

# WARWICK DISTRICT COUNCIL

Minutes of the meeting of Warwick District Council held at the Town Hall, Parade, Royal Leamington Spa, on Wednesday 14 December 2022, at 6.00pm.

**PRESENT:** Councillor Mangat (Chair); Councillors Ashford, Bartlett, Barton, Boad, Cooke, Davison, Day, A Dearing, J Dearing, R Dickson, Evans, Falp, B Gifford, C Gifford, Grey, Hales, Illingworth, Jacques, Kennedy, King, Kohler, Leigh-Hunt, Luckhurst, Margrave, Matecki, Milton, Murphy, Noone, Norris, Quinney, Redford, Rhead, Roberts, Russell, Skinner, Syson, Tracey and Wright.

## 62. **Apologies for Absence**

Apologies for absence were received from Councillors Cullinan, K Dickson, Grainger, Morris and Tangri.

## 63. **Declarations of Interest**

### Minute Number 66 – Notices of Motion

Councillor Hales declared an interest because he was the Vice-Chair of Trustees at Kenilworth School, and had been involved in the new-build project for over 11 years.

Councillors Cooke, Falp, B Gifford, Matecki and Roberts declared an interest because the notice of motion mentioned Warwickshire County Council and they were County Councillors, and Councillors Boad and Redford declared an interest because their spouses were Warwickshire County Councillors.

Councillor R Dickson declared an interest because he was a member of Friends of Abbey Fields Group.

## 64. **Minutes**

The Minutes of the meeting held on 23 November 2022 was taken as read and signed by the Chair as a correct record.

## 65. **Communications & Announcements**

The Chairman informed Council that as it was the last Council meeting of 2022, and a time of celebration and hope for a new year, she felt it was appropriate to offer some reflections.

This was the seventh meeting of Council since she was appointed as Chair and each meeting had had its own significant items of business for consideration, from motions and petitions regarding bio-diversity to those on Planning Policy. In addition, the Council considered recommendations from Cabinet that had seen the submission of the Net Zero Carbon DPD. The Chair was honoured to attend functions and multi-cultural celebrations across the District, including representing the Council at the opening of the Commonwealth Games and visiting the Games site itself in this District.

The Chair reflected on the sad deaths of fellow Councillors, Councillor Heath in 2021 and then Councillor Nicholls in March this year, which led to Councillor

Mangat's role as Chair of the Council. The nation and the Commonwealth also had the sad death of Her Majesty Queen Elizabeth the Second in September.

With this in mind, the Chair informed Members that she was able to commemorate both Her Majesty the Queen and Councillor Nicholls that week, with the planting of two trees in Hamilton Terrace.

It was coming close to the end of 2022 and as the Chair of this Council, Councillor Mangat was proud and thanked each and every fellow Councillor for their commitment and service to residents, reflected in many meetings in the Chamber, but also behind the scenes.

She then took the opportunity to wish all Councillors, officers and the wider community a Merry Christmas and Happy New Year for 2023.

The Chairman informed Council that there was no business under item 5 – Petitions, but there were two additional items to consider in respect of confidential recommendations from Cabinet.

## 66. **Notices of Motion**

At the start of this item, the Chair permitted two public speakers, George Bell and Isadora McAinsh, to address the Council on the Notice of Motion, as set out in the agenda. The Chair reminded Members of the amendments to the Motion, which were circulated electronically and in paper copy at the meeting.

Councillor Milton then proposed the Motion that had been revised and circulated to all Councillors before the meeting. This was seconded by Councillor Kennedy. The Motion read as follows:

"The opening of the new Kenilworth School in September 2023 is a major milestone for the realisation of the district's local plan. As a Council we recognise the need to prioritise active travel, but at the moment other than the immediate surrounds of the school, there is little in the way of infrastructure that will enable students to cycle to the school safely from across the town.

Concerns about the lack of safe cycling provision to the school have been consistently raised by residents, and this was evidenced in the recent petition organised by Pedal to Protect, which gained around two thousand signatures in support of the need for improvements.

However, as yet, there has been little practical action to create safer routes to school, to enable active travel and in so doing, reduce the road traffic that prevents many from cycling or walking to school.

The District Council is not the Highways Authority but is the responsible authority for Abbey Fields, where cycling is currently prohibited due to a bylaw. This currently creates a significant barrier to a continuous cycle route across Kenilworth which would enable students to travel a larger proportion of the route safely.

*This Council therefore resolves to take practical action to enable the young people of Kenilworth to cycle to school safely by:*

- *Officers working with Warwickshire County Council to request the prioritisation of improvements at key points in the town including (but not limited to) Bridge*

*Street, Dalehouse Lane, Warwick Road and Farmer Ward Road to create a network of safe routes.*

- *Including students cycling to various schools through Abbey Fields within the remit of the current investigations being carried out as part of the new Abbey Fields Management Plan and Sustainable Transport work which will include relevant consultation with all affected*
- *Bringing recommendations to Cabinet in a timely fashion to allow changes to be put into effect by a target date of September 2023 subject to advice."*

Councillors Illingworth, Murphy, Skinner, Matecki, J Dearing, Day, R Dickson, Hales, Kennedy and Milton also spoke on the Motion.

**Resolved** that the Motion as follows, be approved:

The opening of the new Kenilworth School in September 2023 is a major milestone for the realisation of the district's local plan. As a Council we recognise the need to prioritise active travel, but at the moment other than the immediate surrounds of the school, there is little in the way of infrastructure that will enable students to cycle to the school safely from across the town.

Concerns about the lack of safe cycling provision to the school have been consistently raised by residents, and this was evidenced in the recent petition organised by Pedal to Protect, which gained around two thousand signatures in support of the need for improvements.

However, as yet, there has been little practical action to create safer routes to school, to enable active travel and in so doing, reduce the road traffic that prevents many from cycling or walking to school.

The District Council is not the Highways Authority but is the responsible authority for Abbey Fields, where cycling is currently prohibited due to a bylaw. This currently creates a significant barrier to a continuous cycle route across Kenilworth which would enable students to travel a larger proportion of the route safely.

This Council therefore resolves to take practical action to enable the young people of Kenilworth to cycle to school safely by:

- Officers working with Warwickshire County Council to request the prioritisation of improvements at key points in the town including (but not limited to) Bridge Street, Dalehouse Lane, Warwick Road and Farmer Ward Road to create a network of safe routes.
- Including students cycling to various schools through Abbey Fields within the remit of the current investigations being carried out as part of the new Abbey Fields Management Plan and Sustainable Transport work which will include relevant consultation with all affected

- Bringing recommendations to Cabinet in a timely fashion to allow changes to be put into effect by a target date of September 2023 subject to advice.

## 67. **Leader & Portfolio Holder Statements**

The Portfolio Holder for Climate Change, Councillor Rhead, expressed his best wishes for the festive season and then informed Council that:

- (1) in relation to the potential hydrogen hub, meetings were held to identify the best procurement process to bring forward a potential private investor, which was an ongoing process, as well as identifying potential demand for hydrogen as part of underwriting an investment. Once there was a clearer understanding of those matters, a further report would be submitted to Cabinet setting out the possible best route forward; and
- (2) he had visited HyDEX at Keele University, together with the Programme Director for Climate Change and the Project Officer, to learn more about their work on hydrogen and how this might help this Council's work. The whole campus was completely self-sufficient in energy not just from hydrogen, but also solar and aeolian energy. They had successfully experimented with putting 20% hydrogen in their local gas system and did not have to make any alterations to their boilers. This was done with HSE's approval. Once more details would become available, these would be brought forward to Cabinet in the new year.

The Portfolio Holder for Arts and Economy, Councillor Bartlett, explained that:

- (1) following a successful application for UKSPF funding, it was confirmed that Warwick District Council was allocated £3.48m, to be split as follows: £2.2m towards community and place, £800,000 towards supporting local business, and £0.5m towards people and skills; and
- (2) some of the key projects the UKSPF funding was going to be spent on were: health and wellbeing via the new medical centre in Lillington, North Leamington; the expansion of the CCTV camera capabilities; commencement of improving the physical infrastructure at Brunswick Healthy Living Centre; additional funding towards cycling and active travel routes; and other green initiatives.

The Portfolio Holder for Housing, Councillor Matecki, explained that:

- (1) following investigative works, there were safety concerns about how the buildings at Christine Ledger Square, would respond in the case of a fire. As a result, robust steps were taken to protect tenants and leaseholders, who were being offered alternative temporary accommodation because their safety and protection was paramount. Residents were being supported throughout the process, both practically and financially, to move out of the building as soon as possible. The Housing team was meeting with the residents, as well as the Head of Housing and the Fire and Rescue service, but officers across the Council were engaged with the matter, and Councillor Matecki thanked officers for their commitment and coordinated action in this case; and
- (2) a landlord from Kenilworth had been found guilty of an illegal eviction, and was sentenced at Wolverhampton Crown Court on 8 December 2022. This showed the Council did not tolerate landlords evicting tenants without

following the legal process. The tenant was awarded £3,600 in compensation for the loss of their deposit, as well as the stress following the eviction.

The Portfolio Holder for Neighbourhood, Councillor Tracey, provided an update in the absence of Councillor Grainger. He explained that:

- (1) the initial results of the first few months of the 123+ service with BIFA were now available and in line with the Council's expectations, the percentage of total waste to recycling including garden and food waste had increased across the District by 10%, to over 62% in September 2022, and the average level of grey bin waste per household was reduced by over a third to just over 21kg per month for the first two months. The full set of figures was going to be reviewed at the PAB meeting on 20 December, and reported to Members following that; and
- (2) the Warwick District car parks pay machines had their modems upgraded to improve customer experience when paying for parking. Where signals were obstructed by surrounding buildings, internal antenna were added to further enhance the payment process, and the implementation would be followed by a period of monitoring over the Christmas holidays, to ensure performance was as anticipated.

The Portfolio Holder for Transformation, Councillor Tracey:

- (1) congratulated the latest cohort of graduate apprentices who were successfully appointed to permanent roles, and thanked the Human Resources team for their efforts in making the scheme a success;
- (2) together with Councillor Kohler, the Transformation Programme Advisory Board Chair, he had attended a two-day LGA Leadership Essentials digitalisation workshop, and several work streams and opportunities came out of that, which were being discussed with the relevant officers; and
- (3) informed Members that a £100,000 grant had been secured by ICT to improve the Council's cyber security and introduce new protective measures. The Council would work with representatives from the Department of Levelling up, Housing and Communities, benefitting from their expertise and support.

The Portfolio Holder for Resources, Councillor Hales, informed Council that:

- (1) the Local Council Tax Reduction Scheme was out for consultation; and
- (2) the PAB would meet the following Thursday to talk through the financial assessment, which seemed to be positive in terms of news coming through from central Government. He thanked Members of the PAB and officers for their commitment and hard work, meeting the week before Christmas.

The Portfolio Holder for Strategic Leadership and Leader of the Council, Councillor Day advised Council that:

- (1) he had been in touch with the Leader at Solihull Metropolitan Borough Council to pass condolences on behalf of the Council;
- (2) there was an excellent response to the cold weather, offering temporary accommodation to the residents who chose not to take the permanent accommodation offered by the Council, to make sure they were protected

during this time. Furthermore, there was a lot of support offered by the voluntary organisations, community groups and the Town and Parish Councils, with many Warm Hubs in place across the District;

- (3) he had visited the Gurdwara and the Polish centre, where he enjoyed hospitality and was impressed with the sense of community there. He had also visited the Ambulances in Ukraine charity, which had sent 11 or 12 ambulances thanks to the generosity of local residents. There were also several initiatives organised internally by Council officers too;
- (4) with the elections and new municipal year fast approaching, the Council was now at a stage of completing some projects and setting the groundwork for the new Council. With that in mind, he attended the opening of the Fusiliers Museum, which was a great success;
- (5) work was progressing in the Packmores, particularly with the Gap, in bringing forward feasibility work, which Cabinet and LCG would be looking at in due course, working cross-party and with the Town Council in order to build a community centre for the benefit of the residents;
- (6) it was good to see the Liberal Democrat Councillors out in Lillington with the health hub and seeing that work begin after many years;
- (7) he thanked the Chair of the Council for her service, and all Councillors for the work they had done.

#### **68. Questions to the Leader of the Council & Portfolio Holders**

Councillor R Dickson asked the Portfolio Holder for Safer Communities, Leisure & Environment what action Warwick District Council had taken in order to remind residents and visitors of the dangers of playing on or near the water in the parks, and what action had been taken to review the on-site notices warning of these dangers, following the tragic loss which had taken place in a park in Solihull.

In response, Councillor Falp, on behalf of the Council, expressed her deepest sympathy to the families of those young victims, and to the wider community as well, which was also affected by this tragic incident. She reinforced the messages around the dangers in and around open water, such as rivers, lakes, ponds etc., particularly if the water was frozen, and mentioned specific locations within the District. All residents, but particularly those with young children, were warned not to tread on the frozen surface of the water. In terms of the notices, new ones would be displayed from the day after the meeting, and Councillor Falp offered to send Councillor Dickson an example of these.

Councillor Boad asked the Portfolio Holder for Place, Councillor Cooke, if the Council should pause the work on the South Warwickshire Local Plan, so that it could get further direction on the letter from the Department for Levelling Up Housing and Communities in respect of development numbers and the implications of the proposals?

In response, Councillor Cooke advised that, whilst he had sympathy for the point raised by Councillor Boad, he would not commit himself to Councillor Boad's suggestion either way, and would prefer to wait for further developments from the Secretary of State. Councillor Cooke offered to take advice from officers and give a more detailed response to Councillor Boad.

Councillor Boad asked the Portfolio Holder for Transformation what the Council was doing to ensure that residents who were contacting the call centre were actually getting a response, following a resident applying several times for a green bin five and one month before the meeting, and still not having had a response.

Councillor Tracy advised that he was not aware of any outstanding applications for additional green bins or food caddies. He asked Councillor Boad to share the individual's details so that officers could look into the situation.

Councillor Boad asked the Leader if he agreed that good cross-party working to get things done was reliant on trust and honesty and what the view of the Leader was in respect of the Conservative leaflet, which stated that the Liberal Democrats and Green Members had voted to increase the council tax by the maximum amount permitted (which was accurate, although that vote was lost), against the hardship fund and the foodbank budget, which was not actually true. The vote was on the combined budget vote, which was on the agreed budget for the Council and included these too.

In response, the Leader explained that he very much wanted to continue the cross-party collaboration, which had been a real feature of this Council. He had spoken to Councillor Boad over the phone recently and explained that it was not Councillor Day's prerogative to set the Conservative Party's elections literature for every ward, and it was the association doing that. Councillor Day's understanding was that it was an amendment from the Labour group which brought forward the hardship fund and foodbank provision. There were matters within the Conservative party which Councillor Day did not have control over.

Councillor Luckhurst asked the Leader for an update on the work done around the potential to use double glazing in listed building in the conservation area.

In response, Councillor Day explained that, especially given the large number of listed buildings in the District, it was important to make these more sustainable and economical for residents. The Conservation officer was working directly with the Programme Director for Climate Change to come up with revisions to planning policy, which would then be taken through the PAB. Councillor Day was encouraging the idea of running a pilot with some residents, to see how that policy might work in action, so that to ensure that it was fit for purpose. This was not just about single or double glazing, but more widely, about wanting to ensure that the heritage buildings could be enhanced by using new technologies and made more sustainable.

Councillor Milton asked the Portfolio Holder for Transformation for an update, given that the incidents of fly-tipping had increased by 50% in August 2022, which coincided with the launch of the 123+ project, with a similar increase in September and October.

Councillor Tracey thanked the vast majority of residents who had embraced the change in the refuse and recycling service and shared a number of positive comments regarding how much easier the new system was. Whilst there was an increase in fly-tipping in Warwick District Council, this was not the case in Stratford-on-Avon District Council. However, Warwick District Council had planned to increase the focus on enforcement action in the new year.

Councillor Roberts asked the Leader what his views were around the implementation of the new Voter ID legislation from the Government, and if, bearing in mind the view of the Chair of the LGA, who had called for the

implementations of the changes to the electoral reform to be postponed as it did not give councils enough time to prepare for these changes, and *"Not doing so could lead to a situation where some results are legally challenged which would be bad for democracy and could undermine the confidence that the public have in the electoral process."* He proceeded to ask the Leader if he was confident that the Council was in a position to bring these reforms forward without impacting the democratic process in May 2023, and if this would involve extra resources and costs to the Council.

Councillor Day directed the question to the Chief Executive, who was also the Returning Officer.

Mr Elliott explained that he did have concerns about the introduction of such major changes so close to scheduled elections. Looking ahead, it was important to acknowledge that the Electoral Services Team and members of the polling station teams wanted people to vote, because that's why we were there for. However, there might be potential instances of electors not being able to vote if they did not comply with the new regulations.

Should electors not hold one of the required forms of photo ID, they would be able to apply for a free Voter Authority Certificate from their local authority, either in person, by post or via the ".Gov" portal which would go live on 16 January 2023. Photo ID did not have to be in date to be used, it just needed to bear a likeness to the voter.

Not only did the new Act introduce the requirement for electors to show photo ID at the polling station before a ballot paper was issued to them, it also placed the requirement on the Returning Officer to extend accessibility in polling stations and take all reasonable steps to provide support for those with disabilities.

There would also be administrative changes for absent voting, changes in voting and candidacy arrangements for EU voters and also British citizens living overseas.

DLUHC, Association of Electoral Administrators and Electoral Commission were giving guidance and holding trainings and seminars for the team to be involved with, giving the confidence that the Council would be prepared for all the changes being made, and especially Voter ID.

Following on from Mrs Friar's presentation to Members on 21 November, the Electoral Commission's national "Note to Self" campaign would begin on 8 January 2023. They were providing resource packs so that everyone could use the same concept to carry across the message, including for use by political parties.

The Warwick DC Media Team was preparing a District-wide campaign and leading on County-wide communications, working with the other Local Authorities within Warwickshire.

These additional requirements of course would result in new financial burdens being placed on Warwick District Council, but the Government had committed funding of £25,638 for the current financial year and £52,854 for 23/24 financial year to WDC.

Finally, the Chief Executive thanked Mrs Friar, who was shortly to retire from her role. She had played an enormous role in making the elections in the District safe, secure and credible. She would be missed a great deal, but her successor was due to start very soon, and any queries should be directed to the elections team. The



Council was taking all the steps to make the elections a success, and although it would have been preferable to delay the changes, this was not going to happen and it was important for the Council to be as prepared as it could be.

Councillor Roberts expressed his thanks to Mrs Friar for her excellent service to the Council. He then asked a supplementary question, if the funding issued by the Government would match the costs to the Council, and if Warwick District Council had written to the Government in order to raise concerns about the new legislation being implemented from May 2023.

The Chief Executive explained that, through the membership of various organisations, such as the Association of Electoral Administrators, this Council's view was made clear, in that the scale of change so close to the elections was not ideal. In terms of the costs, at this stage, all the costs were not fully known, but would take a prudent view on how the Council would manage its finances on the elections front, to make the money go as far as possible. However, it was important to acknowledge that with it being the first time implementing the changes, some things might not go to plan, and it would be a learning experience.

Councillor A Dearing asked what the membership was of the master-planning project board established following concerns about the A46 strategic link road, with representatives from Warwick District Council, Coventry City Council and Warwickshire County Council, would jointly develop a masterplan for the area. She then asked the Leader for an update on this project, including timescale and opportunity for public consultation.

In response, Councillor Day explained that the project board was an officer group, it was chaired by Mr Elliot (WDC Chief Executive), the Strategic Directors from the County Council and from the City Council, and a Director from the University of Warwick. The Board had met three times, agreed its terms of reference and had been compiling research, with a next meeting likely to be in February 2023, looking at commissioning further detailed work. From there, a Cabinet report would be brought forward. The public would be involved and engaged with each part of the programme.

Councillor A Dearing asked a supplementary question to the Leader, wanting to find out if there was any opportunity for local town and parish councils to be involved.

Councillor Day clarified that there would be opportunities in the future for Kenilworth Town Council and the Parish Councils to be involved in any consultations in the future, but at this stage, the project was led by officers, bringing together the information before it being assessed by Members.

Councillor Murphy asked the Portfolio Holder for Safer Communities, Leisure & Environment if, when going round to display updated notices at the open-water facilities, officers could check that the anti-vandal fencing and life belts were in place, as well as break the ice around the edges at places such as Kingfisher Pools.

In response, Councillor Falp confirmed that officers would check the facilities, but officers would not be breaking the ice for health and safety reasons.

(At 7.30pm, the meeting was adjourned for 10 minutes for a comfort break.)

## 69. Cabinet Report

The recommendations of the Cabinet on 7 December 2022 were proposed by Councillor Day and seconded by Councillor Hales.

**Resolved** that the recommendations from the Cabinet of 7 December 2022 be approved.

## 70. Membership of Committees

The Chair reminded Members of the revised guidance circulated by the Democratic Services Manager & Deputy Monitoring Officer, and for ease, she read these out at the meeting:

1. *To agree that the size of the Employment, Planning and Audit & Standards Committee be increased by 1 to 13 to represent the political proportionality of the Council*
2. *To agree that the Overview & Scrutiny Committee and Licensing & Regulatory Committee remain at their current size of 12 and 15 respectively*
3. *To replace Councillor Norris on the Audit & Standards Committee with Councillor Leigh-Hunt*
4. *To appoint Councillor Cullinan to the Audit & Standards Committee and remove her as a named substitute from that Committee*
5. *To replace Councillor Norris with Councillor Ashford on the Planning Committee*
6. *To appoint Councillor Skinner to the Planning Committee and remove him as a named substitute from that Committee*
7. *To appoint a Councillor Cullinan to the Employment Committee and remove her as a named substitute from that Committee*
8. *To appoint Councillor Murphy to the Licensing & Regulatory Committee in place of Councillor Norris*
9. *To remove Councillor Norris as a named substitute for the Overview & Scrutiny Committee.*
10. *To appoint Councillor Murphy as a named Substitute for the Conservative Group at Overview & Scrutiny Committee*
11. *To appoint Councillor King as a named substitute for Employment Committee and Planning Committee.*

It was proposed by Councillor Mangat, seconded by Councillor Day and

**Resolved** that

- (1) the size of the Employment, Planning and Audit & Standards Committee be increased by 1 to 13, to represent the political proportionality of the Council;
- (2) the Overview & Scrutiny Committee and Licensing & Regulatory Committee remain at their current size of 12 and 15 respectively, be agreed;
- (3) Councillor Norris be replaced on the Audit & Standards Committee by Councillor Leigh-Hunt;
- (4) Councillor Cullinan be appointed to the Audit & Standards Committee, and removed as a named substitute from that Committee;

- (5) Councillor Norris be replaced Councillor Ashford on the Planning Committee;
- (6) Councillor Skinner be appointed to the Planning Committee, and removed s a named substitute from that Committee;
- (7) Councillor Cullinan be appointed to the Employment Committee, and removed as a named substitute from that Committee;
- (8) Councillor Murphy be appointed to the Licensing & Regulatory Committee in place of Councillor Norris;
- (9) Councillor Norris be removed as a named substitute for the Overview & Scrutiny Committee;
- (10) Councillor Murphy be appointed as a named Substitute for the Conservative Group at Overview & Scrutiny Committee; and
- (11) Councillor King be appointed as a named substitute for Employment Committee and Planning Committee.

## 71. **Public & Press**

The Chair informed Members that she agreed to consider confidential recommendations from Cabinet, and in order to do so proposed that the public and press be excluded.

**Resolved** that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraph of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

## 72. **Confidential Cabinet Report**

It was proposed by Councillor Day, seconded by Councillor Hales and

**Resolved** that confidential recommendations from the Cabinet of 7 December 2022 be approved.

(The meeting resumed in public session.)

73. **Common Seal**

It was proposed by the Chair, seconded by Councillor Day and

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

(The meeting ended at 7.49pm)

CHAIR  
27 February 2023