

EXECUTIVE

Minutes of the meeting held on Wednesday 12 October 2011 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Michael Doody (Chairman), Councillors Caborn, Coker, Mrs Gallagher, Mrs Grainger, Hammon, Mobbs, Shilton and Vincett.

ALSO PRESENT: Councillor Barrott (Labour Group Observer), Councillor Boad (Liberal Democrat Group Observer), Councillor Mrs Bromley, Councillor Gifford (Chair of Overview and Scrutiny Committee), Councillor Mrs Knight (Chair of Finance and Audit Scrutiny Committee) and Councillor Williams.

64. **DECLARATIONS OF INTEREST**

Minute Number 66 – Fees and Charges 2012/13

Councillors Caborn, Doody and Shilton declared personal interests because they were Warwickshire County Councillors.

65. **MINUTES**

The minutes of the meeting held on 14 September 2011 were taken as read and signed by the Chairman as a correct record.

PART 1

(Items on which a decision by Council is required)

66. **FEES AND CHARGES 2012/13**

The Executive considered a report from Finance which detailed the proposals in respect of the 2012-2013 financial year and showed the revised income budgets for 2011-12 and original 2012-13 for Fees and Charges. The report also highlighted the work carried out by the Member/Officer Working Group.

The Council was required to update its Fees and Charges in order that the impact of any changes could be fed into the setting of the budget for 2012-13 and changes had to be approved by Members.

The Finance & Audit Scrutiny Committee noted revised figures relating to paragraph 8.2 which were circulated at the meeting and supported the recommendations in the report.

An offer of a meeting with the Parking Services Manager was extended to Councillor Edwards in order to reassure him that the Council was taking a strategic approach to parking charges.

Officers agreed to investigate and clarify possible discrepancies identified by Councillor Copping in swimming and sauna charges for senior citizens.

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The Overview & Scrutiny Committee felt that the main reasoning and decision making behind changes in car parking charges should not be to generate income but to stimulate economic benefit within the Town Centres in the District. The Committee had some concerns that not all responses to the consultation on the Car Parking charges had yet been received and encouraged the Executive not to make any recommendations on this area until these had all been received especially considering the decrease in footfall in Warwick which had led Warwick Town Council to reconsider their response.

The Committee also highlighted the Newbold Comyn charges for Senior Citizens and asked the Portfolio Holder, who was present, to investigate why a swimming ticket cost £2.40, a sauna £1.40 but for a combined Swim and Sauna ticket it cost £4.00. In response, the Portfolio Holder for Cultural Services, Councillor Mrs Gallagher advised that the individual sauna pricing had originated from last year's fees and charges, when Free Swimming was available. As this scheme had now finished, this individual cost could be removed from the fees and charges.

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, advised that he and officers had attended a number of meetings with Warwick Town Council. At the most recent meeting, Town Councillors agreed to support the changes to the Fees and Charges and presented these to their full council meeting on 5th September. Unfortunately, the Town Council then changed their stance and submitted objections after the deadline.

Members agreed that to delay the decision would be detrimental and assured Warwick Town Councillors that their objections and comments would be taken into account during the next round of formal consultation. In addition, members were advised that the Chief Financial officer had delegated powers to make any necessary minor changes that arose from the consultation stage.

The Portfolio Holder for Finance, Councillor Mobbs, highlighted that full and detailed consultation was carried out as a matter of course with regards to Fees and Charges and officers continuously listened to comments from all interested parties. He stated that the changes to car parking charges were not based on income generating, especially as it was a relatively small amount to be gained in cash terms.

Councillor Hammon felt that the Executive had a duty to urge Warwickshire County Council to reduce their rates to assist with stimulating the economy in the District's town centres. In response, Councillor Doody agreed that it was a balance of income and boosting the economy.

Having read the report and having listened to the comments from the scrutiny committees and other members, the Executive agreed that the recommendations should be agreed as printed.

RECOMMENDED that

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- (1) the Fees and Charges identified in Appendix 'A', be approved to operate from 2nd January 2012 unless stated;
- (2) the work undertaken by the Member/Officer working group be noted and a further report be received in respect of the Group's recommendations on Concessionary Charges;
- (3) that proposals for charging for events in the Council's Parks and Open Spaces and Abbey Fields Parking, may generate income that has not been included in this report. If approved, this may generate an additional £25,000 in income;
- (4) authority be delegated to the Business Enterprise Manager to determine individual hire rates for rooms and equipment at the Althorpe Enterprise Hub and Court Street Creative Arches in order to maximise income from these venues;
- (5) authority be delegated to the Head of Finance to have the discretion to charge an administration fee for sundry debtor invoices where appropriate;
- (6) the reduced forecast income of £217,000 for 2012-2013 and the impact on the Financial Strategy as outlined in section 5, be noted;
- (7) should there be any minor changes arising prior to the introduction of the new charges, the Section 151 Officer in consultation with the Finance Portfolio Holder, be given delegated authority to approve such: the Budget changes arising being brought to Members as part of the Budget Setting Process;
- (8) that Building Control Fees are amended from November 2011 with a further review before April 2012; and
- (9) authority be delegated to the Head of Neighbourhood Services to implement the increase in parking charges as specified.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan reference 328)

PART 2

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

EXECUTIVE MINUTES (Continued)

67. EVENTS IN PARKS – CHARGES POLICY

The Executive considered a report from Cultural Services which recommended the introduction of charges for the use of the Council's parks and opens spaces by external organisations holding events. A scale of charges was proposed to distinguish between community, charity and commercial events.

With a few exceptions, Warwick District Council did not charge event organisers for the use of its land, nor for the costs that it incurred in allowing the use of its land for events. However, most events that took place in the Council's parks incurred a cost.

Costs included officer time, additional litter picking and waste management, professional services (eg legal services for issuing licences), additional grounds maintenance (both in preparation for the event and reinstatement after the event), late opening of gated parks, toilets and car parks, and provision of water, electricity and temporary toilets.

Whilst it was recognised that many of these events brought economic benefits and many raised significant sums of money for commercial organisations, a review of other authorities revealed that charging for this type of activity was commonplace.

The Finance & Audit Scrutiny Committee felt there should be a way to ensure that the Council's costs were recoverable in the event of misuse or wilful damage of sites and equipment, but supported the recommendations in the report. Members also requested that their thanks be extended to the report's authors for a very clear and concise report.

The Overview and Scrutiny Committee welcomed this report and, in consultation with the Portfolio Holder who was present at the meeting, made the following recommendations to the Executive:

- (1) Recommendation 2.3 should include the Head of Development Services and Development Services Portfolio Holder because of the need to consider the economic impact of any event as well as its cultural impact; and
- (2) Recommendation 2.4 should include a working party of four members, plus the portfolio holder to develop the hiring policy which should also include the Town Hall and Spa Centre. (If this recommendation was accepted Councillors Ms Dean, Ms De-Lara-Bond and Mrs Falp have agreed to be involved).

In response, the Executive agreed with the first suggested recommendation but the second recommendation caused some discussion regarding over scrutinisation of the Spa Centre. Members felt strongly that the Head of Cultural Services should have the discretion to put in fail safes when any group has treated any venue, inside or outside, with disrespect or caused wilful damage.

The Head of Culture advised that the idea behind recommendation 2.4 from the Overview & Scrutiny Committee was to assist with the creation of

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a high level policy, which would deal with the more unusual requests. With regard to dealing with organisations that fell within the exempt section for charging, it was agreed to incorporate wording into the policy to allow the Head of Cultural Services to use discretion and potentially charge a damage deposit.

Having read the report, and having heard the representations from the Scrutiny Committees and the officers present, the Executive decided to agree recommendations 2.1 and 2.2 as set out in the report and to amend recommendations 2.3 and 2.4 to incorporate the Scrutiny Committees' comments.

RESOLVED that

- (1) the introduction of charges for events within the Council's parks, as set out in this report, be approved;
- (2) the introduction of a system of securing refundable deposits from event organisers, be approved, in order to ensure that any unexpected additional costs incurred as a result of the event can be met;
- (3) the Head of Cultural Services, in consultation with the Portfolio Holder for Cultural Services, the Head of Development Services and the Portfolio Holder for Development Services, be authorised to exercise discretion to reduce or waive charges made during 2012 where charges would unreasonably affect the viability of established events, or where community events meet the Council's corporate strategic aims; and
- (4) the Head of Cultural Services be authorised, in consultation with the Portfolio Holder for Cultural Services and a working party of four members, to produce a Hiring Policy for public use of cultural facilities and venues including parks and open spaces.

(The Portfolio Holder for this item was Councillor Mrs Gallagher)
(Forward Plan reference 305)

68. FUTURE PROVISION OF PARKING AT ABBEY FIELDS

The Executive considered a report from Neighbourhood Services which identified options open to the Council to maintain the currently unregulated parking area at Abbey Fields, Kenilworth.

The car park was used as a parking area by people using Abbey Fields including dog walkers, users of the swimming pool, visitors to the local shops and Church and residents living in the area with limited off and on

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street parking. However, there was no specific budget to maintain the parking area and no income was received to off-set any expenditure.

The report requested that a formal parking area be negotiated with English Heritage to allow the operation of Pay and Display as a method for managing parking on the site. In addition, it requested that officers finalise discussions with Kenilworth Town Council regarding the appropriate level of enforcement and charging which should be introduced, aimed at maximising the use of the parking area for users of Abbey Fields and the immediate area and removing the option for long stay commuter parking.

It was estimated that £155,000 from the car park improvement capital fund would need to be earmarked to cover the cost of the works planned, subject to an agreement with English Heritage being achieved.

There were a number of alternative options available including not to invest any further funding towards the maintenance of the site for parking but to continue to allow vehicles to park there. However, this was rejected on the basis that the Council would still be liable for any injuries / damage caused and would lead to the closure of the car park for maintenance work. A second alternative would be to not undertake any improvement works and continue to fund the maintenance of the car park which was expected to cost the council in the region of £10,000 a year.

The third alternative would be to restrict the area of parking on the site by half, resulting in a much smaller area for parking but reducing costs. However, this would significantly reduce the number of parking spaces in the car park with a negative impact on activities in the park and the surrounding area.

The Finance & Audit Scrutiny Committee was keen to see that charges were consistent with those at other car parks in the area, and supported the recommendations in the report.

Councillor Shilton stated that this was an important and historic area of Kenilworth that needed to be protected. He felt that the current cost of maintaining the area was not realistic and was pleased to see that consultations were ongoing with the Town Council.

Councillor Coker highlighted the need to improve the area to help protect the avenue of lime trees because the compacting of the soil was having a detrimental affect around the roots of the trees.

Having read the report, and heard the representations made, the Executive decided to agree the recommendations as per the officers report.

RESOLVED that

- (1) a formal parking area on the land at Abbey Fields currently used for car parking be negotiated with English Heritage which allows

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the operation of Pay and Display as a method for managing parking on the site;

- (2) officers finalise discussions with Kenilworth Town Council regarding the appropriate level of enforcement and charging which should be introduced at Abbey Fields aimed at maximising the use of the parking area for users of Abbey Fields and the immediate area and removing the option for long stay commuter parking subject to Executive agreeing future provision of parking at Abbey Fields; and
- (3) £155,000 from the car park improvement capital fund be earmarked to cover the cost of the works which are planned at Abbey Fields subject to an agreement with English Heritage being achieved.

(The Portfolio Holders for this item were Councillors Mrs Gallagher and Shilton)
(Forward Plan reference 301)

69. UPDATE ON THE 2011/12 PORTFOLIO HOLDER STATEMENTS

The Executive considered a report from Improvement and Performance which updated members on progress against the 2011/12 Portfolio Holder Statements. The Portfolio Holder Statements set out the programme of activity for each portfolio for the current year along with the measures to help understand how effectively the Council were delivering in relation to the things that matter to customers. Whilst the Statements were aligned with Fit for the Future, they did not address future policy issues facing our services.

An appendix relating to each Service Area was attached to the report which showed an overview on the progress, learning and proposed changes to help understand how the Council were progressing and to think about how services could be improved.

Section 7 of each of the appendices showed the proposed changes to the Portfolio Holder Statements. These changes were a result of learning from the measures and taking action to progress the projects. This led to new or changing priorities to come into view and Service Area Managers and Portfolio Holders proposed some changes to measures and projects to reflect this.

The Committee highlighted a number of areas where they felt they would appreciate further detail from the Portfolio Holder or Head of Service during the Shadow Portfolio Holder briefings. Following a discussion on this, they asked the Deputy Chief Executive (BH) to remind Heads of Service that any changes to these plans should be communicated to Shadow Portfolio Holders as soon as possible.

Members felt it was imperative that the Shadow Portfolio Holders had sight of these documents regularly and were made aware of any changes

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as soon as agreed. Councillor Mrs Grainger highlighted how useful she had found the document as a portfolio holder of a new area and proposed that service area managers made the document accessible to staff as well.

Councillor Caborn echoed the comments made and stated that the Executive's thanks be passed to Dave Barber and his team in Improvement and Performance for a clear and concise report.

Having read the report, members were content to approve the recommendations as printed.

RESOLVED that

- (1) the current position regarding progress against the 2011/12 Portfolio Holder Statements be noted; and
- (2) the Portfolio Holder Statements be updated in line with the content of section 7 of each of the appendices to the report.

(The Portfolio Holders for this item were Councillors Caborn and Doody)
(Forward Plan reference 337)

70. RACING CLUB WARWICK

The Executive considered a report from the Deputy Chief Executive (AJ) which detailed the current position in respect of Racing Club Warwick (RCW).

The report requested that members note the current position in respect of Racing Club Warwick (RCW), particularly the failure to reach agreement with the Council in respect of proposed lease arrangements to consider whether the £120,000 currently earmarked in the capital programme for ground improvements on the Racecourse land, should remain in that programme.

As part of a wide-ranging scheme to improve the St Mary's Lands area of Warwick, the Council committed itself to significant investment in RCW's football ground facilities and pitch as well as other community facilities which were operating on the site. In June 2003, the Executive agreed to alter the Council's lease with RCW to allow the Army Cadets and Air Training Corp (WMRFCA) to come on site and, through their own funding, build a permanent base from which to run their activities.

Plans developed over a number of years, a planning application was submitted by RCW to facilitate WMRFCA's building works and a position was reached whereby the Council felt able to grant a new lease to RCW and a lease to WMRFCA, reflecting the demise of their newly constructed building on the site. The granting of a new lease to RCW required the surrender of the old lease, which was duly surrendered, but it subsequently transpired that the former Chairman of RCW did not have that authority. Meanwhile a lease had been granted by this Council to WMRFCA. Consequently a position existed whereby RCW still held its

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original lease and the WMRFCA held a lease for its building on the Hampton Road Ground.

There were no alternative options at this stage because the report asked Members to fully explore the approach they wished to take and sought to ensure there was a comprehensive understanding of the issues so that well-informed decisions on the way forward could be made.

The Finance & Audit Scrutiny Committee noted with sadness that current negotiations with RCW had ceased. Members were disappointed with the outcome of the Council's efforts to support RCW and were concerned about the risks which had arisen.

The Finance & Audit Scrutiny Committee recommended that

- the current RCW Constitution be examined by officers to clearly identify how RCW would operate in future if there was any further involvement with the Council;
- the Council's current legal position in respect of RCW be clarified, including investigation of any personal liability;
- drawing lessons from this experience, in future, before any legal arrangements are made in partnerships between Warwick District Council and other organisations, precautionary investigations of the status of the signatories should be made, including examination of the financial affairs of prospective partners through the acquisition of detailed audited accounts, a copy of their constitution and evidence that it was being adhered to; and
- in future, any grants made should be accounted for with a final report on progress and expenditure.

There was significant discussion on the report and the Overview & Scrutiny Committee were appreciative of the responses to questions from both the Deputy Chief Executive (AJ) and the Portfolio Holder.

The Committee recognised that the Council had accepted the surrender of the lease by RCW in good faith and that in this situation it had been correct to work with the Army Cadets and Air Training Corp to secure them a lease on Council land. The Committee also recognised the good working relationship that had been in place between WDC, RCW and the Army Cadets and Air Training Corp prior to 2009 and that the planning application for the Army Cadets and Air Training Corp had been submitted by RCW. However, the new trustees had realised the limitations/restrictions this building placed on RCW and appeared to be trying to undo decisions of the previous trustees.

The Committee were mindful of the large amount of money the Council had contributed to the club in the last two years excluding the significant amount of specialist officer time to not only try to resolve these issues but also to support the work of the club. The Committee were of the opinion that RCW had drawn a line in the sand and were unwilling to negotiate further. Although, they did welcome the fact that all outstanding rent and

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business rate payments had been cleared with Warwick District Council, as well as the outstanding invoice for remedial work following the dumping of grass cuttings in a scientifically sensitive area.

The Committee noted that the Council was trying to resolve these issues directly with the relevant parties and that there had been a significant number of meetings with other parties including the Town Council and specifically Warwick West Town Councillors.

The Committee were in agreement that the Council wanted to see RCW return to a vibrant community organisation helping to improve the community of Warwick West and Warwick as a whole for the betterment of the district. The Committee were also mindful that Warwick West ward was one of the most deprived wards in the District and the Council had a duty to the whole community at large including the Army Cadets and Air Training Corp. In addition, the Committee were of the opinion that RCW should have had consideration not only for its own members but also to the wider community.

It was for these reasons the Overview and Scrutiny Committee were content with the report but felt a need to recommend to the Executive that the £120,000 be withdrawn from RCW. However, this should be ring fenced for the use of, or establishment of, a community organisation in Warwick West because of the significant level of deprivation in this area.

The Leader of the Council, Councillor Doody, addressed members stating that he was very disappointed that RCW had not taken up the offer of a new lease. He informed the members present that at a recent meeting between RCW and the Council, an offer had been made and rejected by RCW who had been adamant on obtaining £300k compensation and £1.2m to develop the ground.

Despite the negative feelings voiced by RCW at the end of that meeting, the Council decided to extend the deadline for this offer to 6pm on the evening of 12th October 2011 but no phone call had been forthcoming. Members were advised that RCW were up to date with their rates and rent.

Members were concerned that this was a sad day for RCW and the Council and few thought that agreement would now be possible. Members were mindful of the detrimental impact on the residents of Warwick West and did not feel that RCW was concerned solely with the wellbeing of the local community. It was felt that there were areas in Warwick West that would be suitable as a community hub and it was time to focus on moving forward.

The main concern, highlighted by the Scrutiny Committees, was that any capital programme monies should be used for the benefit of the residents of Warwick West. However, some members were worried that there was the potential for this sum to get mixed up with other Section 106 monies due to be used at Chase Meadow. After some debate, and following advice from the Chief Officer, it was agreed that a specifically named reserve could be created to hold this money until a time when it was needed.

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In response to the Finance and Audit recommendations, members were assured that the Council's legal position was continuously being assessed as part of this process. In addition, any future partnerships with organisations would be handled through new procedures which would ensure organisations' constitutions and financial backgrounds were investigated thoroughly before being entered into and the Chief Financial Officer agreed to look into this.

The Chair of Finance and Audit Scrutiny Committee was content that the points raised by her Committee had been dealt with through the discussions with the Executive and officers and was satisfied with the recommendation being put forward by the Overview and Scrutiny Committee.

Having read the report and having heard the various representations made, the Executive decided to approve the recommendations as amended.

RESOLVED that

- (1) the current position of negotiations between RCW and this Council in respect of the Hampton Road Ground lease arrangements, be noted; and
- (2) having noted the position referred to at paragraph 2.1 of the report, the £120,000 currently earmarked in the Council's capital programme for ground improvements on the Racecourse land, be ring fenced in a specifically named reserve called 'St Mary's Lands / Forbes Estate Community Fund'.

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

71. GOVERNMENT CONSULTATION ON DRAFT NATIONAL PLANNING POLICY FRAMEWORK

The Executive considered a report from Development Services following Government consultation on the draft National Planning Policy Framework (NPPF). The report detailed some of the key issues that could affect the District Council and sought approval for a response to be submitted to the Government.

On 25 July 2011, the Government launched the draft National Planning Policy Framework (NPPF) for public consultation. The Government's aim was for the NPPF to be an easy to understand document which anybody could use and would replace the suite of existing Planning Policy Statements, Planning Policy Guidance notes, Circular 05/2005.

The report highlighted some of the key aspects of the document relevant to Warwick District under the following headings: Purpose; Sustainable Development and Growth; Local Plan; Joint working; Neighbourhood

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Planning; Development Management; and Green Belts. The NPPF also contained planning policy in a number of other areas such as business and economic development, transport, communications, housing, design, sustainable communities, climate change and flooding, and the natural and historic environments.

The Government had sought views on the content and format of the new draft NPPF and its associated impact assessment. Consultation closed on 17 October 2011. The Government would take account of all responses to the consultation in finalising and implementing the new framework and the Council's response was set out in Appendix A to the report.

There were no alternative options offered in the report.

The Overview & Scrutiny Committee were appreciative of this detailed report and thanked the report author for all his work on this matter.

The Portfolio Holder for Development Services, Councillor Hammon, addressed members, referred them to the addendum and advised of some additional responses regarding communications infrastructure, climate change and flooding.

Having read the report and the addendum, and having heard from the Portfolio Holder for Development Services, members were happy to agree the recommendations with the additional comments from officers. They reiterated theirs and the Scrutiny Committees' thanks to the report author, Dan Robinson, Planner in Policy, Projects and Conservation.

RESOLVED that

- (1) the Government's draft NPPF consultation, be noted; and
- (2) the response to the Government's draft NPPF as set out in Appendix A, subsequent addendum and the additions suggested by Councillor Hammon, be approved.

(The Portfolio Holder for this item was Councillor Hammon)

72. COVENTRY AND WARWICKSHIRE GATEWAY DEVELOPMENT PROPOSALS

The Executive considered a report from the Deputy Chief Executive (BH) updating them as to how proposals for the development of a major employment site, the Coventry and Warwickshire Gateway, could be brought forward despite the failure to gain approval for an Enterprise Zone within the sub-region.

In June 2011 the Council gave its full in-principle support to the CWLEP's bid for an Enterprise Zone (EZ) within the sub-region on land at and around Coventry Airport. Unfortunately this was unsuccessful, but the CWLEP continued to recognise the importance of the Gateway as a strategic sub-regional development site with the potential to create over

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10,000 jobs. The CWLEP therefore considered a report, attached as an appendix to the report and approved its recommendations.

The report proposed that the Council worked with its CWLEP partners and the joint venture company, Coventry and Warwickshire Development Partnership LLP, specifically established to bring forward development of those areas of the proposed Gateway site within the district boundary.

The Overview & Scrutiny Committee were in agreement with the report. However, because of the potential wider impacts of this scheme not only across the district but also the sub region, the Committee felt the need to recommend to the Executive that the working party as set out in recommendation 2.7 of the report, should include a representative from all parties on the Council and accepted this may mean that the Conservatives would want to increase their membership on the Group.

Councillor Caborn thanked the Overview and Scrutiny Committee for their comments and advised that they would be taken on board. However, he highlighted that the membership of the working party would have to be agreed and balanced with Coventry City Council.

There was some discussion about what committing at this stage would mean. Officers and the Chief Executive answered queries as to the process that would be followed. It was highlighted that in order for the Council to be seen as a 'frontrunner', members had to agree to a certain level of commitment.

Having read the report, members were satisfied that the recommendations should be agreed as per the officers report.

RESOLVED that

- (1) officers be instructed to explore all possible opportunities to bring forward development at the proposed Coventry and Warwickshire Gateway site (the Gateway), utilising the three-pronged approach set out within Appendix One of the report, in order to inform the development of the new Local Plan for the district;
- (2) the principle of bidding, in conjunction with Coventry City Council, to join the Department of Communities and Local Government 'Frontrunners' Scheme, be approved;
- (3) authority be delegated to the Deputy Chief Executive (BH), in consultation with the Deputy Leader and Development Portfolio Holder, to finalise a bid;
- (4) Council will receive updates on progress of the work relating to a future Gateway development

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through the previously agreed programme for the development of the new Local Plan;

- (5) the progress of the discussions held to date with the Coventry and Warwickshire Development Partnership LLP, be noted;
- (6) Councillor Caborn be nominated as this Council's representative on the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) Board; and
- (7) the Leader, Development Portfolio Holder and local ward member be put forward for a joint working party with Coventry City Council to oversee the detailed delivery of any resultant scheme.

(The Portfolio Holder for this item was Councillor Caborn)

73. RURAL/URBAN CAPITAL IMPROVEMENT APPLICATION

The Executive considered a report from Finance which provided details of a Rural/Urban Capital Improvement Application by The Budbrooke Village Hall Committee for the refurbishment of the village hall kitchen and a Rural/Urban Capital Improvement Application by St Mary's Allotment Association for the supply and erection of security fencing and automated gate.

The Budbrooke Village Hall Committee submitted an application in order to refurbish the kitchen, which was in need of modernisation as it had been in situ since 1985. The Committee had £26,634 in reserves but was using £2,969 to fund this project and had more maintenance projects in the pipeline for improvements to the Village Hall. The Budbrooke Village Hall Committee's last successful application from the Rural Initiative Scheme was in February 2008.

The report recommended that a Rural/Urban Capital improvement Grant be awarded to The Budbrooke Village Hall Committee of 50% of the total cost of the project inclusive of VAT subject to a maximum payment of £3,469. A breakdown of the costs was attached as an appendix to the report.

The St Mary's Allotment Association submitted an application to erect a security fence and a new gate following a number of break-ins and vandalism over the past 18 months which had been very demoralising for the members of the Association.

The Association had £26,060 in reserves but was using £8,923 to fund this project and had another project of replacing the water supply later in the year from their remaining reserves.

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The St Mary's Allotment Association had never applied before for a grant as it was only open to rural areas before June 2011. If successful, this would be the first grant to come from the New Urban Improvement Fund.

The report recommended the award of a Rural/Urban Capital improvement Grant to The St Mary's Allotment Association of 50% of the total cost of the project inclusive of VAT subject to a maximum payment of £8,923. A breakdown of the costs was attached as an appendix to the report.

Councillor Mrs Grainger addressed members and highlighted the benefits that these grants would bring to the community groups. She highlighted that Planning officers had confirmed that The St Mary's Allotment Association did not need planning permission for the proposed fence.

RESOLVED that

- (1) a Rural/Urban Capital Improvement Grant of £3,469 be awarded to Budbrooke Village Hall Committee for a kitchen refurbishment, which equates to 50% of the cost as detailed in paragraph 7.1 of the report and supported by appendix 1 to the report; and
- (2) a Rural/Urban Capital Improvement Grant of £8,923 be awarded to St Mary's Allotment Association for security fencing and an automated gate, which equates to 50% of the cost as detailed in paragraph 7.1 of the report and supported by appendix 2 to the report.

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

74. MIGRATION TO THE NATIONAL FOOD HYGIENE RATING SCHEME

The Executive considered a report from Environmental Services which sought support for the Council to migrate from the local Scores on Doors project to the new national 'Food Hygiene Rating Scheme' (nFHRS).

The report explained what the national scheme was, why and how it was developed, progress on its rollout, why WDC should migrate to this, what support the Food Standards Agency (FSA) would provide, what the benefits were for local consumers and for local businesses, and the potential impact on Council resources.

The nFHRS, for England, Wales and Northern Ireland, was a local authority/FSA partnership initiative and was key to the FSA's strategic objective to improve food safety and to the Government's aspirations for hospitality during the Olympic Games.

Similar to the previous system, Scores on Doors, nFHRS would help consumers choose where to eat out or shop for food by giving them information about the hygiene standards in food premises. In turn, officers felt this would encourage businesses to improve their standards.

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Councillor Coker addressed members and stated that it was hoped the migration would help to reinvigorate the existing scheme and encourage more participation from food premises. Members felt that good publicity would be the key to success with this scheme and looked forward to seeing more premises signing up to it.

Councillor Shilton expressed the Executive's thanks to the Divisional Environmental Health Officer, Rob Chapleo, for his sterling work and requested that Councillor Coker pass on this message to his close knit team who continued to work tirelessly to improve the district's food outlets.

RESOLVED that the migration from the local to the national Food Hygiene Rating Scheme be approved.

(The Portfolio Holder for this item was Councillor Coker)
(Forward Plan reference 353)

75. SIGNIFICANT BUSINESS RISK REGISTER

The Executive considered a report from Finance which asked members to review the Significant Business Risk Register attached as an appendix to the report and consider if any further actions should be taken.

The Council had for several years had a risk register that was intended to consider all risks to the Council's operations, key priorities, and major projects. This was known as the Corporate and Strategic Risk Register and individual services also had their own risk registers.

The Register was recently overhauled by the Senior Management Team (SMT) to bring it in line with current thinking on organisational risk registers as well as streamlining the approach with Lean Systems thinking principles and in particular the Fit for the Future Programme.

The Finance & Audit Scrutiny Committee expressed concern that the Risk Register was too abstract and questioned whether it was possible for the Committee to use it, in its present form, to monitor risk effectively, particularly in relation to operational changes and the management of risk. The Register needed to be more measurable. The Committee agreed that Councillors Edwards and Rhead would discuss this further with the Deputy Chief Executive (AJ) and Audit & Risk Manager and report back to the Committee. Members requested more information on how risk was selected, how it was rated, and suggested that "workshopping" of the list needed professional input so that the register could be properly managed and monitored.

The Finance & Audit Scrutiny Committee recommended that the Risk Register be revised, with professional input, to more precisely identify the risks facing the Council and to be presented in a more measurable way.

With regard to the Summary of Significant Business Risks, members suggested that a possible trigger for procurement risks was the monitoring of compliance with procurement practices. It was also suggested that if a health check of Partnership Risks was progressed

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through the year, rather than annually, potential problems would be more easily managed.

The Executive disagreed with the Finance and Audit comments because the register had originally been overhauled due to a concern from them that the document was too detailed. This had therefore resulted in the new register being a more corporate overarching document.

Members were sympathetic to the Chair of Finance and Audit Scrutiny Committee's concerns and suggested a number of ways that they could tackle smaller areas of risk by adding them to their work programme to scrutinise.

RESOLVED that the Significant Business Risk Register, attached as an appendix to the report, be noted.

(Forward Plan reference 337)

76. WEST MIDLANDS COUNCILS CONSTITUTION

The Executive considered a report from the Chief Executive which recommended the endorsement of a new Constitution for West Midlands Councils which was approved on behalf of this Council by the Leader, Councillor Michael Doody.

On 12th July 2011, Leaders of 33 West Midlands Councils attended the Annual General Meeting and as part of their business approved a new Constitution for the Association, a body established to support, represent and promote the collective interests of the local authorities in the West Midlands area and the communities they serve.

At an earlier meeting the Association had agreed to "ensure that each constituent Council makes appropriate arrangements to secure formal endorsement of that Constitution and provides written confirmation of such to West Midlands Councils". By agreeing to the recommendation in the report, Warwick District Council would be providing the necessary formal endorsement.

Having read the report, the Executive were content to agree the recommendations as printed in the report.

RESOLVED that the new Constitution for West Midlands Councils, attached as an appendix to the report, be endorsed.

(The Portfolio Holder for this item was Councillor Doody)

77. PROPOSALS FOR BUSINESS RATES RETENTION

The Executive considered a report from Finance which detailed proposals for a rates retention scheme to replace the current local government finance system, under which business rates were distributed as part of formula grant.

EXECUTIVE MINUTES (Continued)

The Department for Communities and Local Government launched a consultation paper, Local Government Resource Review: Proposals for Business Rates Retention which, if implemented, could have a profound effect on the funding of all lower and upper tier authorities. The main driver for the new scheme was to provide an incentive on authorities to boost economic growth by enabling Councils to keep a share of the growth in business rates in their area. The Government would also allow Councils to borrow against projected rate growth under a system known as Tax Increment Financing.

In addition to the consultation document, eight technical papers had been released which contained details of how the scheme could work by detailing various options and seeking views on those options together with other consultation questions. The Department for Communities and Local Government were seeking responses to the document by 24th October.

The report recommended that the creation of a response to the Government consultation on the proposals for business rates retention be delegated to the Head of Finance in consultation with the Finance Portfolio Holder, Councillor Mobbs. In addition, it was recommended that further analysis of the technical papers be undertaken in conjunction with an interrogation of our business rates database and a further report issued exploring the potential benefits and implications to the Council.

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

The Overview & Scrutiny Committee welcomed the circulation of the responses to the consultation and appreciated that they had been circulated late because of the detailed and technical nature of them. However, for this reason they asked the Executive to allow members to submit their comments individually or by Group up to a deadline to be agreed with the Head of Service.

Councillor Mobbs, the Portfolio Holder for Finance, addressed members and welcomed the Scrutiny Committees' comments. He advised members to encourage Group Leaders to ensure all comments were received before the deadline.

RESOLVED that

- (1) the Government consultation on the proposals for business rates retention and the operational and financial issues likely to be involved, be noted;
- (2) a response to the Government consultation on the proposals for business rates retention be delegated to the Head of Finance in consultation with the Finance Portfolio Holder; and

EXECUTIVE MINUTES (Continued)

- (3) further analysis of the technical papers be undertaken in conjunction with an interrogation of our business rates database and a further report issued exploring the potential benefits and implications to the Council.

(The Portfolio Holder for this item was Councillor Mobbs)

78. LOCALISATION OF COUNCIL TAX SUPPORT

The Executive considered a report from Finance which advised that the Government had launched a consultation on localising support for council tax.

Council Tax Benefit (CTB) was administered by the Council in accordance with national criteria set by the Department for Work and Pensions and provided means-tested help to people on a low income who had to pay Council Tax. The Council was fully reimbursed for the cost of provision of CTB.

The Welfare Reform Bill provided for the abolition of CTB to be replaced by Council Tax Rebate (CTR) from 2013-14. Help with Council Tax would not become part of Universal Credit and would remain the responsibility of the Council who would be free to design its own scheme, with certain restrictions that were highlighted in the report. Members were advised that new local schemes had to be in place by April 2013.

The report requested that members note the Government consultation on the replacement of Council Tax benefit in April 2013 and the operational and financial issues likely to be involved. In addition, it was recommended that the Head of Finance be delegated to compile a response to the Government consultation on Localisation of Council Tax support in consultation with the Finance Portfolio Holder.

Two further recommendations were that a cross-party member group be compiled to consider the design of the Council's Council Tax Rebate scheme and exploratory work be undertaken with Stratford on Avon District Council (and/or other local authorities) to consider scope for a joined-up approach and scope for shared working.

The Finance & Audit Scrutiny Committee recommended that the Council lobby the Government to reiterate concerns that, while the improvements which Universal Benefits could bring were welcomed, Members were concerned that the aims of Universal Benefits could be seriously undermined by the proposed localisation of Council Tax, which was likely to result in heavy cuts to benefits for a large number of vulnerable people.

The Committee pointed out that such comments could form part of the response to the consultation process.

Councillors Dagg and Edwards volunteered to be involved in closer examination of the proposals, alongside any other volunteers that were forthcoming.

EXECUTIVE MINUTES (Continued)

The Overview & Scrutiny Committee welcomed the circulation of the responses to the consultation and appreciated that they had been circulated late because of the detailed and technical nature of them. However for this reason they asked the Executive to allow members to submit their comments individually or by Group up to a deadline to be agreed with the Head of Service.

In addition, the Overview & Scrutiny Committee expressed an interest in assisting with the development of any policy which was required in the future, with regard to Council Tax support because of the potential impact this could have on the vulnerable members of the community.

Members again highlighted the need for Group Leaders to encourage comments in from their colleagues but appreciated that the deadline for submitting them was somewhat closer than for the previous report. The Deputy Chief Executive and the Chief Financial Officer assured members that they would be liaising with other authorities.

Councillor Mobbs, the Portfolio Holder for Finance, assured the Chair of Finance and Audit Scrutiny Committee that there would be a lot of lobbying by interested parties and local MP's to ensure that all concerns were raised and dealt with.

RESOLVED that

- (1) the Government consultation on the replacement of Council Tax benefit with Council Tax rebate in April 2013 and the operational and financial issues likely to be involved, be noted;
- (2) the Head of Finance, in consultation with the Finance Portfolio Holder, be delegated to compile a response to the Government consultation on Localisation of Council Tax support;
- (3) a cross-party member group be created to consider the design of the Council's Council Tax Rebate scheme;
- (4) exploratory work be undertaken with Stratford on Avon District Council (and/or other local authorities) to consider scope for a joined-up approach and scope for shared working.

(The Portfolio Holder for this item was Councillor Mobbs)

79. 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

EXECUTIVE MINUTES (Continued)

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
80	1	Information relating to an individual
80	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full minutes of agenda item 13 – Minutes were contained within a confidential minute which would be made available to the public following the implementation of the relevant decisions. However, a summary of the decision was as follows:

80. MINUTES

The confidential minutes of the meeting held on 14 September 2011 were taken as read and signed by the Chairman as a correct record with a minor amendment made to the list of members present.

(The meeting ended at 8.35 pm)