

# WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 9 March 2011, 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, , De-Lara-Bond, Ms Dean, Malcolm Doody, Michael Doody, Edwards, Mrs Gallagher, Gifford, Gill, Mrs Goode, Mrs Grainger, Mrs Falp, Hammon, Mrs Higgins, Illingworth, Kinson, Kirton, Mobbs, Pittarello, Pratt, Rhead, Mrs Scarrott, Shilton, Mrs Tyrrell, Vincett, Ms Weed and Wilkinson.

## 94. **APOLOGIES**

Apologies for absence were received from Councillors Davies, Dhillon, Guest, Harris, Hatfield, Heath, Mrs McFarland, Mrs Mellor and Mrs Sawdon

## 95. **MINUTES**

The minutes of the meeting of the Council held on 23 February 2011 were taken as read, approved and signed by the Chairman.

## 96. **PUBLIC INTEREST DEBATE – HS2**

The Council received submissions from both the campaign in favour and against the proposed High Speed Rail route (HS2), part of which went through the District.

After receiving the representations, the Council debated the proposals and the Chairman asked the Council to indicate the Council's view with regard to HS2. On voting, the majority of the Council were opposed to the proposals.

## 97. **COMMUNICATIONS AND ANNOUNCEMENTS**

The Chairman made the following announcements:

- (A) Royal Mail had responded to his second enquiry about the impact on the changes of delivery method on the postal service in Warwick District and the matter was now closed;
- (B) it was his textile art and paintings exhibition on 12 and 13 March in aid of his charities; and
- (C) he would be participating in a 10km charity walk starting and finishing in Pump Room Gardens on 8 May 2011. This event was organised by the Ahmadiyya Muslim Association.

## **COUNCIL MINUTES (Continued)**

### **98. NOTICES OF MOTION**

It was proposed by Councillor Mrs Tyrrell and duly seconded that

"This Council notes that:

Severe Weather Emergency Protocols (SWEP) for rough sleepers set out the types of arrangements that need to be made to ensure people are not at risk of dying on the streets during cold weather. SWEP arrangements are triggered when the night time temperature is predicted to be zero degrees or below for three consecutive nights.

It is a matter for individual local authorities working with their voluntary sector partners to decide on the arrangements to be put in place.

This Council also recognises that The Salvation Army does a considerable amount of work amongst the rough sleepers in Leamington, as does the Leamington Night Shelter which runs on Wednesday and Sunday nights at Radford Road. Through their work these are probably the organisations that can best identify the people concerned."

In Warwick District the eligibility criteria are

"The Housing Advice Team would first have to establish whether the Council has a statutory duty to accommodate that person. If no housing duty is owed as the rough sleeper is deemed not to be in priority need (as defined in the homelessness legislation), the Housing Advice Officer will then establish if the person is found not to be intentionally homeless, has nowhere to sleep that night and **has a local connection**, they will be offered emergency accommodation during the period of severe weather."

The '**local connection**' is met if they meet one of the following criteria:

1. Resided in the district through choice as their only or principal home for at least 6 out of the last 12 months, or at least 3 out of the last 5 years.
2. Is employed in the district in permanent paid work.
3. Has a family connection in the District by virtue of a close family association, i.e. son, daughter, brother, sister, mother or father who are over 18 and have resided in the District for at least the last 5 years as their only or principal home before the date of the application.

This Council believes that:

The residence criteria used by this Council disadvantages rough sleepers seeking emergency accommodation in very cold weather.

This Council therefore resolves to:

Instruct the Head of Housing and Property Services to replace the local connection section of the SWEP eligibility criteria, *section "b) Whether the person has a local connection with Warwick District Council (as defined in the homelessness legislation);"* with new section b) Whether the person has a letter of eligibility from the Salvation Army or the Leamington Night Shelter."

First amendment - It was proposed by Councillor Doody, duly seconded and

**RESOLVED** that the motion be passed to the Head of Housing & Property Services for a report to be produced

## **COUNCIL MINUTES (Continued)**

on this matter and submit to the Executive for consideration.

### **99. LEADERS AND PORTFOLIO HOLDERS STATEMENTS**

- (A) The Portfolio Holder for Cultural Services, Councillor Mrs Gallagher provided an update on the Linden Arches project in Royal Pump Room Gardens, Royal Leamington Spa. The contract for the arches had been awarded to Worralls Engineering of Warwick and the Guilding would be undertaken by a Leamington firm. The Friends of the Pump Rooms were now confident that these would be in place in good time ahead of the Queens Diamond Jubilee celebrations and possibly by the preceding Christmas lights. To date £60,000 of donations had been received in total from organisations and individuals but more donations would be welcome.
- (B) The Portfolio Holder for Housing and Property Services, Councillor Mrs Grainger, explained that in response to the question at the last Council meeting regarding referrals to the OT Service, there had been a misunderstanding and referrals were not on hold. The Council were in the process of trying to use its assets more effectively by moving people with adaptation needs into already adapted homes therefore reducing the waiting times for adaptations and budget pressures by the need to undertake less adaptations. In addition, the Council had now agreed to increase the budget for adaptations and this would increase the number of people who the Council could provide adaptations for each year.

In addition, Mrs Grainger thanked all Councillors for their support and comments on the proposed agreement with Waterloo Housing Group and the officers involved in bringing this proposal forward.

### **100. QUESTIONS TO THE LEADER OF THE COUNCIL**

- (A) Councillor Ms Dean asked the Leader:
- “That following the establishment of the Tourism Task Force, could the Leader update and inform the Council from a District perspective about the strategies and partnerships in place for this.”
- In response, Councillor Michael Doody explained that he could not and therefore he would provide a written reply.
- (B) Councillor Barrott asked the Leader:
- “Following the decision by the Executive on 9 February to recommend an additional £50,000 to the HS2 campaign, from a good governance perspective does he agree that this should have been through a report which could have been scrutinised, can he provide the reasons why this additional money was needed and in future can he guarantee that reports would be brought forward?”

Councillor Doody responded that he could not guarantee that there would not be a need for urgent decisions without reports being brought

## **COUNCIL MINUTES (Continued)**

forward. In this instance there was a need for prompt action to enable the Council to have its say and be actively involved in the campaign because until that point the Council had been a poor partner but were now part of the Executive to fight the proposal.

In addition he explained that while £50,000 was a lot of money in this instance it was relatively small in comparison to the money being spent to support the proposal.

Councillor Boad asked a supplementary question to the Leader:

"The £100,000 was agreed after the Council's meeting, what was the need for the urgency?"

Councillor Doody responded by explaining that the aim was to provide a message that this Council meant business, that we were committed to the campaign and not a penny pinching authority. In addition the funding by this Council has now encouraged more Council's to join the campaign.

(C) Councillor Mrs Knight asked the Leader:

"No reason for urgency has been given, however could the Executive bring forward a paper for clarification and scrutiny outlining criteria for what would be urgent matters.

Councillor Doody responded explaining that a policy would be prejudging something that we did not yet know because by the very nature of the matters they are unknown and this could restrict the options available to the Council.

### **101. EXECUTIVE**

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

**RESOLVED** that the report of the meeting of the Executive of 9 February, excluding minute 129 that would be considered by Council on 18 May 2011 and minutes 130, 131, 132, 133, and 134 that were considered by Council on 23 February 201 be approved and adopted.

(B) It was moved by Councillor Michael Doody, duly seconded that the report of 2 March 2011 be approved and adopted.

First amendment - Councillor Hammon proposed, and it was duly seconded that the decision to minute 150 be amended to include delegation to the Chief Executive in consultation with the Portfolio Holder for Development Services to instigate and apply for the necessary permissions and consents. On being put to the vote it was

**RESOLVED** that the report of the Executive of 2 March 2011, be approved, subject to the additional delegation under minute 150 as set out above, and adopted.

## **COUNCIL MINUTES (Continued)**

### **102. SECTION 92, LOCAL GOVERNMENT ACT 1972 – DECLARATION OF INTEREST**

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 item as shown. Where the interest is shown with an \*, the Member involved left the meeting during the discussion and voting on the item.

<b>Subject</b>	<b>Person Declaring Interest</b>
Minute Number 101 (B), Executive Minute 150 Kenilworth Public Service Centre	Councillor Mrs Goode declared a personal interest as a Warwickshire County Councillor and Warwickshire Police Authority member. Councillor Kirton declared a personal interest as a Warwickshire County Councillor. Councillors Mrs Blacklock, Mrs Bunker, Illingworth and Vincett declared personal interests as Kenilworth Town Councillors.
Minute Number 101 (B), Executive minute 148 – Warwickshire Child Poverty Strategy	Councillor Mrs Falp declared a personal and prejudicial interest because she worked for a Children's Centre.
Minute Number 101 (B), Executive minute 162 – Improvements to the Court House, Jury Street, Warwick	Councillors Mrs Bromley, Mrs Higgins and Kinson declared a personal interest because they were Warwick Town Councillors.

### **103. 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 7.45pm)

CHAIRMAN  
20 April 2011