant but was funding set aside for rural areas and in addition he explained that last week he received an enquiry from the Courier asking for statement about the Council stopping funding to the GAP in Warwick and while he explained this was wrong to assume because the report had not been published he did wonder who told the Courier this.

Councillor Mrs McFarland asked a further question explaining that the Rural Initiatives Grant was within the remit of the Grant Review Working Party and therefore if it was not a grant why was it included in the review.

In response, the Leader said that the report was due in December and he looked forward to reading it.

(G) Councillor Boad asked the Leader:

"If he could explain how the Council establishing its local plan how this followed the governments outline proposals for giving communities the power and planning from the bottom up?"

In response, the Leader said that this was what the Council was doing by designing the Local Plan for consultation with the community.

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Councillor Boad followed the response with a question of clarification suggesting that it could be prudent to wait for the localism bill which would provide power from the bottom up to neighbourhoods and communities to set aspirations?

In response, the Leader said that he was of the opinion that it was not feasible for communities to bring forward their aspirations to the Council and therefore the Council needed to provide them with some structure and guidance in the form of the Local Plan.

66. EXECUTIVE

(A) It was moved by Councillor Michael Doody, duly seconded and

RESOLVED that the report of the meeting of the Executive held on 27 October 2010, be approved and adopted.

(B) It was moved by Councillor Michael Doody, duly seconded and

RESOLVED that the minute 88, Council Tax Discounts – Second Homes and Long Term Empty Properties, of the Executive held on 24 November 2010, be approved and adopted.

67. POINT OF ORDER

Councillor Crowther raised a point of order with the Chairman with regard to the statement made by Councillor Michael Doody earlier in the meeting which implied that Councillor Mrs McFarland had breached confidentiality and informed the Courier that the funding of the GAP would be withdrawn and asked that Councillor Michael Doody apologise for this.

Councillor Michael Doody explained that he had not intended to imply this he had simply reported that he had received a call from the Courier about this matter but if the cap fits?

The Chairman asked Councillor Doody to withdraw this statement and apologise.

Councillor Michael Doody explained that in his statement he did not mention any names and on that basis there was no need to apologise but apologised for any offence he may have caused.

68. LEADERSHIP MODEL

The Council considered a report from Members' Services and Group Leaders that detailed the outcome of the public consultation on the preferred Leadership model for the Council that has to take effect from 5 May 2011.

Councillor Boad proposed the recommendations of the report, which were duly seconded and it was

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RESOLVED that the "new-style" Leader and Cabinet executive model, be adopted to commence after its elections May 2011 and from that time Constitution be amended to enable:

- A Leader be appointed by the Council from among its elected councillors for a four year period;
- The Leader must decide either to carry out the Council's executive functions or delegate executive functions to the Cabinet (that shall be known as the Executive), its members or Council officers;
- Two but no more than nine Councillors be appointed to the Executive by the Leader (the Executive shall comprise of no more than ten members including the Leader); and
- The Leader ceases to hold the position of Leader:
 - (i) at the Annual meeting after their 4 year period expires;
 - (ii) when the Council removes them from the position (which can be at any time);
 - (iii) they resign from the position;
 - (iv) they are suspended from being a councillor (although they can resume the position at the end of the suspension); or
 - (v) or they cease to be a Councillor.

69. **SECTION 92, LOCAL GOVERNMENT ACT 1972 - DECLARATIONS**

In addition to Members who had disclosed their interest in the minutes of the Executive and committees, the following declared their interest in respect of the items as shown. Where an interest is shown with an *, the Member involved left the meeting during the discussion and voting on the item.

Subject

Minute 88 Executive recommendation
Council Tax Discounts – Second
Homes and Long Term Empty
Properties.

Person Declaring Interest

Councillors Caborn, Michael Doody, Shilton declared Personal prejudicial interest because they were Warwickshire County Councillors. Councillor Mrs Goode declared a personal and prejudicial interest because she was a Royal Leamington Spa Town Councillor, Warwickshire County Councillor and Warwickshire Police Authority member. Councillor Hammon declared a personal and prejudicial interest because he owned more than one home within the District. Councillors Mrs Blacklock, Mrs Bunker, Coker, Davies, Illingworth and Vincett declared personal interests because they were Kenilworth Town Councillors. Councillors Mrs Bromley, Mrs Grainger, Guest, Mrs McFarland and Mrs Mellor all declared personal

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interest because they Warwick Town Councillors. Councillor Mrs Higgins declared a personal interest because she was a Warwick Town Councillor and also owned two properties within the District. Councillors Mrs Falp and Heath declared personal interests because they were Whitnash Town Councillors. Councillors Copping, Gifford, Gill and Weed declared personal interests because they were Royal Leamington Spa Town Councillors. Councillor Rhead declared a personal interest because he was a Barford, Sherbourne and Wasperton Joint Parish Councillor.

Executive Minute 83 – Christchurch Gardens

Councillors, Copping, Gifford, Gill, Goode and Weed declared personal and prejudicial interests because they were Royal Leamington Spa Town Councillors.

70. **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 8.05pm)

CHAIRMAN
19 January 2011