

# EXECUTIVE

Minutes of the meeting held on Wednesday 12 February 2014 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Mobbs (Chairman); Councillors Caborn, Coker, Cross, Mrs Grainger, Hammon, Shilton and Vincett.

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

## 127. **DECLARATIONS OF INTEREST**

### Minute Number 138 – Agenda Item 13 – Car Parking National Bowls Championships

Councillor Caborn declared an interest because he was a member of Royal Leamington Spa Bowls Club.

### Minute Number 140 – Agenda Item 15 – Future delivery of off-street parking enforcement

Councillors Caborn and Shilton declared pecuniary interests because they were Warwickshire County Councillors and left the meeting whilst the item was discussed.

### Minute Number 151 – Agenda Item 20 – Call-In of Executive Item – Kenilworth Public Service Centre

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

## 128. **MINUTES**

The minutes of the meeting held on 8 January 2014 were agreed and signed by the Chairman as a correct record.

### **PART 1**

(Items on which a decision by Council is required)

## 129. **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE COUNCIL 2014-2015**

**RECOMMENDED** that

- (1) Councillor Mrs Sawdon be nominated as Chairman of the Council for the municipal year 2014/2015; and

- (2) Councillor Mrs Knight be nominated as Vice-Chairman of the Council for the municipal year 2014/2015.

### 130. **BUDGET 2014/15 AND COUNCIL TAX – REVENUE AND CAPITAL**

The Executive considered a report from Finance which updated members on the overall financial position of the Council. It included the latest position in respect of the 2013/14 General Fund Revenue Budget and the future implications of the proposed changes within.

For 2014/15 onwards, the report considered both the General Fund Revenue budget and the Capital Programme. The information contained within the report supported the recommendations to Council in respect of setting next year's budgets and the Council's level of Council Tax for 2014/15. It also updated members on the latest projections and assumptions in the Medium Term Financial Strategy, identifying the on-going savings required by 2018/19 and gave an update on the Council's Reserves and General Fund.

The Council was required to set a budget and council tax each year taking into account many factors including determining an authorised borrowing limit in accordance with The Local Government Act 2004, Section 3, agreeing prudential indicators and the Chief Financial Officer was required to report on the robustness of the estimates made and the adequacy of the proposed financial reserves.

The report advised that by considering the 5 Year Medium Term Financial Strategy at the same time as the latest and next year's Budget, the Council had a full understanding of their implications on the long term implications.

The report was divided into sections which dealt individually with the 2013/14 Revenue Budget, the 2014/15 Revenue Budget, Government Grants, the 2014/15 Council Tax, 2014/15 Budget Surplus, New Homes Bonus, the Medium Term Financial Strategy, Reserves and Balances, General Fund and Housing Capital Programmes and Prudential Indicators.

In addition, each section was supported by coordinating appendices numbered 1 to 12.

No specific alternatives to the recommendations had been made, however, the information provided enabled Members to propose variations to the proposals.

Members had a duty to consider all possible options and the proposals in the report reflected the Portfolio Holder priorities and were reflected in the Fit For the Future programme.

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

Members noted that the recommendations had been incorrectly numbered in the report and accepted that the figure detailed in paragraph 3.5.4 of the report, should have read £49,836.88, as per the addendum circulated prior to the meeting.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to propose the recommendations as written.

**RECOMMENDED** that

- (1) the 2013/14 latest General Fund Revenue Estimate of net expenditure, including the proposed adjustments in section 3.2, at £16.4m, after the projected £661,000 surplus has been appropriated, as summarised in Appendix 1, be agreed;
- (2) the £40,000 previously agreed be slipped to improve the open space in the vicinity of the old gasworks/fire station site in Warwick from 2013/14 to 2014/15 by way of the Earmarked Reserve;
- (3) the 2013/14 projected surplus of £661,000 is allocated to:-
  - Early Retirement Reserve £200,000
  - Equipment Renewal Reserve £200,000
  - Corporate Assets Reserve £261,000 (subject to recommendation 2.4)
- (4) a new Corporate Assets Reserve be established and the Sports & Culture Facility Reserve be closed and its balance of £300,000 be transferred to this new Reserve;
- (5) should there be further requests for funding for 2013/14 or 2014/15 which have not been accommodated within this report, either within other reports on this Agenda, or before the financial year end which are not significant in terms of the Council's overall Budget, the funding for these will need to be addressed as part of the Final Accounts report in June ;
- (6) the changes to the latest 2014/15 General Fund revenue budgets below and with net expenditure of £16.0m after the appropriations in recommendation 2.6 below, be agreed as summarised in Appendix 1 to the report:-
  - a) the creation of £200,000 Contingency Budget for 2014/15;
  - b) the two Senior Project Co-Ordinator Posts being extended to March 2016, subject to the agreement of the Employment Committee, and the additional non-recurrent costs £79,000 be built into the 2014/15 budget and £103,400 being factored into the Medium Term Financial Strategy for 2015/16;

- c) the extension to the 2 Organisational Development Posts for a further 2 years to 31 March 2016, subject to the agreement of the Employment committee, being financed from the earmarking of £19,000 salary underspend in 2013/14 and re-phasing of Service Transformation Reserve contributions;
  - d) £10,000 Health and Well Being Budget being built into the 2014/15 Budget on a recurrent basis;
  - e) the new Private Sector Housing fees and charges, including Houses in Multiple Occupation, applicable from 1 April 2014 as set out in Appendix 3, and associated income budget of £75,000;
  - f) £75,000 one-off budget being included for costs associated with complying with Payment Card Industry Data Security Standards (PCI DSS);
  - g) £50,000 one-off budget to support Employment Initiatives, with consideration of this within a forthcoming report on the prosperity agenda;
  - h) £30,000 (part year) effect of the introduction of the National Living Wage from October 2014, with full £60,000 per year being factored into the Medium Term Financial Strategy thereafter, subject to the agreement of the Employment Committee;
  - i) £15,000 one off funding to Coventry and Warwickshire Local Enterprise Partnership;
  - j) £10,500 to increase Community Forum Grant funding (£1,500 per Forum) in view of potential requests for funding in respect of World War One commemorations;
- (7) the Council's share of the Collection Fund Surplus for 2013/14, £142,000, is utilised as part of General Fund 2014/15 financing;
- (8) the Grant Settlement for 2014/15 is noted and should there be a non-material change to the final grant settlement for 2014/15 when the announcement is made, this would be accommodated within the Contingency Budget in 2014/15;
- (9) the Council Tax of a Band D property for Warwick District Council for 2014/15 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police and Crime Commissioner

precepts is agreed by Council at £146.86, representing a zero increase on 2013/14;

- (10) the Council Tax charges for Warwick District Council for 2014/15 before the addition of parish/town council, Warwickshire County Council and Warwickshire Police and Crime Commissioner precepts, for each band is agreed by Council as follows:-

Band 2014/15	
A	£97.91
B	£114.22
C	£130.54
D	£146.86
E	£179.50
F	£212.13
G	£244.77
H	£293.72

- (11) the 2014/15 projected surplus of £238,500 is allocated to the Corporate Assets Reserve;
- (12) the Statement of New Homes Bonus Use within Appendix 11 of the report is agreed and the New Homes Bonus allocation due for 2014/15 of £1,221,765 (Provisional), is noted, of which £59,000 will be allocated to the W2 (Waterloo/Warwick District Council) Joint Venture and £24,000 to Coventry and Warwickshire City Deal, and the balance of £1,139,000 is appropriated as follows:
- Corporate Assets Reserve £539,000
  - Public Amenities Reserve £300,000
  - Planning Reserve £300,000;
- (13) the changes to the financial projections be agreed and the significant future forecast deficit, currently estimated to rise to over £1.04m by 2018/19 on net expenditure of £16m is noted, and that further on-going savings/ increased income of this amount must be secured in order for the authority to be able to set balanced budgets in the future without impacting on the range and quality of services provided;
- (14) the latest schedule in respect of the Equipment Renewal Reserve (£4.180 million required by 2026/27) is agreed and this Reserve, estimated to have an unallocated balance of £1.458m as at the 1st April 2014, will be exhausted during 2017/18 should all the indicated projected requests be fully funded;

- (15) a new Biodiversity Contributions Reserve be established with authority to spend from this reserve delegated to the Head of Neighbourhood Services in agreement with the Head of Finance;
- (16) the General Fund Capital Programme and the Housing Investment Programme, together with their financing, are agreed;
- (17) the Fen End highways improvements scheme, funded by way of Government Grant of £559,000 is included within the Capital Programme;
- (18) the loan to Warwick Town Council is extended so as to be repaid by 30 September 2014;
- (19) the Prudential indicators are agreed as shown within Appendix 10 and the annual adoption of the Code of Practice, are approved and endorsed;
- (20) if there is any future mismatch between the proposed General Fund budgets and subsidiary strategies and action plans, officers would bring forward proposals for managing service provision within the agreed budgets;
- (21) the risks that may impact upon the Council's financial position and the mitigations and controls in place to manage these risks, are noted; and
- (22) the updated Financial Strategy as set out in Appendix 12, is agreed.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 536)

### 131. **HOUSING REVENUE ACCOUNT BUDGET 2014/15 AND HOUSING RENTS**

The Executive considered a report from Finance which presented the latest Housing Revenue Account (HRA) budgets in respect of 2013/14 and 2014/15.

The report explained that the Council was required to set a budget for the Housing Revenue Account (HRA) each year, requiring agreement on the level of rents and other charges that were levied. The Executive was therefore required to make recommendations to Council that took into account the base budgets for the HRA, strategic aspirations for the Housing Service and current Government guidance on rent restructuring.

The report recommended that housing dwelling rents for 2014/15 be increased by an average of 3.7% which would allow the provision of new homes and remain affordable within the Housing Business Plan without compromising service quality.

A further recommendation was that void homes be moved to capped formula social rent when re-let. Not moving vacant homes to social formula rent would significantly reduce Business Plan resources, by approximately £160m over 50 years. Capped Formula rent was on average 7.3% (£6.43) higher than the proposed 2014/15 rents and further details were included in Appendix 1 to the report.

Garage rent increases were not governed by the guidance for rent restructuring, therefore any increase could be considered. The recommendation was that garage rents for 2014/15 should be increased by 3.7%.

Finally, the 2014/15 Supporting People charges for Housing tenants receiving housing related support was recommended to be increased by 1%, the 2014/15 weekly Lifeline charges for clients was recommended to be increased by 25p and the latest 2013/14 and 2014/15 Housing Revenue Account (HRA) budgets, required approval, as set out in Appendix 3 to the report.

There were a number of alternative options detailed in section 6 of the report including alternative housing rent increases, not increasing the rents when a property became void and alternative garage rent increases, Lifeline and Supporting People charges. Each alternative was followed by an explanation as to the consequences it would have and why it had been discounted.

The Finance & Audit Scrutiny Committee supported the recommendations, except to put forward an alternative to recommendation 2.2 as detailed below, which the Committee suggested as an incentive to encourage tenants to downsize.

Finance & Audit Scrutiny Committee recommended an alternative to recommendation 2.2 to read 'that if an existing District Council tenant transfers to a void property, the tenant should still be eligible for their current level of rent and not the capped formula ('target') social rent.'

In response, the Portfolio Holder, Councillor Vincett felt that this could result in a two tier rent system and the Council may have to advertise properties at two different rent levels.

Councillor Vincett advised Members that Housing and Property Services were in the process of revisiting their policies, including their Tenants Incentive Grant Scheme and assured Members that their suggestions and concerns would be taken on board during the review. He stated that he would report back to the Executive in May 2014 and update them on the revised policies. Whilst he understood The Finance and Audit Committees concerns, he did not feel that the recommendation would incentivise tenants any more than the existing Tenant Incentive Grant scheme and the monetary assistance already available.

Councillor Vincett, therefore, requested that the proposed recommendation be rejected because it could potentially complicate the administration process and increase the risk of the incorrect rent being charged or housing benefit being applied.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to propose the recommendations as written.

**RECOMMENDED** that

- (1) housing dwelling rents for 2014/15 be increased by an average of 3.7%;
- (2) void homes are moved to capped formula ('target') social rent when re-let;
- (3) garage rents for 2014/15 be increased by 3.7%;
- (4) 2014/15 Supporting People charges for Housing tenants receiving housing related support be increased by 1%;
- (5) 2014/15 weekly Lifeline charges for clients be increased by 25p; and
- (6) the latest 2013/14 and 2014/15 Housing Revenue Account (HRA) budgets, as set out in Appendix 3 to the report, be agreed.

(The Portfolio Holders for this item were Councillors Mobbs and Vincett)  
(Forward Plan reference 537)

132. **HEATING, LIGHTING AND WATER CHARGES 2014/15 – COUNCIL TENANTS**

The Executive considered a report from Finance which set out the proposed recharges to council housing tenants for 2014/15, for the provision of communal heating, lighting and water supply.

The report advised that recharges were levied to recover costs of electricity, gas and water supply usage to individual properties within one of the sheltered and the five very sheltered housing schemes, which were provided as part of communal heating and water supplies. The costs of maintaining communal laundry facilities were also recharged at those sites benefitting from these facilities under the heading of miscellaneous charges.

The charges necessary to fully recover costs were calculated annually from average consumption over the past three years, updated for current costs and adjusted for one third of any over-recover or under-recovery in previous years.

In February 2013 the increase required to meet projected Heating & Lighting costs was felt unaffordable for tenants, so Members agreed to implement a lower increase and aim to fully recover costs within 5 year. Due to environmental measures taken, credits received and lower than expected price rises the proposed charges for three sites were able to meet costs with a decrease or modest increase in charges.

The report recommended that the heating, lighting, water and miscellaneous charges for the rent year commencing 6 April 2014, attached as appendices 1 and 2 to the report, be agreed.



One alternative option, if Members felt that any proposed charges were thought to be unaffordable for tenants, charges could be set at any level between no increase and the proposed charges.

For those Heating/Lighting charges which had been set below the level necessary to recover the full cost, a higher charge could be set to better reflect the costs, however, this could make the increase unaffordable for tenants.

The final alternative was that charges could be set above the real costs of recovery. This would mean tenants of these schemes would have no choice but to pay above the real cost of these utilities, as the communal nature of these services meant they could not choose their own energy suppliers. However, officers were mindful that this would not be fair to the tenants.

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

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to propose the recommendations as written.

**RECOMMENDED** that the revised recharges for Council tenants relating to heating, lighting, water and miscellaneous charges for the rent year commencing 6 April 2014, as set out in Appendix 1 & Appendix 2 to the report, be agreed.

(The Portfolio Holders for this item were Councillors Mobbs and Vincett)  
(Forward Plan reference 538)

## **PART 2**

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

### **133. CALL-IN OF EXECUTIVE ITEM – ASSETS REVIEW**

The Executive considered a report from Civic and Committee Services following the Call-in of the Assets Review report, which had been considered at the Executive meeting on 11 December 2013. The decision was called into the Overview and Scrutiny Committee for consideration and subsequently referred to Council on 22 January 2014.

The decision had been called in by Councillors Boad, Copping, Gifford, Mrs Goode and Wreford-Bush because they felt that the Royal Pump Rooms was at the heart of the cultural heritage of Royal Leamington Spa; the building was extensively refurbished as an Art Gallery, Museum and Library in 1997-1998 at public expense in excess of £7 million. They considered that the maintenance of full and free public access must be a condition in any market testing of its commercial potential that was undertaken, and not to be considered as an afterthought.

At the Council meeting in January 2014 Members debated the proposals and referred it back to Executive for consideration without any comments. The report advised that the vote for this item was recorded and was detailed within

the Council minutes. However, the motion was won by 20 votes to 19 with no abstentions.

The report advised that the Executive now had the option of either confirming or amending the original decision made on 11 December 2013.

There were no alternative options available because the Call In of a decision required that a set procedure be followed.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree recommendation 2.1(i) and

**RESOLVED** that the decision made by the Executive on 11 December 2013 , be confirmed.

(Forward Plan reference number 549)

#### 134. **ASSETS REVIEW – UPDATE REPORT**

The Executive considered a report from the Deputy Chief Executive and Head of Finance which updated Members on the Assets Review report considered by Executive in December 2013. That report had been the subject of a call-in to Council on 22 January 2014, primarily in respect of a specific recommendation to 'market test the commercial potential for alternative usage(s) of the Royal Pump Rooms', the outcome of which was reported in Minute Number 133, detailed above.

However, another recommendation was for Members to note that the overall funding strategy for the Council's assets would be considered as part of the Budget Setting report in February 2014. Officers had subsequently reviewed this recommendation and determined that the funding strategy warranted a separate discussion and report.

The December 2013 Assets Review report considered the future maintenance liabilities of all the Council's existing assets, other than those owned by, or assigned to, the Housing Revenue Account (HRA) and therefore considered within the HRA Business Plan. The December report also identified a funding shortfall on the maintenance liabilities for the current asset base along with the Play Area and Green Space Strategies, which were fundamentally linked to the open space category of assets.

This report requested that details of the Asset Review work would be included in the March Corporate Property Repairs and Improvement Programme report alongside funding explanations.

Approval was also recommended, to undertake detailed feasibility studies on the potential merits of selective land disposals at the sites listed in appendix one to the report and of selective non-operational property disposals, as set out in appendix two, to the report.

Officers advised that further reports would be received over the course of the 2014/15 financial year, as the studies were completed. This would allow informed decisions to be made on potential disposals, retentions, alternative uses and investment opportunities.

The alternative options was to determine a funding strategy for the full 30 year period but this was deemed to be premature, given the need to assess the outcome of the detailed feasibility studies proposed in the report.

The Overview and Scrutiny Committee had concerns on how the conclusions were reached as shown in Appendix 1 of the report and questioned the criteria for how the Council was prioritising the assets. It was felt that the use of Ward Boundaries gave a false impression. Following the Overview and Scrutiny meeting, Members had received an explanation from the Deputy Chief Executive (BH) which clarified their questions.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) details of the Asset Review work to be funded in 2014/15 be included in the March Corporate Property Repairs and Improvement Programme report, together with request to release funding for this work from the Corporate Asset Reserve;
- (2) detailed feasibility studies are undertaken on the potential merits of selective land disposals at the sites listed in appendix 1 to the report, and that a review of further options relating to land holdings is undertaken;
- (3) detailed feasibility studies are undertaken on the potential merits of selective non-operational property disposals, as set out in appendix 2 to the report, and that property specific business cases for investment expenditure to enhance the revenue potential of individual non-operational assets are developed; and
- (4) further reports will be received over the course of the financial year 2014/15 as these studies are completed, allowing informed decisions to be made on potential disposals, retentions, alternative uses and investment opportunities, in order to allow the development of a long term funding strategy for subsequent years as part of the 2015/16 budget setting process.

(The Portfolio Holders for this item were Councillors Coker, Cross, Hammon, Mobbs and Shilton)

**135. GYPSY & TRAVELLERS PREFERRED OPTIONS FOR SITES CONSULTATION**

The Executive considered a report from Development Services which informed Members of the results of the 'Options' consultation for the Gypsy and Travellers Site Options and the steps required to progress this work to the next stage of its preparation.

The report also requested approval to carry out a consultation on a Preferred Options for Sites paper.

In June 2013, a report was brought to the Executive requesting approval for officers to undertake public consultation on the 'Gypsy and Traveller Site Options'. The report was approved and the consultation was subsequently carried out between 14 June and 29 July 2013.

The results of the consultation had been summarised and attached to the report as appendix 1. The main issues raised through the consultation included a high proportion of respondents in opposition to site GT02 (and associated with that site, GT03 and GT04) and a total of around 3500 responses had been received to this consultation alone.

Officers had, in response, produced a Preferred Options document, reducing the number of sites and areas of search to those which were more likely to meet the criteria in the emerging Local Plan policy. This had required a considerable amount of work on site assessment, not only of the 20 sites and areas of search suggested in the Options consultation paper, but also of the 24 additional sites suggested during the consultation by respondents. The sites assessment paper was attached at appendix 2 to the report.

A Preferred Options Consultation Paper had been produced which proposed five Preferred Option sites and a 'reserve list' of a further eight potential sites that could be considered, should any of the Preferred Option sites not progress or the public consultation demonstrated clear reasons why any of these sites were preferable to any of the Preferred Option sites. Once the consultation was complete, and firm proposals could be drawn up for Gypsy and Traveller sites, a separate Site Allocation Development Plan would be prepared and would be the subject of a further round of consultation before submission to the Secretary of State for examination by a Planning Inspector.

The report also advised Members that where landowners did not agree to make their land available for sale, the District Council could use its powers of compulsory purchase to bring the site forward.

An alternative option would be to not allocate sites for Gypsies and Travellers, but this would be contrary to national policy and the Local Plan would be found unsound without a commitment to meeting the need demonstrated in the Gypsies and Traveller Accommodation Needs Assessment.

A second alternative would be not to use powers of Compulsory Purchase to bring sites forward, but this could risk the Council not being able to meet its responsibilities in terms of pitch provision and failing to meet its duties under the terms of the Housing Act to provide residential accommodation for its communities. This could result in more un-authorised encampments in the District with the associated costly and lengthy legal and enforcement procedures.

The Scrutiny Committees did not discuss this item at their meetings and therefore provided no comments or recommendations to the Executive.

Members thanked officers for the excellent presentation given on Monday evening and for answering their questions. Councillor Mrs Blacklock, Chair of Overview and Scrutiny Committee, requested that thanks be extended to all officers involved in bringing this report forward, particularly Senior Planner, Lorna Coldicott.

The Leader, Councillor Mobbs, reminded Members that this paper was about consultation and needed to be brought forward as part of the Local Plan.

Councillor Mobbs did, however, voice concerns about site GT02, one of the eight 'reserve list' sites and the impact that this could have on the existing unique business sited nearby. Members discussed the possibility of reviewing the classification of the site but were mindful that this could lead to the need to consider potential reclassifications of other sites and potentially to significant delays in the timetable.

After lengthy discussion it was agreed that, should there be a need to consider any of the reserve sites as a result of the outcomes of the Preferred Options consultation, prior to any final decision the Head of Development Services, in consultation with the Portfolio Holder for Development Services, the Portfolio Holder lead for the Local Plan and the Group Leaders, should consider a review of the sites with specific regard to the potential impact on existing unique businesses.

Councillor Hammon stated that concerns relating to the classification of sites should be identifiable in the consultation responses and felt that the document should be sent out for consultation as proposed.

Concerns were also raised regarding the potential use of Compulsory Purchase Order powers. However, Members felt that the intention was that such powers should only be used as a last resort as highlighted in the report. The Executive was mindful that the Council had to show its intent to deliver the requested sites and noted the risks if the Council was unable to meet its responsibilities.

Having read the report and having debated the issues the Executive decided to agree the recommendations as written and approve a further consultation on the Preferred Options.

**RESOLVED** that

- (1) the results of the public consultation on the 'Options' for Gypsy and Traveller Sites attached at appendix 1 to the report, be noted;
- (2) the Preferred Options as set out in appendix 2 to the report, be agreed and that this forms the basis of a 6 week period of consultation commencing no later than 28<sup>th</sup> February 2014; and
- (3) the Executive commits in principle to invoke its use of Compulsory Purchase Powers ensure delivery in the event that an insufficient number of sites set out in PO1 and PO2 come forward with the support of the

landowners, to ensure that pitch required numbers are delivered.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference number 583)

**136. PEER CHALLENGE IMPROVEMENT PLAN UPDATE**

The Executive considered a report from the Deputy Chief Executive (AJ) which updated Members on the progress against the Peer Challenge Improvement Plan, recommended that the Council participates in further Peer Challenges and highlighted opportunities available to the political leadership to help them fulfil their respective roles effectively.

In July 2012, the Council participated in a Local Government Association Peer Challenge and the findings were reported along with an Improvement Plan to Executive in October 2012. Appendix A detailed the Council's progress against the 'Areas for Consideration' as identified in the Improvement Plan. Officers considered that, by-and-large, progress over the last eighteen months had been good although there were two areas where work was still required.

The report reminded Members that when adopting the FFF programme, they had agreed that the Council should focus on three strands of work: Saving money/increasing income; maintaining/improving services; and bringing about cultural change. Whilst progress on the first two strands had been very positive, changing the Council's culture has been more difficult.

Consequently, throughout the autumn of 2013, officers had undertaken a number of initiatives to sharpen the cultural change message. These were detailed in paragraph 3.3 of the report.

The second area for further work was reporting of corporate and service performance. Currently Members received service performance on a half yearly basis although Portfolio Holders and their Shadows regularly met with Service Heads to discuss issues. It was recognised that Members should receive more timely information, not just about service performance but also corporate health measures. It was therefore recommended that this information was published on-line on a monthly basis.

The report also informed Members about the 2013 Growth Workshop which had been attended by officers and Members as well as about future events such as the Peer challenge in July 2014 and further workshops for all Council Members. The LGA had also developed a number of services included the Leadership Academy and one to one mentoring, full details of which were outlined in paragraphs 3.8 and 3.9.

No alternative options had been considered because it was considered essential that the Council responded to the changing economic and policy context and ensured that it improved continuously.

The Finance & Audit Scrutiny Committee supported the recommendations in the report. Councillor Barrott felt that there were training details involved that the Member Development Group should take on board.

The Overview and Scrutiny Committee felt that the Leader of the Council should encourage people to participate. The Committee welcomed recommendation 2.4 and making available £8,000 for mentoring support providing it would be available for all councillors to take part. The Committee was pleased with the efforts to provide information to other councillors.

Members applauded the mentoring facility stating that it was a valuable tool which all Members should consider taking advantage of.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) progress against Warwick District Council's (WDC) Peer Challenge *Areas for Consideration* as detailed in the Improvement Plan at Appendix A to the report, be noted;
- (2) the Council's corporate and service performance and measures be published on-line each month;
- (3) the Council participates in a more limited follow-up Peer Challenge in July 2014 (1-day), with a further full Peer Challenge to assist the new Council in July 2015 and officers be asked to make arrangements for a Growth Workshop to be provided for all Members; and
- (4) £8,000 be made available from the Contingency Budget to enable the political leadership of the Council to benefit from mentoring support provided by Local Government Association (LGA) sanctioned peers.

(The Portfolio Holders for this item were Councillors Caborn and Mobbs)  
(Forward Plan reference number 526)

137. **2<sup>ND</sup> WARWICK SEA SCOUTS' HEADQUARTERS**

The Executive considered a report from the Deputy Chief Executive (AJ) which requested landlord's permission for the development of new facilities in St Nicholas Park by 2<sup>nd</sup> Warwick Sea Scouts (2WSS).

Almost 10 years ago, 2WSS approached the Council explaining that their current headquarters building was nearing the end of its serviceable life and needed replacement. Furthermore, the existing building no longer met the Scouts' needs either in terms of current members/ activities or to meet future demands evidenced by the size of their longstanding waiting list.

After several years of debate, the current proposal had emerged as the most acceptable compromise between officers and scout leaders.

The proposal included the construction of a new headquarters building, adjacent to the leisure centre on the site of the current skate park and re-development of their current riverside site. This would provide a new building for storage and changing facilities, alongside a boatyard. Illustrative plans were attached at appendices A and B to the report.

The proposal would also result in the club's withdrawal from the sailing club site in Myton Fields and the re-instatement of the area as park land, as per the site plan at appendix C to the report.

Agreement was also required to relocate the current skate park and remodel the BMX track on the site of the current BMX area. The Scouts were mindful that they would need to make a contribution towards the cost of these relocations.

Finally, the report asked Members to confirm a grant of £50,000 be made available to 2WSS in support of the project.

The alternative options were detailed in section 6 of the report and included alternative sites at Edmondscote, building on the existing site and using sites away from the park and riverside. However, these had been rejected due to a lack of access to resources and insufficient water volumes on other stretches of the river.

As landlord of the scouts' existing facilities, the Council had no obligation to help them bring forward these expansion plans. However, if Members chose not to co-operate and make new land and leases available, it could result in a missed opportunity to help secure the future of this popular and well run youth organisation.

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

The Overview and Scrutiny Committee was broadly in favour of the recommendations but felt that great care must be taken with the proposals at planning applications stage. The Committee suggested that the Sea Scouts might consider approaching Severn Trent to move the pipe and to pay for the hut.

Mr N Pitchford, a scout leader addressed Members on behalf of the 2<sup>nd</sup> Warwick Sea Scouts. He advised that the troop had been on this site for nearly 50 years and over that time, demand for membership had increased. The troop currently had 200 members aged between 6 to 18 years old, with a waiting list of 150 people. The troop now needed a building that was fit for purpose and could offer a safe and convenient location near the water.

Members were full of praise for the organisation and the smartness and manner in which they presented themselves through the District. It was hoped that better facilities would encourage even more families to get involved.

Councillor MacKay fully supported the report and reminded Members that this troop had a very high reputation, following inspections carried out by Senior Royal Naval inspectors.



Members were mindful of a letter from the Warwickshire Gardens Trust prior to the meeting and hoped that some of the concerns could be taken on board.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) landlord's permission be granted for the development of new facilities in St Nicholas park by 2<sup>nd</sup> Warwick Sea Scouts, comprising of:
  - a) construction of a new HQ building by 2WSS adjacent to the leisure centre on the site of the current skate park;
  - b) re-development of their current riverside site to provide a new building for equipment storage and changing facilities, alongside a boat yard; and
  - c) withdrawal from the sailing club site in Myton Fields and re-instatement of the area as park land;
- (2) the re-location of the current skate park and re-modelling of the BMX track on the site of the current BMX area, is agreed. The Scouts are aware that they will need to make a contribution towards the cost of these relocations; and
- (3) a grant of £50,000 be made available to 2WSS in support of this project.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference number 566)

**138. CAR PARKING – NATIONAL BOWLS CHAMPIONSHIPS**

The Executive considered a report from Cultural Services which set out the recommendations arising from an options appraisal for car parking required in association with the annual Men's and Women's National Bowls Championships that would take place in Leamington Spa each year in August.

Over the last 9 months, following local residents' concerns about vehicles and caravans in Victoria Park, officers had been investigating alternative car parking options and alternative caravan provision for the Nationals. A local residents' group, the Friends of Victoria Park (FoVP), formally raised their concerns to officers in May 2013, which included that the extended event would render the park "closed" to other users for 30 days during the school holidays due to the space taken up by vehicles and the perceived "unsafe mix" of cars, caravans and pedestrians.

The report outlined the preferred option and how this was the most objectively beneficial option in terms of delivering the Council's agreement with Bowls

England, financing the ancillary costs of the event, and reducing the impact on Victoria Park for the benefit of park users and residents. The preferred option was detailed as '1a' and a full description was given in paragraph 3.1 of Appendix 3 to the report.

The report also addressed the charging regime to be applied and confirmed that caravans would no longer be located in Victoria Park during this event.

In undertaking the review of parking options, officers had considered a number of alternative sites. If Option 1a was not to be progressed, then full details on the alternative options were contained in Appendices 3 and 4. Given that the proposal to Bowls England included on-site parking for up to 350 cars during the Championships, and as such was a significant factor in the decision made by Bowls England to relocate the Championships and their HQ to Royal Leamington Spa, there was a risk of legal challenge should the Council be unable to offer appropriate and acceptable car parking for the event.

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

The Overview and Scrutiny Committee recommended that recommendation 2.7 be highlighted for importance. The Committee recognised that this year's event was in the nature of a trial and recommended that the review report was produced by the end of the year based on similar lines to the last Bowls event review. It also recommended that the Friends of Victoria Park were consulted, along with local residents and users of the park as part of the review process.

Mr Adams addressed the Executive, representing the Friends of Victoria Park. He stated that although securing the championships had been a good thing, he did not feel that enough consultation had taken place before any proposals had been submitted to Bowls England. Mr Adams outlined concerns regarding car parking and the continuous disruption not only to park users but to other events that were often held in the park. He emphasised that the Friends support moving the main visitor parking to Covent Garden; developing the old tennis courts for the remaining special cases – the disabled and Championship officials and stewards; and, if necessary, using the Adelaide Road car park as an overflow for officials and stewards.

In response, the Portfolio Holder for Cultural Services, Councillor Cross advised that ample consultation had taken place with households and residents had been regularly contacted and their concerns taken on board. He reminded Members of the economic boost that the championships already brought to the District, with many players and their supporters returning year after year. With regard to the car parking issues, Councillor Cross highlighted that the parking area would be reduced by nearly half that used in previous years. He also supported officers investigating further car parking proposals as suggested by the Finance and Audit Scrutiny Committee.

In response to the recommendation from Overview and Scrutiny Committee, Councillor Cross was happy to amend the wording of recommendation 2.7 to make it more robust but highlighted that this would be a review of the 2014 event with the findings and lessons learned being reported to the Executive in January 2015.

The Leader Councillor Mobbs, advised Members that as of 11 February 2014, planning permission had been granted to allow the siting of caravans at Old Leamingtonians Rugby Club, during the course of the Championships.

Councillor Mobbs also requested that the recommendation proposed by Finance and Audit Scrutiny committee in relation to item 14 on the agenda (Economic Development Action Plan – Bowls Championships) should be transferred to this item. The comment had read as follows:

“The Finance & Audit Scrutiny Committee supported the recommendations in the report and suggested that officers consider looking at how the Council could incentivise use of Covent Garden Car Park in some way, perhaps by offering a free car park ticket in a leaflet to be distributed on the first day of the championships, or by including a free ticket in the championship programme.”

This was accepted by Councillor Barrott and the Executive agreed to include an additional condition requesting that officers investigate initiatives to aid dispersal of Championship traffic.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations, with amended wording to recommendation 2.7 and an additional condition regarding further initiatives.

The Executive thanked the Friends of Victoria Park for their emails and comments and for attending the meeting.

**RESOLVED** that

- (1) option 1a is approved for car parking during the annual National Bowls Championships from 2014 onwards for a period of 28 days each year;
- (2) a preferred daily charge of £5 per car is approved and that this figure is reviewed each year as part of Fees and Charges;
- (3) future years financial implications are reflected in the Medium Term Financial Strategy;
- (4) a maximum of £10,000 is allocated from the 2014/15 Contingency Budget to allow purchase of items of equipment to support the safe management of events; e.g. temporary road crossings, barriers and signs;
- (5) a further report is brought outlining plans/costs for the improvement of the “old tennis courts” to add to the parking provision at Victoria Park;
- (6) in agreement with Bowls England, caravans are no longer being sited on Victoria Park in accordance with the wishes of local residents and park users;

- (7) a review of all aspects of the event in 2014 is undertaken and that the findings and lessons learned are reported to the Executive by the end of January 2015; and
- (8) officers will investigate initiatives that can aid car parking dispersal with specific reference to the usage of Covent Garden Car Park.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference number 564)

### 139. **ECONOMIC DEVELOPMENT ACTION PLAN – NATIONAL BOWLS CHAMPIONSHIPS**

The Executive considered a report from Development Services which summarised the actions being taken to maximise the economic impact of the Bowls England Championships taking place in Royal Leamington Spa from 2014 onwards.

An action plan had been developed in conjunction with colleagues in Cultural Services, Bowls England and BID Leamington and this was attached as appendix one to the report. The Economic Development & Regeneration (ED&R) team had also been working with Shakespeare's England Ltd on specific items, including the promotion of the Bowls and the towns further afield.

The report advised that the action plan was split broadly into four areas, each forming part of the "visitor journey". These were explained in more detail in paragraph 3.2 of the report.

There were insufficient financial resources within either the ED&R budget or the Tourism budget for one off items of expenditure such as items detailed in paragraph 1.4 and 2.3 of the report. However, releasing £5,000 from the Tourism Reserve would allow an investment in capital items that could be re-used year on year, subject to them being adequately looked after.

An alternative option was to not carry out any promotional works but this would be counterproductive and would not maximise the benefits of the additional potential expenditure within the District. It would also be counter to the Bowls England agreement.

Another alternative was to outsource the work to another organisation, however, officers felt that the best way to maximise the impacts and spread the benefits was to use the partnerships and expertise the Council already had at their disposal. The costs of delivering the outsourced works would also be higher.

The Finance & Audit Scrutiny Committee supported the recommendations in the report and suggested that officers consider looking at how the Council could incentivise use of Covent Garden Car Park in some way, perhaps by offering a free car park ticket in a leaflet to be distributed on the first day of the championships, or by including a free ticket in the championship programme.

As detailed in minute 138, the above recommendation was applied to the Car Parking – National Bowls Championship report instead but the Committees supported was noted.

Members were fully supportive of the action plan and hopeful of the economic benefit across the District.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) the proposed Action Plan, at appendix 1 to the report, which is designed to deliver maximum economic impact from the bowls and measure its effectiveness, is agreed;
- (2) the release of £5,000 from the tourism reserve is authorised and authority is delegated to the ED&R manager in conjunction with the Portfolio Holder for Development Services to spend, as set out in the attached action plan items; and
- (3) a further report on impacts be brought to the Executive in late 2014.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference number 564)

**140. FUTURE DELIVERY OF OFF-STREET PARKING ENFORCEMENT**

The Executive considered a report from Neighbourhood Services which informed Members that Warwickshire County Council would be externalising their on-street parking enforcement from 1 November 2014. As a result Warwick District Council needed to decide if it wished to include in the tender document being produced by the County Council, the enforcement of its own off-street car parks.

The report advised that in 2007 WDC entered into a partnership agreement with WCC regarding the enforcement of on and off-street parking regulations. That agreement allowed for all of the costs of delivering the service that were included in the "shared account" to be paid for on the basis of the % of PCN income generated. As a result since 2009 WCC has paid over 80% of those shared costs and WDC the remainder.

Those arrangements would cease in November 2014 when WCC was due to externalise on-street enforcement. Whilst the costs to be paid by WDC and WCC would be adjusted to reflect the new operational costs associated with delivering separate on and off-street enforcement, all the support services costs would be paid for by WDC.

Officers looked at the likely impact of operating separate on and off-street enforcement in June 2013. At the time it was calculated that this would have a

negative impact on the budget and £212k was included in the Medium Term Financial Strategy to allow for this.

Those figures had now been reviewed and based on WDC operating our own off-street enforcement, it was expected that the expenditure of running the off-street service from November 2014 would be £2,163k for a full year. This was based on operating with one parking supervisor, seven enforcement staff and one member of staff in the back office to enforce the off-street car parks located across the District.

An alternative option was to include a section within the tender that WCC was putting together, for off street parking enforcement. However, this had been rejected on the basis that the on-street tender being put together by WCC did not include the requirements that WDC would wish to include in any tender. There was also a lack of detail as to how day to day enforcement would be managed.

The Finance & Audit Scrutiny Committee supported the recommendations in the report and thanked the officers for attending their meeting and answering their questions. Councillor Barrott did raise concerns about the impact that this would have on the residents of the District.

The Leader, Councillor Mobbs, advised that there would be a report submitted in May 2014 highlighting the staffing changes. However, Councillor Mobbs requested that a note be added to ensure that when the Council informed the County Council of the decision, there was clarity about the changeover arrangements, especially with regard to TUPE to protect the Council's staff.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) Warwick District Council undertakes the enforcement of its own off-street car parks from 1 November 2014;
- (2) the process to be followed to allow the Council to operate its own off-street parking enforcement, as set out in appendix 1 to the report, be agreed; and
- (3) Warwickshire County Council be informed of the decision to operate our own off-street enforcement from November 2014.

(The Portfolio Holder for this item was Councillor Shilton)  
(Forward Plan reference number 486)

**141. PUBLIC SERVICE NETWORK (PSN) COMPLIANCE**

The Executive considered a report from Civic and Committee Services and IT which provided an update on the recent changes to Public Services Network (PSN) compliance and, specifically, its impact on the Council's ICT Strategy, including agile working and business continuity.

The report also brought forward proposals to minimise the impact of changes to the PSN on Councillors.

In 2008 the Council was required to join the Government Connect Secure Extranet (GCSx), which was part of the wider Government Secure intranet (GSi), and was the forerunner to the Public Services Network.

The report advised that the Public Service Network (PSN) was fundamental to the delivery of the government's vision of 'joined-up' government services. The Council was already reliant on the PSN and its connection to central government for the delivery of the Housing Benefits service. It would also be required for the Elections service, following the introduction of Individual Electoral Registration.

Unfortunately the levels of security required to protect the PSN and central government from foreign national powers was far in excess of the security required to protect a District Council from its potential threats and for the data it controlled.

In April 2013, the Council submitted its first PSN Code of Connection and was successful in meeting the higher threshold for security compliance. However, after obtaining compliance, the Cabinet Office changed the compliance rules in one fundamental area, 'unmanaged endpoints', and withdrew the Council's compliance certificate in October 2013.

In reality, this meant that Warwick DC staff and members could not use personal devices to connect to the Council's network unless; the device was wiped clean and reset to factory defaults by the local authority; the local authority software was then installed; the antivirus and software updates were enabled; and the device was then 'locked-down' to prevent the user from altering the security settings and from introducing any new software.

Previously, the Senior Management Team had approved the implementation Good Technology as a means of securing email on a personal device. At present 12 officers and 17 members used Good Technology to access Council email securely.

Unfortunately, the Communications Electronic Security Group (CESG), which formed part of GCHQ and advised the Cabinet Office, took a more fundamental view to security and, although the 'Good' email was in a secure container, they were concerned that if the device was compromised, this may provide a backdoor into secure information. On this basis the device itself must be managed by the Council, even if Good was installed.

The report requested approval for a trial period the introduction of either a 3G Ipad and printer but no broadband allowance, printed copies of agendas or printer consumables; or a VDI desk top, printer, broadband allowance and printer consumables. This would include approval of funding of up to £7,700 from the service transformation budget.

There was no alternative option with regard to the decision regarding compliance with the requirements of CESG because this could impact on the delivery of statutory services.

However, alternative IT provision had been considered and the reasons for rejecting these options were detailed in paragraphs 6.2 and 6.3 of the report.

The Finance & Audit Scrutiny Committee proposed an amendment to recommendation 2.2. to read as follows:

"2.2 The Executive approve for a trial period the introduction of the following IT provisions, for up to 17 Councillors, for either:

- (a) A 3G iPad and printer but no broadband allowance, printed copies of agendas or printer consumables; or
- (b) VDI desk top, printer, broadband allowance and printer consumables"

The Overview and Scrutiny Committee recommended that a further review on the feasibility of separating the email system from the PSN was undertaken to allow access to emails in a more flexible manner.

Members agreed the recommendation from Finance and Audit to allow any 17 Councillors to join in the trial and supported the investigation into separating the email system from PSN.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations, with an amendment to 2.2 and an additional condition regarding a review of the email system.

**RESOLVED** that

- (1) the impact of PSN compliance on the Council's ICT Strategy and future operations of the Council, is noted, with concern;
- (2) a trial period be approved of the following IT provision, for up to 17 Councillors, for either:
  - (a) A 3G iPad and printer but no broadband allowance or printer consumables; or
  - (b) VDI desk top, printer, broadband allowance and printer consumables;
- (3) funding of up to £7,700, is approved, for the purchase of 3G Ipads for Councillors who elect for option 2.2 (a), from the service transformation budget; and
- (4) a further review on the feasibility of separating the email system from the PSN is undertaken to allow access to emails in a more flexible manner.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference number 574)



The Executive considered a report from the Deputy Chief Executive (BH) which provided Members with the opportunity to comment on the draft, and influence the final, Strategic Economic Plan which would be submitted in March 2014.

The report explained that following Lord Heseltine's review of how to promote local economic growth, 'No Stone Unturned', the Government asked all Local Enterprise Partnerships to develop multi-year, ambitious and visionary Strategic Economic Plans (SEPs) setting out how they wanted to grow their local economies.

The Coventry & Warwickshire Local Enterprise Partnership (CWLEP), in common with the other 38 LEPs was required to submit a SEP setting out its overall, long term strategic vision for the sub-region by 31 March 2014 and had submitted its draft SEP in December 2013.

The report requested that the Executive confirm its commitment to working with sub regional partners and delegate authority to the Chief Executive to feedback the Council's comments via the CWLEP structures.

The draft SEP was currently a large and lengthy document so internet links had been provided rather than printed appendices. The report detailed fully the government requirements and the feedback that the SWLEP and its partners had received on its draft December submission.

The CWLEP Board had detailed a number of revisions to the document and these were outlined in paragraph 3.6 of the report.

There were a number of alternative options that the Council could pursue, from making no comment on the SEP to making a comprehensive response and maximising its efforts to influence the development of the final submission.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) the Council workings with sub-regional partners to ensure that the final SEP submission is as strong as possible to maximise the CWLEP's ability to successfully bid for future funding for economic growth;
- (2) authority is delegated to the Chief Executive, in consultation with the Leader of the Council, to feedback this Council's comments via the Joint Committee structure and to the Deputy Chief Executive (BH), in consultation with the Leader of the Council, to feedback this Council's comments via the CWLEP structures; and
- (3) authority is delegated to the Corporate Management Team, in consultation with the Executive to continue to review the emerging SEP, provide appropriate

feedback, and influence its development, until its final submission.

(The Portfolio Holder for this item was Councillor Mobbs)

143. **ANNUAL MONITORING REPORT & LOCAL DEVELOPMENT SCHEME 2013**

The Executive considered a report from Development Services which sought approval of the Annual Monitoring Report 2013 (AMR).

The AMR assessed the extent to which existing planning policies and proposals were being implemented against a range of indicators and the Council was required to prepare and publish one each year. The AMR also monitored progress on the preparation of planning policy documents and informed the review of the Council's Local Development Scheme (LDS).

The Key Findings of the AMR provided a summary of performance against the core output indicators and were attached as an appendix to the report. The full AMR, including more detailed discussion of progress against each indicator, was a large document and could be viewed on the Council website.

The report explained that the LDS was a project plan, outlining what planning policy documents the Council intended to prepare. The Council approved its LDS in June 2013 and this report also sought approval for a revised LDS to be published in light of changes since then.

The LDS approved by the Executive on 9 January 2013 was amended in relation to the Local Plan on 4 June when the Revised Development Strategy was approved for consultation. Appendix B to the report detailed further changes to the LDS and the draft LDS in its entirety could be viewed on the Council website.

There was no alternative option with regard to the Annual Monitoring Report because it was a Council requirement to prepare and publish this.

An alternative option to the proposed revisions to the LDS, was that the Council could choose to vary the timetable for the Local Plan or not proceed with its Area Action Plans for Warwick and Leamington town centres. However, this could potentially leave the District without an up-to-date planning policy framework and could result in ad hoc planning decisions being taken regarding various developments to the detriment of the District.

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) the 2013 Annual Monitoring Report, as set out in Appendix A to the report, be approved; and
- (2) the Local Development Scheme, including the project plans attached as Appendix B to the report, be approved.

(The Portfolio Holder for this item was Councillor Caborn)  
(Forward Plan reference number 451/584)

144. **UPDATE OF WARWICKSHIRE'S JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY**

The Executive considered a report from Neighbourhood Services which requested approval of the updated Warwickshire's Joint Municipal Waste Management Strategy.

The current Joint Municipal Waste Management Strategy was adopted in 2005 by the Warwickshire Waste Partnership, as well as individually by each of the Partner Authorities, including Warwick District Council, and would run until 2020. The Warwickshire Waste Partnership was composed of representatives, elected members and officers, from all of the Warwickshire Authorities.

The report advised that the Partnership had made good progress since the strategy was adopted and had achieved some of the key targets/actions before the original 2020 deadline. While progress had been made over the last nine years to reduce the volume of waste sent to landfill and increase recycling, there was more to be done.

The report explained why the Council needed a Waste Strategy and advised on consultation and implementation details.

An alternative option would be to continue with an un-revised strategy. The general objectives adopted in the 2005 strategy remained relevant, however some of the objectives had been superseded by new/updated national legislation and therefore the original document was losing its relevance.

Having read the report the Executive decided to agree the recommendations as written.

**RESOLVED** that the updated Warwickshire's Joint Municipal Waste Management Strategy be approved.

(The Portfolio Holder for this item was Councillor Shilton)  
(Forward Plan reference number 573)

145. **PUBLIC FUNDRAISING REGULATORY AUTHORITY – SITE MANAGEMENT AGREEMENT**

The Executive considered a report from Development Services which brought forward proposals for the better management of the attendance of charities on the streets of our town centres, through a site management agreement with the Public Fundraising Regulatory Association (PFRA). The agreement covered face-to-face information collection only, cash collection on streets remained subject to existing Licencing regulations.

The face-to-face collection of contact details and/or direct debit details on behalf of charities (commonly known as 'chugging') often took place in cities and towns throughout the country. Currently Warwick District Council operated a voluntary scheme whereby organisers directly contact the Council to request dates to visit our towns.

Officers advised that the adoption of the Site Management Agreement (SMA) would produce a clear, coherent and enforceable regulation to this activity. It would allow for lawful data collection in a way that did not deter people from our towns and there was no additional impact in workload or in cost to the District Council.

The report advised that the agreement between the Council and the PFRA would result in the PFRA taking over responsibility for the management of face-to-face information collection in Warwick, Kenilworth and Royal Leamington Spa, and was attached as an appendix to the report. In addition, the report requested that the responsibility for managing the agreement, and for renegotiating the agreement as the end of the initial term approaches, was delegated to the Head of Development Services, or an officer of their nomination.

An alternative option was to continue with the more informal system currently employed. However, this could mean that issues currently experienced would be likely to continue along with the inability to effectively ensure their prevention.

Having read the report the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) the Site Management Agreement (SMA) between Warwick District Council and Public Fundraising Regulatory Association (PFRA) which would result in the PFRA taking over responsibility for the management of face-to-face information collection in Warwick, Kenilworth and Royal Leamington Spa, be approved; and
- (2) the responsibility for managing the agreement, and for renegotiating the agreement as the end of the initial term approaches, is delegated to the Head of Development Services, or an officer of their nomination.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference number 577)

146. **RURAL / URBAN CAPITAL IMPROVEMENT APPLICATION**

The Executive considered a report from Finance which provided details of a Rural/Urban Capital Improvement Scheme grant application by Leamington RFC to build an extension to install disabled toilet facilities, refurbish female and male toilet facilities and create disabled access to the main entrance.

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.

The report advised that Leamington RFC had submitted a RUCIS application to install disabled toilet facilities, refurbish female and male toilet facilities and create disabled access to the main entrance. The application was for 41% of the total project costs up to a maximum of £36,000.

Leamington RFC stated that they had limited funds available had therefore not committed any of their cash reserves to the project. However, the project costs did not include any contingency funds and the club therefore agreed that should additional funds be required, they would be met by the club's cash reserves.

Old Milverton and Blackdown Joint Parish Council advised that they were unable to make a financial contribution to the project on this occasion. Leamington RFC requested a grant from Leamington Town Council and a decision on this application was due to be made in February 2014.

Leamington RFC had previously had successful RUCIS applications in December 2010 and November 2011. This application met the criteria whereby after a successful grant award an organisation must wait for a minimum of 2 years before re-applying for a new grant.

The report therefore recommended that the Executive approve a Rural/Urban Capital Improvement Grant from the Rural cost centre budget for Leamington RFC of 41% of the total project costs up to a maximum of £36,000 subject to receipt of written confirmation from Sport England Inspired Facilities (or an alternative grant provider) to approve a capital grant of £50,000 and written confirmation from Leamington Town Council (or an alternative grant provider) to approve a capital grant of £1,169 or if unsuccessful, written confirmation that Leamington RFC would contribute £1,169 from their cash reserves.

The Council only had a specific capital budget to provide grants of this nature and therefore there were no alternative sources of funding if the Council was to provide funding for Rural/Urban Capital Improvement Schemes. However, Members could choose not to approve the grant funding, or to vary the amount awarded.

Having read the report the Executive decided to agree the recommendations as written.

**RESOLVED** that a Rural/Urban Capital Improvement Grant from the Rural cost centre budget for Leamington RFC of 41% of the total project costs, be approved, to install disabled toilets, refurbish female and male toilets and create disabled access to the main entrance, up to a maximum of £36,000 subject to receipt of the following:

- a) written confirmation from Sport England Inspired Facilities (or an alternative grant provider) to approve a capital grant of £50,000; and
- b) written confirmation from Leamington Town Council (or an alternative grant provider) to approve a capital grant of £1,169 or if unsuccessful, written confirmation that Leamington RFC will contribute £1,169 from their cash reserves.

(The Portfolio Holder for this item was Councillor Mobbs)

147. **QUALITY OF LIFE REPORT**

The Executive considered a report from Corporate and Community Services which presented the 2013 Quality of Life report summary. The full report was a very large document and so was not included in the papers but access could be gained via electronic links inserted into the report or by visiting [www.warwickshireobservatory.org](http://www.warwickshireobservatory.org).

The Annual Quality of Life report was produced by the Warwickshire Observatory. It provided a way of accessing data to help the Council understand how effectively it was progressing towards the organisational purpose. At the Executive meeting of 9 February 2011, it was agreed that the report be submitted to Executive each year.

The Quality of Life report provided important data about what was changing in our District. As such, it was not only useful in understanding the impact of Council strategies, but could also inform the development of future strategy and services together with the annual service planning process. The 2013 report also included 2011 Census data across a number of themes and included some new indicators.

The report advised that the 2013 Quality of Life Report identified a number of key themes and trends including Projected Population Growth, Deprivation, Affordable Housing and Housing Need, Income and Earnings and Education and Skills. The headline themes were summarised in section 7.2 of the report.

There were no alternative options considered because Members had requested that the Quality of Life report be submitted to Executive annually.

Having read the report the Executive decided to agree the recommendation as written.

**RESOLVED** that the contents of the Quality of Life report be noted and that Service Area Managers and Portfolio Holders use the Quality of Life data to help inform the development of the 2014/15 Service Area Plans / Portfolio Holder Statements.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference number 580)

148. **CHASE MEADOW COMMUNITY CENTRE – POST IMPLEMENTATION REVIEW**

The Executive considered a report from the Deputy Chief Executive (AJ) provides such a review of the Chase Meadow Community Centre project, which in September 2013 delivered a new build community Centre and established a voluntary body, Chase Meadow Centre Partners Community Interest Company to operate the Centre.

The new build Chase Meadow Community Centre was handed over from Morgan Sindall, the principal building contractor, to Warwick District Council on 30 September 2013. The Centre comprised a community sports hall, communal space/café, a large meeting room/Place of Worship and three smaller meeting rooms, as detailed at appendix 6 to the report.

The report explained that the Council's Code of Financial Practice (paragraph 9.10) stated that projects should be subject to an appropriate post implementation review to confirm whether the project objectives had been met.

The report also outlined the advantages, disadvantages and lessons learnt of using the Scape procurement framework to procure the contractor and other consultants as experienced by the Council's project team. Finally, the report captured the more general learning points relating to the delivery of the project.

No alternative options were considered because the production of this report was a requirement of the Code of Financial Practice.

Having read the report the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) the final, total costs of designing and constructing the Chase Meadow Community Centre were achieved within budget, as set out in appendix 1 to the report, be noted;
- (2) the construction of the building was completed on 30 September 2013 as per the construction programme agreed at the start of the build programme, as set out in appendix 2 to the report, be noted;
- (3) appropriate governance arrangements have been put in place to enable the Centre to be managed and maintained by Chase Meadow Centre Partners, as set out in appendix 3 to the report;
- (4) the review (advantages, disadvantages and learning points) of using the Scape Procurement Framework to engage professional services and the principal building contractor, as set out in appendix 4 to the report, be noted;
- (5) the lessons learnt relating to the delivery of the project, as set out in appendix 5 to the report, be noted.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference number 581)

149. **PROPOSED EXEMPTION FROM THE CODE OF PROCUREMENT PRACTICE**

The Executive considered a report from Housing and Property Services which sought an exemption from the Code of Procurement Practice in order to engage PTL Occupational Hygiene Consultants, to provide asbestos inspection reports and maintain appropriate records, on an interim basis until the outcomes of the current exercise to procure a contractor for this area of work was completed.

The Council had a statutory duty to manage asbestos in the buildings it owned under the Control of Asbestos Regulations 2012 (CAR). In order to discharge this duty in respect of the HRA stock and other corporate buildings, asbestos inspection reports were regularly required before responsive or planned maintenance could take place where the presence of asbestos was either suspected or had previously been confirmed.

The report explained that the management changes within Housing & Property Services had delayed the tendering of the new comprehensive contract for asbestos management. A timetable for the procurement of this work, under the European OJEU regulations, was set out at appendix one to the report and anticipated that a new contract would be in place in 6 months.

The delay had required the introduction of interim arrangements to ensure that the Council could discharge its responsibilities, as the previous contracts for asbestos inspections and removals had expired.

The report proposed that this risk be minimised by engaging a competent contractor to update the asbestos register, a requirement of the CAR 2012, for an interim period while the new contract was put in place. PTL had previously worked for the Council, their contract expiring in 2013, were familiar with our stock and systems and were able to undertake the proposed work immediately.

A request for an exemption from the Code of Procurement Practice was therefore sought to allow PTL to be re-engaged in their previous role for a maximum period of 8 months. This timescale covered the OJEU tender period, allowing for any unanticipated slippage, and, potentially, a handover period to the new contractor if this was considered desirable. Alternatively, the contract arrangement could be terminated when the new contractor was appointed.

An alternative option of undertaking a procurement exercise for the proposed work using a Framework Agreement had been discounted because there was a risk that the Council could be re-inspected at any time by the HSE without notice.

The alternative option of maintaining the interim arrangements until the current tender exercise had been completed had been discounted because Ian Williams were only providing surveys on live jobs. For planned works, no surveys were being carried out which, if unaddressed for a further 6 months, could lead to an unacceptable backlog of work. It had also proved unsustainable for Ian Williams to resource a daily update of the asbestos register, which the proposed arrangement would address.

In either scenario, if the Council were subject to a HSE inspection and found to not have an adequate Asbestos Register or inappropriate inspection arrangements it could be held to be in contravention of Health & Safety legislation. Under The Health and Safety (Fees) Regulations 2012, those who



break health and safety laws are liable for recovery of HSE's related costs, including inspection, investigation and taking enforcement action.

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

Having read the report and having heard the representations from the Scrutiny Committees, the Executive decided to agree the recommendations as written.

**RESOLVED** that

- (1) an exemption to the Code of Procurement Practice is approved, to allow PTL Occupational Hygiene Consultants (PTL) to be engaged on an interim basis, for a maximum period of 8 months, to undertake asbestos inspections for planned and responsive work and to ensure the Asbestos Register is updated and maintained; and
- (2) an OJEU compliant procurement exercise has been commenced to engage an asbestos surveying, monitoring and removal contractor which should enable the interim arrangements to be brought to an end on the timetable set out at appendix one to the report, be noted.

(The Portfolio Holder for this item was Councillor Vincett)

**150. 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
151, 153, 154 & 155		Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**151. CALL-IN OF EXECUTIVE ITEM – KENILWORTH PUBLIC SERVICE CENTRE**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan reference number 436)

**152. USE OF CHIEF EXECUTIVES DELEGATED POWERS**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Mobbs)

**153. HOUSING WITH CARE OPPORTUNITY AT ST MICHAEL'S CHAPEL AND MASTER'S HOUSE, SALTISFORD (LEPER HOSPITAL)**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference number 582)

**154. 10,12 & 14 CHAPEL STREET, WARWICK**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference number 575)

**155. EXTENSION OF ADAPTATION BUILDING WORKS CONTRACT**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Vincett)  
(Forward Plan reference number 579)

**156. MINUTES**

The confidential minutes of the meetings held on 8 January 2014 were agreed and signed by the Chairman as a correct record.

(The meeting ended at 8.20 pm)