

EXECUTIVE

Minutes of the meeting held on Monday 23 July 2007 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Coker (Chairman); Councillors Mrs Bunker, Doody, Hammon, Kinson, Kirton, Pratt and White

ALSO PRESENT: Councillor Mrs Knight (Chair of Audit and Resources Overview and Scrutiny Committee);
Councillor Boad (Chair of Executive Overview and Scrutiny Committee);
Councillor Mrs McFarland (Chair of the Culture and Social Policy Committee);
Councillor Crowther (Labour Group Observer); and
Councillor Caborn (Chairman of the Council).

An apology for absence was received from Councillor Ms De-Lara-Bond.

263. **DECLARATIONS OF INTEREST**

Minute Number 279 – Office Cleaning Contract

Councillors Caborn, Doody and Kirton declared a personal and prejudicial interest because they were County Councillors and left the room while the item was discussed.

264. **MINUTES**

The minutes of the meetings held on 11 June were taken as read and signed by the Chairman as a correct record.

265. **DRAFT CORPORATE STRATEGY 2007 TO 2011**

The Executive considered a report from the Chief Executive on the draft Corporate Strategy 2007 to 2011.

At the meeting of Executive on 24 July 2006, the Executive had agreed a process for agreeing a new Corporate Strategy subsequent to the local elections in May this year. Briefly these stages were; preparation of a draft, consultation on the draft, report back on the response, development of targets and key actions and then agreement to the final version.

A Corporate Strategy was probably the most important document for the Council since it articulated the aims and priorities of the administration and so directed the way the Council allocated its resources of all kinds. In the most basic terms it should set out what the Council aimed to achieve and why. The Corporate Strategy formed the cornerstone of the Council's performance management framework as the objectives, priorities, targets and key actions would be the measures by which ultimately the Council ought to be judged. Consequently, it would inform the Service Area Plans, Team Operational Plans and individual appraisals.

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The Audit and Resources Overview and Scrutiny Committee requested that any legacy of targets unreached or objectives not fulfilled in the previous Corporate Strategy be taken into account and learnt from for the new Corporate Strategy. They also requested that the final version should include detailed targets which could be robustly monitored. Some members of the Committee wished to take part in the detailed consultations.

The Executive Overview and Scrutiny Committees supported the recommendations in the report.

The Culture & Social Policy Committee made the following comments:

- The Housing Objective be amended to read “to improve housing service efficiency and increase provision of affordable housing to meet the housing need of the district”;
- The Culture Objective be amended to read “To ensure the culture provision meets the needs of all sections of the community with increased participation and attendance and provision of facilities”;
- The first priority for Culture be amended to read “To maximise the benefit and involvement by younger people”;
- The Environment objective be amended to included, at the end, “and contribute to combating climate change”; and
- The Development first priority be amend to included, at the end, “and address peak oil”.

The Environment & Economic Policy Committee made the following comments under the Corporate & Strategic Leadership, Environment, Development and Community:

Corporate & Strategic Leadership

- The first priority to be amended to read “To set out and fulfil a clear vision with out partners to improve the wellbeing of the residents and visitors of the district”.

Environment

- The first priority to be amended to read “To maintain a clean, tidy and healthy environment across the district”;
- The third priority to be amended to read “To make our district more sustainable for future generations and to promote measures to combat climate change”.

Development

- The objective be amended to read “To create thriving town centres, keep pleasant villages and make the district and attractive place to live, work and visit.
- The second priority to be amended to read “To exploit opportunities for new business growth where it would satisfy the needs of the district”.
- The third priority to be amended to read “To promote regeneration where needed in our towns and villages and seek a high standard of quality in new developments.

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Community

- The Committee discussed this area of the Corporate Strategy 2007-2011 and felt this it was very well set out.

RESOLVED that

- (1) the draft Corporate Strategy 2007 to 2011 be approved, for consultation with managers, staff, unions, the community and key partners;
- (2) a report be submitted to the Executive on the consultation response to consider alongside the final draft for approval;
- (3) the Council's resource and communications/marketing strategies be updated to dovetail with the new Corporate Strategy when agreed;
- (4) the comments from the Overview and Scrutiny and Policy Committees be noted; and
- (5) the opposition parties be given information on the Corporate Strategy prior to it being presented to the Executive, to allow them sufficient time to comment.

(The Portfolio Holders for this item were Councillors Mrs Bunker, Coker, Doody, Hammon, Kinson, Pratt and White)

266. FINANCE MONITORING 2007/08 (TO 31 MAY 2007)

The Executive considered a report from Finance on the latest financial position of the Council both in terms of Revenue and Capital and to inform them of any forecast budget variations.

The current monitoring system required quarterly reports to be submitted to the Executive. This arrangement complemented the monthly monitoring reports prepared for the Corporate Management Team, and provided the structure within which management control of the Council's budgets was achieved.

The report covered the activities on Revenue and Capital for both General Fund and Housing Revenue Account. It included the effects of the use of the Council's reserves and any known changes to income received for interest on balances.

Both the Audit & Resources and Executive Overview and Scrutiny Committees supported the recommendations in the report.

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RESOLVED that

- (1) the contents of the May financial monitoring report for 2007/08, which indicates a possible overspend of £160,000 by 31/3/08 be noted; and
- (2) the changes to the capital programme and associated funding as detailed in Section 8 of the report and Appendix D to the report, increasing the capital programme by £73,000 in 2007/08, reducing 2008/09 by £69,000 and increasing 2009/10 by £1,000, be approved.

(The Portfolio Holder for this item was Councillor Coker)

267. BUDGET PROCESS AND PROSPECTS

The Executive considered a report from the Strategic Director for Community Resources on the current financial projections for the general fund revenue budget and a process for agreeing the 2008/09 Budget.

The projections detailed in Appendix A to the report included the impact of the 2007-08 budget, they showed a Council Tax increase in 2008/09 of 6.8% unless further action was taken. There were also significant increases in Council Tax in later years if no action was taken. This change from the last set of forecasts primarily resulted from a review of the car parking strategy which would be scrutinised by Audit and Resources at their meeting in September. However in the light of the spending review comments the assumed grant increase from 2009/10 had been reduced to 1.5% from 3.5%. It would be a challenge to bring forward acceptable savings proposals to meet the Council Tax target. Consequently it was proposed that only wholly unavoidable growth was considered as part of the budget process. The detailed report showed what changes to the forward budget were already agreed and included in the summary forecasts, and whether they were permanent or one-off, and also changes planned to reserves.

The capital investment reserve had been forecast to dip below its long-term target level of £2million over the next few years. However, on the assumption of the extension to Covent Garden not going ahead as originally envisaged, this would enable the Capital Investment Reserve to be maintained over £2m based on the current Capital Programme.

Other sources of capital funding were also very limited. If external capital receipts or grants were not forthcoming, maintaining a capital programme (of whatever level) would put increased pressure on the revenue account to fund (by way of increased revenue contributions or prudential borrowing). The Council had practically no new capital receipts coming forward to finance capital expenditure, and very few assets that could generate capital receipts.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation but there was concern with recommendation 1.2 that the level of inflation may not be the most realistic measure to use. It was recommended that the tax charged should take into account potential areas

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for improvement in the council services and also increases should be realistic and appropriate to the public's ability to pay.

The Executive Overview and Scrutiny Committee supported the recommendations in the report but noted that there may be difficulties to overcome in the future. Members also suggested that the Executive might wish to consider making representations to the Government regarding the rise in council tax, as detailed in the Financial Strategy table, at the appropriate time.

RESOLVED that

- (1) in preparing fees and charges the higher of the following should be used - 3% or an increase of up to 10% where our charges are below appropriate comparators;
- (2) CMT and Portfolio Holders bring forward proposals for the 2008-09 budget with a Council Tax increase at the level of inflation. In looking for savings these should be concentrated on areas of expenditure that are relative to other Councils average or above average cost, and areas of consistent net under-spending over previous years; and
- (3) the process outlined in Paragraph 6 of the report, be approved.

(The Portfolio Holder for this item was Councillor Coker)
(Forward Plan reference 11)

268. INTRODUCTION OF LOCAL HOUSING ALLOWANCE

The Executive considered a report from the Head of Revenues and Customer Services on the implications of the new Local Housing Allowance and the governance arrangements to oversee its introduction.

The Welfare Reform Act 2007 had introduced significant changes to Housing Benefit legislation. The first change enabled tenants signing-up for Private Landlord accommodation to be sure of the amount of benefit they would receive prior to occupation. Secondly, payment of benefit must be paid to the tenant rather than direct to the landlord unless the tenant was "vulnerable".

Where tenants were deemed to be vulnerable then payment could be made to the landlord, however, the Council must have a Safeguard Policy which provided guidance about which circumstances made direct payments appropriate.

The Executive Overview and Scrutiny Committees supported the recommendations in the report.

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The Culture & Social Policy Committee suggested that recommendation 1.2 be amended to included, at the end, “on a three monthly basis”.

RESOLVED that

- (1) the Local Housing Allowance Safeguard Policy be approved;
- (2) the Culture and Social Policy Committee be asked to monitor progress on the introduction of the Local Housing Allowance on a quarterly basis;
- (3) the Executive receives an evaluation report in 12 months, following the introduction of the Local Housing Allowance, from the Culture and Social Policy Committee; and
- (4) the Council's estimates be increased by £108,077 to reflect the receipt of grant income from Central Government.

(The Portfolio Holder for this item was Councillor Norman Pratt)
(Forward Plan reference 5)

269. SUPPLEMENTARY PLANNING DOCUMENT ON AFFORDABLE HOUSING AND MIXED COMMUNITIES

The Executive considered a report from Planning and Engineering on the draft Supplementary Planning Document on affordable housing.

This Supplementary Planning Document (SPD) was one of five which was identified in the Council's current Local Development Scheme. Its purpose was to provide further planning guidance for the provision of affordable housing across the District.

SPD's were intended to expand upon policy or provide further details to policies in Development Plan Documents but did not have development plan status. They must be informed by extensive community involvement and sustainability appraisal but were not subject to independent examination. This SPD expanded upon the policies SC1 (securing a greater choice of housing), SC9 (affordable housing) and RAP5 (providing rural affordable housing) in the Revised Deposit Version of the Local Plan which was approved by Council on 16 May 2005. These policies were all supported by the Inspector following last years public inquiry into the Local Plan.

The Executive Overview and Scrutiny Committee commended the report for outlining clear and concise instructions to developers and supported the recommendation.

RESOLVED that the Draft Affordable Housing & Mixed Communities SPD and associated documents be approved as a basis for public participation.

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(The Portfolio Holders for this item were Councillors Doody and Hammon)
(Forward Plan reference 7)

270. WARWICK DISTRICT LOCAL PLAN

The Executive considered a report from Planning and Engineering on the adoption of the Warwick District Local Plan 1996-2011.

The Local Plan was an important document for the Council. It provided the policy framework by which planning decisions were made, and furthermore, provided an opportunity to give a clear statement of the Council's vision for the development of the District. In this respect there were many important links between the Local Plan and other strategies to which the Council was committed, including the Community Plan.

The Local Plan was also important because, when it was adopted, it would have legal status as part of the statutory land-use development plan for Warwick District. For this reason, the Local Plan was required, by law, to go through several stages which include public consultation and independent examination (a public inquiry).

The Executive Overview and Scrutiny Committee supported the recommendation in the report and wished to convey their gratitude to Philip Clarke and the officers involved for their hard work.

RECOMMENDED that

- (1) the Warwick District Local Plan 1996 – 2011 in accordance with the recommendations of the Inquiry Inspector, be adopted; and
- (2) Philip Clarke and his team be thanked for their work.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward Plan reference 9)

271. BRIEF FOR STATION AREA, LEAMINGTON SPA

The Executive considered a report from Planning and Engineering on the brief for Station Area, Leamington Spa.

The area around the railway station in Leamington Spa had been subject to much discussion in recent years, and there had been a number of planning applications affecting this area. These had been on both land to the south and the north of the railway line.

It had long been recognised that this area would benefit from environmental enhancement, but also that it had considerable potential. To this end, the Council had previously commissioned consultants to look at the area. In 1997, the Council worked with consultants to prepare a "Leamington Station Enhancement Study", and in 1999 it prepared a document "Development

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Principles of the Station Area” which was adopted as Supplementary Planning Guidance.

When the Council prepared the First Deposit Version of the Local Plan in late 2003, it drew together this previous work and identified the land as an “opportunity site” within which a range of uses could be supported. It also identified land on the north side of the railway line as an employment allocation. Following subsequent public consultation on the Local Plan, it strengthened this approach by giving support to the creation of a northern pedestrian access to the railway station.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that an approach to Advantage West Midlands (AWM) for funding to carry out further planning work in the wider area around Leamington railway station covering the area of land, as detailed in appendix A to the report, be approved.

(The Portfolio Holder for this item was Councillor Hammon)

272. INVESCO WDC INVESTMENT PORTFOLIO – CHANGE IN LIMITS

The Executive considered a report from Finance on a change of proportion of portfolio which could be held in negotiable securities.

For some time now, in the present climate of rising interest rates, fund managers in general had been struggling to achieve the returns on their clients investment portfolio stipulated in their mandates. This had been the case with Invesco and the £10 million fund that they manage for the Council.

Compared to the results obtained by other Councils employing external fund managers Invesco’s performance had been better than the average over the last three years. However, over the three year period to 31 March 2007, the net (after fees) portfolio had produced a 4.56% rate of return against the stipulated benchmark (Financial Times average 7 day London Inter Bank Bid Rate (compounded)) plus 10% which equated to 5.21%. During 2006/2007, the in house Treasury Management Team achieved a return of 4.92%.

Following a review of the portfolio’s performance and discussions with Sector, our Treasury Management Advisors, who were of the opinion that there was still value to be obtained by employing external fund managers as part of a balanced approach to investment management, it was decided to reduce the portfolio to £5m and take back £5m. This would be managed in house, utilising investment advice provided by Sector. However in order to maintain the portfolio’s ability to maximise its return it was recommended to amend the parameters within which the Invesco portfolio operates with regard to the ability to invest in such instruments as UK Government Gilts and Supranational Bonds.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation. However the Committee were unhappy about the

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performance of Invesco and the Committee asked to see a report on their performance by October. Councillor Rhead asked to see their risk profile before the next Audit and Resources meeting.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) an increase in the current limit of 50% to 100% of the nominal value of the Invesco WDC Investment Portfolio that can be invested in negotiable securities carrying rates of interest for periods of over one year from the date of the investment be approved; and
- (2) a report be submitted to the Executive in 3 months and the situation be monitored by the Audit & Resources Overview and Scrutiny Committee.

(The Portfolio Holder for this item was Councillor Coker)
(Forward Plan reference 10)

273. RISK MANAGEMENT ANNUAL REPORT

The Executive considered a report from Finance on the progress on embedding risk management within the organisation.

The overriding objective for risk management was to embed it within the organisation so that it was a seamless, but fundamental, part of the organisation's processes and not viewed as a separate bureaucratic activity with little value. However, as with all things of this nature, there was no specific picture of what a fully risk-embedded organisation looked like and the goal of embedding risk management was an ongoing process rather than one with a definite ending.

The Audit and Resources Overview and Scrutiny Committee supported the recommendations but questioned whether the scoring system was robust enough to pick up the issues which occurred in Legal to stop this happening again, and the Committee would like to see a different approach to risk mapping and additional testing. Audit and Resources Overview and Scrutiny Committee would like to be part of process for reviewing and identifying audit indicators and assessments and scoring.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) the report be noted;
- (2) the Council's risk strategy, including the action plan for 2006/07, be noted;

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- (3) the progress being made in implementing a risk management framework and actions for 2006/07, be noted;
- (4) the risk register for corporate and strategic risks, be approved; and
- (5) a report on risk management be submitted back to the Executive with details on the scoring system.

(The Portfolio Holder for this item was Councillor Coker)

274. SOUTH WARWICKSHIRE CRIME & DISORDER REDUCTION PARTNERSHIPS - PROPOSED MERGER

The Executive considered a report from the Strategic Director for Environment on the proposed merger of the South Warwickshire Crime and Disorder Reduction Partnerships (CDRP).

All responsible authorities were required to be satisfied with the merger proposal and approval had been given by the Executive in September 2006 to proceed with a case for a merger of the Warwick & Stratford CDRPs, including the formation of a Shadow Board.

The Shadow Board and relevant officer groups had now been working together successfully for the last 9 months and had been able to demonstrate improved partnership working, evidence of which was required to be submitted to the Home Office as part of the application to merge. The Shadow Board had in effect assumed overall responsibility for both CDRPs since that time and would continue to do so until the Home Office approved the merger.

The Executive expressed a preference that the provisions for the chairing of the Board should alternate between the partners and should be extended in respect of the respective Portfolio Holder and any nominee acting on their behalf.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) the merge of the existing Warwick & Stratford Crime and Reduction Partnership be approved and submitted to the Home Office for approval; and
- (2) authority be delegated to the Strategic Director for Environment (as the current Chair of the Warwick District CDRP), in consultation with the Community Issues Portfolio Holder be authorised to sign the

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merger submission documents, including making any non-material alterations.

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

275. ACQUISITION OF REFUSE/RECYCLING CONTAINERS

The Executive considered a report from Finance on the options for financing the acquisition of the new containers that would be required for the new refuse/recycling contract.

The Council was currently tendering for its major Integrated Waste Contract (refuse collection, recycling, street and other cleansing and public convenience cleaning), due to commence in April 2008. The Council was one of a reducing number of Councils who did not issue householders with wheeled bin containers for the storage and collection of residual waste.

Health and Safety guidelines recommended wheeled bin containers for the storage and collection of residual waste, citing a growing number of accidents to operatives through the use and collection of plastic refuse sacks. In addition sacks placed outside properties were vulnerable to attack by vermin, were unhygienic, detracted from the cleanliness of the surrounding environment and since they were not bio-degradable, they remained for many years on landfill sites.

It was envisaged that approximately 56,000 wheelie bins would be needed to serve those households who had facilities for storage of wheeled bins at a cost of around £824,000.

In addition to the wheeled bins, further recycling boxes were needed to ensure all households participated in the recycling scheme. Recycling boxes had been delivered to all households at the introduction of the recycling scheme in 2003 but with the anticipated collection of additional materials including plastic bottles and card, some households may need additional boxes. It was anticipated that approximately 25,000 further boxes were required at around £44,000.

The Council was intending to extend the green waste collection service across the District as a feature of the new Waste Contract and as a consequence, a further 26,000 green wheeled bins would be required, costing around £370,000.

The Council had been successful in securing a Waste Grant from Warwickshire County Council of £238,000 towards the cost of the green waste containers. Taking this into account, the net cost of the additional containers now required, to the District Council, was £1m.

There was around a six month lead time from the date of order of the containers to delivery. To ensure that they were available for delivery to households for the start of the new contract it would be necessary to order them by August 2007 at the very latest.

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It was intended to acquire the containers through the Eastern Shires Purchasing Organisation (ESPO) who had already obtained competitive prices for a wide range of containers through a major procurement process within parameters of the European Procurement Regulations. This would ensure that the Council obtained the containers at a competitive price, and obviates the need for the Council to undertake its own procurement exercise.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation but would not like the orders for the bins to be made prior to the Strategy being approved. When the tenders were to be accepted and the bins were ordered, this should be done in consultation with the Portfolio Holders for Environment and Corporate Strategic Leadership.

The Executive Overview and Scrutiny Committee supported the recommendations in the report, but suggested that the contract be worded to include some flexibility to reduce or increase the total number of bins ordered if necessary.

RESOLVED that

- (1) the 2007/08 Capital Programme be increased by £1,238,000 for the acquisition of refuse /recycling containers. This is to be financed by £238,000 Waste Grant from WCC and £1,000,000 prudential borrowing, or if resources allow when the capital programme is next reassessed, by use of reserves;
- (2) the Chief Executive be authorised to order the refuse/recycling containers before the end of August 2007, in consultation with the Environment and Corporate Strategic Leadership Portfolio Holders following the completion of a strategic review; and
- (3) the Refuse/Recycling revenue budget be decreased by £150,000 from 2008/09, with a corresponding increase in Financing costs to reflect the revenue implications of acquiring the refuse/recycling containers.

(The Portfolio Holder for this item was Councillor Kinson)

276. GENERAL REPORT

(A) RURAL INITIATIVES GRANTS

The Executive considered a report from Finance on applications which had been received for Rural Initiative Grants.

An application had been received from Lapworth Village Hall for a grant to undertake a major refurbishment of the Village Hall kitchen in order to bring it up to modern day standards.

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The Village Hall had requested a grant of £4,354 to fund the balance of the project and therefore officers had recommended that the Executive considered awarding a grant of 50% of the total cost, including VAT, up to a maximum of £4,354.

Hatton Village Hall had made an application for a grant to replace the wooden suspended floor in the George Lyons Room which was a part of the village hall. They had requested a grant of £2,075 to fund the balance of the project and therefore officers had recommended that the Executive considered awarding a grant of 40.3% of the total cost, including VAT, up to a maximum of £2,075.

Baginton Parish Council had made an application for a grant towards the cost of renovating the safety play surface and safety gates/fencing at the Lucy Prior Playground. They had requested a grant of £1100 to fund the balance of the project, therefore officers had recommended that the Executive considered awarding a grant of 50% of the total cost, excluding VAT, up to a maximum of £1,100.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that the following Rural Initiative Grants be awarded:

- (1) Lapworth Village Hall - £4354;
- (2) Hatton Village Hall - £2075; and
- (3) Baginton Parish Council - £1100.

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

(B) STATEMENT OF COMMUNITY INVOLVEMENT

The Executive considered a report from Planning and Engineering on the adoption of the Statement of Community Involvement.

The Government had introduced the changes to the planning system in 2004 with the introduction of the Planning & Compulsory Purchase Act, which stated that one of its key aims was to involve communities in the planning process. This was to be both in terms of consulting on planning applications and in plan-making.

In fulfilment of this aim, one of the provisions of the Act had been to require all local planning authorities to produce a Statement of Community Involvement (SCI). The role of the SCI was to set out the standards to be achieved by the Council in involving the community in the preparation, alteration and review of its local development documents and in considering planning applications.

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Although there was no formal timetable for all authorities to complete their SCI's, the Government Office for the West Midlands had asked that all authorities complete their SCI's by September 2007. Accordingly, in its current Local Development Scheme, which had been approved by the Council in December 2006, the Council had set out its commitment to produce an SCI, to be completed by September 2007.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOVLED that Statement of Community Involvement, be approved.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward Plan reference 16)

(C) CONTRACT FOR CLEANING OF COMMUNAL AREAS OF HOUSING PROPERTIES

The Executive considered a report from Housing on retrospective consent which was sought for the extension of the existing contract from April 2007 to March 2008 to allow for the cleaning contract to be re-tendered under EU procurement rules.

The Council employed contractors to clean the internal communal areas of various blocks of flats. These areas included hallways, lifts, stairways, entrance foyers and refuse container storage areas.

The current contract was let in April 2001 for an initial period of three years and formally reviewed annually.

The new contract was due to be let in April 2007 but had been delayed in order to ensure that the tender process conformed to the revised EU procurement rules and to allow for an examination as to whether efficiencies could be gained by procuring the work jointly with County Council office cleaning contracts.

The differing nature of cleaning communal areas of residential dwellings and office accommodation meant that packaging the work together was unlikely to achieve any efficiencies and may even increase costs. It was therefore necessary to seek a further extension to the existing contract to allow for the necessary tendering exercise.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation in the report.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that extension to the current contract from April 2007 to March 2008 be retrospectively approved.

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(The Portfolio Holder for this item was Councillor Doody)
(Forward Plan reference 21)

(D) INTRODUCTION OF RENT FREE WEEKS

The Executive considered a report from Housing on a proposal to charge rent for council properties over 48 weeks from April 2008, leaving four rent free weeks.

Warwick District Council had historically charged rent for council homes and garages over 52 weeks. Many other local authorities and housing associations charged rent over 48 or 50 weeks and made no charge for the remaining weeks.

Benchmarking evidence demonstrated that where rent was charged for less than 52 weeks, tenants in arrears could be encouraged to continue to pay in the rent free weeks. Rent collected in these weeks could total as much as £60,000, as detailed in appendix 1 to the report. Payments received in rent free weeks could have a significant impact on arrears performance as all payments received were deducted from the arrears balance.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation in the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RECOMMENDED that

- (1) the adoption of a 48 week rent charging year for council tenants, commencing April 2008, with four rent free weeks, be approved;
- (2) the weeks commencing 22 December, 29 December 2008, 23 March and 30 March 2009 be the rent free weeks for the financial year 2008/09; and
- (3) the employment of a temporary Debt Recovery Officer until rent free weeks are introduced, be approved.

(The Portfolio Holder for this item was Councillor Doody)
(Forward Plan reference 22)

(E) PROPOSED CONVERSION OF SHED AREA AT SUSSEX COURT, LYTTLETON ROAD

The Executive considered a report from Housing on a proposal to create a community office facility by conversion of the under-utilised shed area within Sussex Court, Lyttleton Road, Warwick.

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The Community Support Team, a jointly funded District and County Council initiative, had focused a significant amount of its time over the last year working in the Packmores area of Warwick, which currently lacked any form of community facility. The work of the team had been hampered by the lack a base from which to operate and where they could meet the community. Various options had been explored but none had proved viable or satisfactory.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that the conversion of the existing shed area at Sussex Court into self contained office accommodation be approved, subject to any necessary planning or building consents and the confirmation of a commitment of £15,000 from Warwickshire County Council towards the cost of the work.

(The Portfolio Holder for this item was Councillor Doody)
(Forward Plan reference 23)

(F) SCHEME OF DELEGATION AMENDMENT

The Executive considered a report from Members' Services on an amendment to the Scheme of Delegation.

The Licensing Services Manager proposed the amendments so as to update and streamline the Scheme to fit in with current work practices. The amendments were detailed in appendix 1 to the report.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RECOMMENDED that the Scheme of Delegation be amended as detailed in Appendix A to the Minutes.

(The Portfolio Holder for this item was Councillor Kinson)

(G) REFURBISHMENT OF THE SWIMMING POOL CHANGING ROOMS AT ST NICHOLAS PARK LEISURE CENTRE

The Executive considered a report from Property Services on the refurbishment of the swimming pool changing rooms at St Nicholas Park Leisure Centre.

The pool was built in the mid 1980's and the layout of the changing rooms were now in need of upgrading due to usage and also to try and meet the expectations and requirements of customers.

It was estimated that the temporary closure for 6 weeks would result in a net reduction in income of around £20,000. Options to provide alternative changing accommodation would be considered to reduce the closure period and consequently the loss of income when final

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details of the scheme were available. This had not been allowed for within the 2007/08 estimates, but if the pool was temporarily closed, it would be appropriate to allow for this within the estimates. To do this, it was suggested that £20,000 of the Contingency Budget be utilised. The Council had included a sum of £187,000 for a contingency when it set the 2007/08 budget, and a further allocation to the contingency fund was recommended as a result of the favourable revenue out-turn position in the accounts report considered earlier on the agenda for this meeting.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation in the report.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that

- (1) the seeking of tenders to modernise the Changing Room facilities for the Swimming Pool at St Nicholas Park Leisure Centre be approved; and
- (2) £20,000 of the 2007/08 Contingency Budget be allocated to make up for the anticipated shortfall in income resulting from the closure.

(The Portfolio Holders for this item were Councillors Coker and White)
(Forward Plan reference 2)

(H) ART GALLERY & MUSEUM ACQUISITION & DISPOSAL POLICY 2007 – 2012

The Executive considered a report from Leisure and Amenities on a new Acquisition & Disposal Policy for 2007 – 2012 to replace an out of date policy which did not meet the standards required for the Art Gallery & Museum to apply to the new Accreditation Scheme for Museums in the UK.

The format of the new Policy followed that provided by the Museums, Libraries and Archives Council (MLA), the government's lead body for the sector.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that the Leamington Spa Art Gallery & Museum Acquisition & Disposal policy 2007 – 2012, be approved.

(The Portfolio Holder for this item was Councillor White)
(Forward Plan reference 6)

EXECUTIVE MINUTES (Continued)

(I) SCHEME OF DELEGATION – AMENDMENT FOR TREE PRESERVATION ORDERS

The Executive considered a report from Planning and Engineering on an amendment of the Scheme of Delegation to allow for the revocation and variation of Tree Preservation Orders in accordance with the Town Country Planning Act 1990.

The current scheme of delegation in relation to Tree Preservation Orders allowed the creation of new Tree Preservation Orders and if no objections were received, to confirm orders. With the on going review of Orders and the necessity to change or discard old or obsolete orders the delegation of powers to revoke or vary orders was essential.

Tree Preservation Orders needed to be revoked and varied in certain situations to keep in line with government best practice as set out in the Tree Preservation Orders: A Guide to the Law and Good Practice.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RECOMMENDED that the following amendments be approved:

(1) P(10) Trees and Hedgerows

Authority to approve the making of Tree Preservation Orders if no objections are received, to confirm the orders.

Head of Planning and Engineering, Group Leader: Development Control and his Principal Planning Officers

(2) P(10) Trees and Hedgerows

Authority to approve the making varying and revoking of Tree Preservation Orders. In the case of making and varying (where new trees are added to an existing order) and if no objections are received, to confirm the orders.

Head of Planning and Engineering, Group Leader: Development Control and his Principal Planning Officers

(The Portfolio Holder for this item was Councillor Hammon)

277. MINUTES OF THE OVERVIEW AND SCRUTINY AND POLICY COMMITTEES

RESOLVED that the minutes of the meetings of the Audit and Resources and Executive Overview and Scrutiny Committees held on 5 June 2007 and the Environment and Economic and Culture and Social Policy Committees held on 6 June 2007, be noted.

EXECUTIVE MINUTES (Continued)

278. PUBLIC AND PRESS

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

Minute Nos.	Para Nos.	Reason
285	1	Information relating to an individual
285	2	Information which is likely to reveal the identity of an individual
279, 280, 281, 282, 283, 284 & 285	3	Information relating to the financial or business affairs of any particular person (including the authority holding the information)

279. OFFICE CLEANING CONTRACT

The Executive considered a report from Members' Services on the office cleaning contract.

The existing office cleaning contract with ISS Facilities Services (formerly Target Excell plc) had been in existence for many years. With the agreement of the Council, it had been extended to enable a new contract to be let. The buildings included within the contract were Riverside House, the Town Hall, Pageant House, and Wilton House.

Discussions had taken place with the Warwickshire County Cleaning and Caretaking Support Services who undertook all the cleaning of their premises within the county.

The consultant who was assisting with the retendering of the Council's major contracts was also involved in the discussion to ensure that all aspects were examined and that the evaluation of the proposals and costs was thorough.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation in the report.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that a Service Level Agreement be entered into with Warwickshire County Cleaning and Caretaking Support Services for the cleaning of the Council's office accommodation and that, for the reasons given in the report, the provisions of the Code of Financial Practice be waived.

(The Portfolio Holder for this item was Councillor Coker)
(Forward Plan reference 24)

280. RETAIL DEVELOPMENT IN LEAMINGTON – DEVELOPER SELECTION

The Executive considered a report from Planning and Engineering on the analysis of the Wilson Bowden submission for the redevelopment of the Chandos Street site for retail purposes.

In December 2004, the Executive received a report setting out the need to address the future of retailing in Leamington town centre. The report set out the results of studies undertaken by DTZ on the potential for future retailing in Leamington and the need to progress future retailing proposals for it to maintain its position as an attractive, vibrant and successful shopping centre.

Following approval of a three stage general approach by the Executive, progress on the programme commenced, overseen by the working party of members. The programme was configured in accordance with a standard approach towards securing town centre retail development, whereby assessments of submissions made against a range of selection criteria leads towards the appointment of a selected developer who had demonstrated that it was possible to achieve a scheme that met the Council's requirements.

Expression of interest brochures were sent out and interested parties were required to submit a completed pre-qualification questionnaire by mid-June. At the deadline 13 completed submissions from a range of development companies had been received.

A technical assessment of each of these submissions was undertaken by CBRE and officers and as a result of this, eight candidates were recommended for long-listing for the issue of an invitation to submit outline particulars. These were then expected to submit outline proposals by mid-July which would be the subject of interviews with council officers, CBRE and members of the working party.

Following consideration of the information submitted and the interviews, four developers were selected to go through to the next stage.

A full development brief was prepared, setting out in more detail the design and development criteria that the Council would expect to be reflected in a scheme and the details of partnership arrangements and financial submissions. This brief was issued to the short-list of developers in mid-

EXECUTIVE MINUTES (Continued)

August who were then provided with a period until the end of October to prepare and submit their proposals.

At the end of October, full submissions were made by all four developers. These were subject to initial analysis and a detailed presentation session was undertaken on 13 November to allow each developer to present their scheme and for the Council to explore issues necessary to develop a full understanding of each submission. The presentations were made to members of the working party, council officers and their advisors CBRE.

It was concluded that the submission made by Wilson Bowden had the most potential to provide a scheme that would secure a desirable department store and was most likely to provide a layout that would maximise the potential of the site for a new retail scheme for the town. The design analysis undertaken by officers also anticipated that the scheme had the potential to provide an appropriately designed, high quality addition to the town's character, though, as in all of the schemes, there were characteristics of the preliminary designs that would need evolution.

The Executive Overview and Scrutiny Committee supported the recommendations in the report and welcomed the opportunity of improving the retail offering in Leamington Spa.

RESOLVED that

- (1) Wilson Bowden be selected as the Council's prospective development partner for the development of a retail scheme on the Chandos Street site;
- (2) the Council enter into a collaboration agreement with Wilson Bowden to enable a detailed work up of a scheme to proceed and for negotiations to be undertaken on an appropriate Development Agreement;
- (3) a comprehensive public consultation process be undertaken to ensure that community interests have a full opportunity to contribute to the scheme design process;
- (4) the use of Compulsory Purchase Powers where necessary be approved, to achieve site assembly necessary for a scheme to proceed;
- (5) the current risk of the committed £36,500 in excess of the originally agreed budget, subject to entry into a collaboration agreement, be noted;
- (6) the additional financial risk of approximately £101,500 in the event of a subsequent Development Agreement not being concluded be noted; and

EXECUTIVE MINUTES (Continued)

- (7) further reports be submitted to the Executive as progress continues.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward Plan reference 60/06)

281. TENDER FOR ON AND OFF-STREET CASH COLLECTIONS

The Executive considered a report from Leisure and Amenities on the tender for on and off-street cash collections.

The District Council would from 6 August be managing both the on and off-street parking. As a result cash collections from the new on-street pay and display machines needed to be made. These collections would be made alongside the existing off-street cash collections.

The current cash collection contract for the off-street parking machines ran out on 30 September 2007. A new contract to cover cash collections from both the new on-street machines and the existing off-street machines was therefore required. The tender process had been followed with three companies submitting tenders by the required date.

Whilst the tender price submitted by another company was £0.05p per cash pick up cheaper than the cost submitted by CPS, officers concluded that the Council should continue to employ CPS to deliver the contract. The reasons for this decision were set out in paragraphs 5.2 – 5.7 of the report.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that the tender for the cash collection contract be awarded to C.P.S.

(The Portfolio Holder for this item was Councillor Kinson)
(Forward Plan reference 14)

282. ALTHORPE INNOVATION AND ENTERPRISE CENTRE

The Executive considered a report from the Customer Information and Advice Directorate on the Althorpe Innovation and Enterprise Centre.

AWM had approved (earlier this year) the funding of £890K to create an Enterprise Centre in Althorpe Street, Leamington Spa. Planning permission had been granted and AWM was currently awaiting Warwick District Council's response to their proposed contract. However, in the meantime, another regeneration proposal (Leamington Waterside) of a far greater scale had come forward by a private sector partner that would require the site presently planned for the Enterprise Centre.

However, the Waterside scheme was in the very early stages of discussion and required some significant negotiations with existing land owners before it had even the outline possibility of proceeding.

EXECUTIVE MINUTES (Continued)

AWM were aware of the Waterside Scheme and were supportive of it. To resolve this possible conflict there was an option that the Enterprise Centre could be built on part of Court Street car park (owned by the Council) as an alternative thus preserving the Althorpe Street site for potential future development. However, this proposal would have an impact on the number of car parking spaces available within Court Street. The possible alternative site in Court Street had the advantage of linking the Enterprise Centre more directly with the redevelopment of the railway arches.

AWM were aware of the wider proposals now being considered for the site and were willing to consider an alternative site for the Enterprise Centre without requiring a revised grant proposal provided there was no cost implication. Tenders could be sought for both sites so that the Council could demonstrate to AWM that there was no cost implication of relocating the facility. Planning permission for the Court Street site would need to be sought.

The Audit and Resources Overview and Scrutiny Committee supported the recommendation in the report.

The Executive Overview and Scrutiny Committees supported the recommendation in the report.

RESOLVED that

- (1) the siting of the Enterprise Centre on the existing agreed site in Althorpe Street, Leamington Spa, be approved; and
- (2) the Chief Executive be given delegated authority to enter into the agreement with AWM to seek whatever consents, permissions (including planning permission) and authorisations are necessary with partners or agents where appropriate, to implement the scheme on the existing approved site.

(The Portfolio Holders for this item were Councillors Coker and Hammon)

283. CREATIVE ARCHES PROJECT

The Executive considered a report from the Acting Strategic Director for Customer Information and Advice on the revised application for grant aid to AWM and for additional prudential borrowing on WDC's part to create new business space in railway arches facing Court Street car park.

The Executive had previously agreed, supported by a member working group of all parties, to support a scheme to refurbish eight railway arches facing Court Street car park as part of the regeneration of Leamington Old Town. As a consequence, an initial funding bid for capital grant supporting the renovation of eight arches had been submitted to AWM. Subsequently, the opportunity had arisen to acquire the leases for the remaining five arches in

EXECUTIVE MINUTES (Continued)

the project allowing all thirteen to be redeveloped as a single entity under the concept of 'The Creative Arches Centre'. AWM had indicated that they were willing to consider this extended scheme as an improvement to the initial application which included the costs required to acquire the leaseholds on the remaining 5 arches.

The Audit & Resources Overview and Scrutiny Committee supported the recommendation because the project was likely to be advantageous to the regeneration of Old Town, but the Committee had concerns about the viability of the project and the quality of the business plan.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the revised application to Advantage West Midlands (AWM) to secure grant aid for the refurbishment of 13 railway arches facing Court Street car park in Leamington Old Town be approved;
- (2) subject to the grant being approved by AWM, officers be authorised to negotiate the lease of five extra arches, in addition to the existing 8 already held, to complete the scheme to refurbish thirteen railway arches facing Court Street car park Leamington Old Town;
- (3) subject to the grant being approved by AWM, the extension of prudential borrowing (or other appropriate financing to be determined as part of the Council's overall Capital Financing) already agreed of £284,000 up to a maximum of £386,043 and then use £143,500 of revenue grant from AWM to fund the capital programme, be approved;
- (4) the grant from AWM be accepted, subject to the revenue grant being received in totality at the start of the project;
- (5) the Chief Executive be given delegated authority to seek any other necessary consents, permissions (including planning permissions if required) or authorisations necessary to enable the scheme to be implemented; and
- (6) £63,000 of the costs be funded from the Repairs and Renewals Fund over the current (2007/08 - £42,000) and the next financial year (2008/09 - £21,000).

(The Portfolio Holders for this item were Councillors Coker and Hammon)
(Councillor Kinson abstained from voting on this item)

284. SPENCER'S YARD PHASE 2 PROJECT, LEAMINGTON OLD TOWN

The Executive considered a report from the Acting Strategic Director for Customer Information and Advice on the revised application for grant aid to AWM for the Spencer Yard Phase 2 project.

At the Executive in March 2007, it was agreed how the scheme would progress and since that time the scheme had moved on significantly.

The Audit and Resources Overview and Scrutiny Committee supported the recommendations in the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report and, following the recent tour, were very excited by the development of the second phase of the Cultural Quarter.

RESOLVED that the revised application to Advantage West Midlands (AWM) for the Spencer Yard scheme as summarised in Section 6 of the report, and Appendix A to the report, be approved, subject to a successful application on acceptable terms, the Spencer Yard scheme then being deliverable at no further additional capital cost to the Council and the following conditions:

- (1) the purchase of the former Spencer Street Church be agreed as detailed in paragraph 2.2 (1) of the report;
- (2) the agreements between the District Council, Loft Theatre Company and City Spirit Developments involving improvements to the former Spencer Street Church, disposal to The Loft Theatre Company, sale of the Old Dole Office to the preferred developer City Spirit Developments be structured so as to minimise the VAT and Stamp Duty costs as detailed in paragraph 2.2 of the report;
- (3) the Chief Executive, S151 Officer and Monitoring Officer in consultation with the Leader of the Council be delegated to negotiate the required agreements to implement the proposal, taking account of the need to:
 - (a) minimise the risk to the Council in relation to VAT and liability to Stamp Duty;
 - (b) minimise the risk of a cost overrun of works falling to the Council to cover;

EXECUTIVE MINUTES (Continued)

- (c) secure an effective way of delivering business space for start up businesses;
 - (d) minimise the risk of not meeting the projected AWM outcomes and outputs;
 - (e) maximise any other benefits that would aid the regeneration of the area and the local community; and
 - (f) ensure the eventual scheme would be acceptable from a planning perspective.
- (4) the Chief Executive, S151 Officer and Monitoring Officer be given delegated authority to enter into and conclude any such contract and/or seek any such permissions or consents as are necessary to secure and to achieve the submitted and/or accepted AWM bid;
- (5) £100,000 be approved to be funded from the Council's contingency budget to pay for other preparatory work necessary to enable this proposal to be progressed as detailed in paragraph 4.3.9 of the report; and
- (6) the agreed value of the former dole office be used to fund the rental guarantee for the business space over the first two years of operation.

(The Portfolio Holders for this item were Councillors Coker and Hammon)

285. LEGAL SERVICES

The Executive considered a report from the Chief Executive on Legal Services.

The Audit and Resources and Executive Overview and Scrutiny Committees supported the recommendations in the report and confirmed their continuing support for Simon Best and the Legal team.

RESOLVED that

- (1) the report and in particular the progress on the agreed action plan be noted;
- (2) a Working Party consisting of Councillors Coker, Kirton and Pratt investigate and report back on the existing problems and the progress made in overcoming these difficulties and with recommendations as to how this can be avoided in the future; and

EXECUTIVE MINUTES (Continued)

- (3) a report be submitted to the Executive on the Council's approach to assessing the quality and robustness of its basic processes.

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

(The meeting ended at 8.30 pm)

EXECUTIVE MINUTES (Continued)

APPENDIX A MINUTE NUMBER 286

ES (53): Authority to issue licences, permits and registrations in respect of the following:

(i) street trading consents under the Local Government (Miscellaneous Provisions) Act 1982;

(ii) permits for amusements with prizes under the Gaming Act 1968 and the Lotteries and Amusements Act 1976;

(iii) registration of societies under the Lotteries and Amusements Act 1976;

(iv) track betting licences under the Betting, Gaming and Lotteries Act 1963 (as amended);

(v) taxi vehicle licences and private hire operators and vehicle licences under the Town Police Clauses Act 1947 and the Local Government (Miscellaneous Provisions Act) 1976.

Current: Assistant Chief Executive (Members' Services) subject to appropriate consultation and no objections being received. (Where objections are received, applications to be submitted to the Regulatory Committee for determination).

Proposed: Licensing Services Manager or Assistant Chief Executive (Members' Services). In the event of an appeal against the decision, the matter will be referred to the Council's Regulatory Committee.

Reasons: (ii) and (iv) are replaced by the Gambling Act 2005 and are delegated already to officers. The Licensing Services Manager deals with ES (53) on a daily basis and should be included.

ES (54): Authority to grant or refuse applications for private hire or taxi drivers licences under the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976, subject to the applicant having a right of appeal to the Regulatory Committee against any decision to refuse an application.

Current: Assistant Chief Executive (Members' Services), Head of Environmental Health or Divisional Environmental Health Officers.

Proposed: The delegation title changed to: "ES (54): Authority to grant or refuse applications for private hire or taxi drivers licences under the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976"; and the delegated officer to read:

EXECUTIVE MINUTES (Continued)

“Licensing Services Manager or Assistant Chief Executive (Members’ Services). In the event of an appeal against the officer’s decision, the matter will be referred to the Council’s Regulatory Committee”.

Reasons: The Licensing Services Manager deals with ES (54) on a daily basis and should be included. The wording makes the appeal clearer and keeps the format standard. Environmental Health are removed as they play no part in the decision making process.

ES (56): Authority to approve late applications for special street collections.

Current: Assistant Chief Executive (Members' Services), Head of Environmental Health or Divisional Environmental Health Officer in consultation with the Chair and party spokespersons of Regulatory Committee.

Proposed: ES (56) is deleted

Reasons: This system is no longer used (see ES (55))

ES (57): Authority to carry out procedure for gaining access to the Police records of applicants for Hackney Carriage and Private Hire Vehicles Drivers Licences under Section 47 of the Road Traffic Act 1991: Mr C Tubbs be appointed the appropriate Officer to liaise with the Police.

Current: Mr C Tubbs (Mrs M Welding and Mrs M Chilvers - deputies) of Members' Services.

Proposed: Delegation title to read, "ES(57): Authority to ask for and accept Criminal Records Bureau checks for Hackney Carriage and Private Hire Vehicles Drivers Licences under Section 47 of the Road Traffic Act 1991, and for any other licence for which they may be required"; and the delegated officer to read:
“Licensing Services Manager and Technical Support Officers (Licensing)”

Reason: Police records checks have now been substituted for Criminal Records Bureau (CRB) checks. The officers delegated are the ones that have been checked by CRB to be able to carry out this function. Named officers are not a good idea as, in this case, both named officers on the original delegation no longer work in licensing.

ES (58) To approve or refuse, in consultation with the Council for Disabled People Warwickshire, applications in respect of types of wheelchair accessible vehicles to be accepted as taxis in the case of new licences to be issued for Leamington Spa, Warwick

EXECUTIVE MINUTES (Continued)

and Kenilworth subject to the applicant having a right to appeal to the Regulatory Committee against any decision to refuse an application.

Current: Assistant Chief Executive (Members' Services) or Head of Environmental Health.

Proposed: Delegation title to read, "ES(58): To approve or refuse, in consultation with the Council for Disabled People Warwickshire, applications in respect of types of wheelchair accessible vehicles to be accepted as hackney carriages in the case of new licences to be issued in the District."; and the delegated officer to read:

"Licensing Services Manager or Assistant Chief Executive (Members' Services). In the event of an appeal against the officer's decision, the matter will be referred to the Council's Regulatory Committee".

Reasons: The Licensing Services Manager deals with ES (58) on a daily basis and should be included. The wording makes the appeal keeps the format standard. Environmental Health are removed as they play no part in the decision making process.

ES (62): To issue notices under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976

Current: Licensing Enforcement Officer

Proposed: Licensing Services Manager and Licensing Enforcement Officers

Reasons: The Licensing Services Manager is included as it may be necessary for him/her to issue notices in the course of his duties.

ES (63) To refuse applications for taxi and private hire drivers licences in respect of applicants who do not pass the knowledge test and/or the DSA driving test.

Current: Assistant Chief Executive (Members' Services)

Proposed: Licensing Services Manager, Technical Support Officers (Licensing), or Assistant Chief Executive (Members' Services).

Reasons: The other officers added are involved in ES (63) on a daily basis and should be included.

ES (64) To refuse applications for taxi and private hire drivers licences, where the applicants have not attended disability awareness training, and obtained the appropriate certificate

Current: Assistant Chief Executive (Members' Services)

EXECUTIVE MINUTES (Continued)

Proposed: Licensing Services Manager, Technical Support Officers (Licensing), or Assistant Chief Executive (Members' Services). In the event of an appeal against the officer's decision, the matter will be referred to the Council's Regulatory Committee.

Reasons: The other officers added are involved in ES (64) on a daily basis and should be included

ES (65): To approve applications under the Licensing Act 2003 in respect of:

- i) Personal licences if no objection received and premises licence/club premises certificate if no relevant representation made;
- ii) for provisional statement if no relevant representation made;
- iii) To vary premises licence/club premises certificate if no relevant representation made;
- iv) To vary designated premises supervisor in all cases, where no Police objection received;
- v) Request to be removed as designated premises supervisor all cases;
- vi) Transfer premises licence – all cases where no Police objection received;
- vii) For interim authorities, all cases where no Police objection received; and
- viii) Decision on whether a complaint is irrelevant, frivolous, or repeat – all cases (in consultation with Chair of Licensing Committee)

Current: Assistant Chief Executive (Members' Services)

Proposed: Licensing Services Manager or Assistant Chief Executive (Members' Services).

Reason: The Licensing Services Manager deals with ES (65) on a daily basis and should be included.

ES (66) To approve applications under the Gambling Act 2005 in respect of:

- i. Applications for premises licence where no representations have been received or representations have been withdrawn
- ii. Application for a variation to a licence where no representations have been received or representations have been withdrawn
- iii. Application for a transfer of a licence where no representations have been received from the Commission
- iv. Application for a provisional statement where no representations have been received or representations have been withdrawn
- v. Application for a club gaming/club machine permit where no objections have been made or objections have been withdrawn
- vi. Applications for other permits
- vii. Cancellation of licensed premises gaming machine permits
- viii. Consideration of temporary use notice
- ix. Setting of fees

EXECUTIVE MINUTES (Continued)

Current: Assistant Chief Executive (Members' Services)

Proposed: Addition of (x), to read, "to make representations where appropriate, on behalf of the Licensing authority"; and the delegated officer to read:

"Licensing Services Manager or Assistant Chief Executive (Members' Services)".

Reasons: The addition is a delegation that has come to light after the original scheme under this Act was introduced.

The Licensing Services Manager deals with ES (66) on a daily basis and should be included.