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**Council meeting: Wednesday, 23 November 2022**

Notice is hereby given that a meeting of Warwick District Council will be held at the Town Hall, Parade, Royal Leamington Spa, on Wednesday, 23 November 2022 at **6.00pm**.

**Agenda**

**1. Apologies for Absence**

**2. Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct. Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

**3. Minutes**

To confirm the minutes of the meeting of the Council held on 19 October 2022. **(Pages 1 to 11)**

**4. Communications and Announcements**

**5. Petitions**

**6. Notices of Motion**

To consider a Notice of Motion to be proposed by Councillor Rhead and seconded by Councillor Matecki that reads as follows:

*"On the 19 July 2022, Warwickshire County Council, by a slim majority, formally adopted the Local Minerals Plan and within that Plan is the proposed sand and gravel quarry at Wasperton Farm, Barford. Barford's current population is c.2,000. Importantly 124 houses are within 400 metres and Barford's school (educating 250 children) is within 650 metres from the quarry's site.*

*Despite strong concerns amongst the local community about the site being allocated, we acknowledge that the Plan has now been adopted. Whilst expressing our strong concerns about the inclusion of the site in the Minerals Plan, we ask Warwickshire County Council and the prospective site developers*

*involve WDC in pre-application discussions at the earliest opportunity. This will enable WDC to use its controls and influence to ensure potential impacts are properly mitigated to protect local residents and to mitigate other potential harm arising from the development.*

*The motion proposed is:*

*This Council is concerned at the potential impacts of a quarry development at Wasperton Farm close to Barford and calls upon Warwickshire County Council and the prospective site developers to engage with WDC at the earliest opportunity, and certainly before a planning application is submitted) to address the points 1-3 set out below.*

- 1) Noting the particular risks associated with silica particles (PM2.5 and PM10), as well as pollution associated with vehicles movements, we will carefully assess and control the risk to health associated of any air pollution arising from the sand and gravel quarrying. The Environmental Impact Assessment should provide robust data and technical information about this and will be subject to appropriate assessment by the Council's relevant specialist offices along with any mitigation measures.*
- 2) We will ask the highways authority to give careful consideration to the traffic and road safety impacts associated with increased vehicles movements and along with impacts associated with vehicles using the site, such as wheel washing.*
- 3) We note that the proposed development of the site does not align with WDC's Climate Change Action Programme in relation to embodied carbon in construction, vehicle movements and potential impact on biodiversity. We will therefore seek to ensure that*
  - a) Biodiversity net gain is applied to the assessment of the planning application*
  - b) The developer engages with WDC about the potential to use low carbon fuels for the vehicles operating from the site and in particular, that we engage in early discussions about the potential for hydrogen vehicles to operate from the site in association with WDC's hydrogen hub proposals.*
  - c) That any buildings developed on the site take account of the District Council's emerging Net Zero Carbon DPD*
  - d) Other community benefits are explored as part of the development and restoration process."*

## **7. Leader and Portfolio Holders' Statements**

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

## **9. Cabinet Report**

To consider an excerpt from the Cabinet meeting of 3 November 2022

**(Pages 1 to 6)**

## **10. Parish & Town Council Representative**

To receive the recommendation of the Audit & Standards Committee to appoint Parish and Town Council representatives to the Committee.

## 11. Common Seal

To authorise the affixing of the Common Seal of the Council to such deeds and documents as may be required for implementing decisions of the Council arrived at this day.



Chief Executive  
Published Tuesday 15 November 2022

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For enquiries about this meeting please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ

Telephone: 01926 456114  
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# WARWICK DISTRICT COUNCIL

Minutes of the additional meeting of Warwick District Council held at the Town Hall, Parade, Royal Leamington Spa, on Wednesday 19 October 2022, at 6.00pm.

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

## 40. Apologies for Absence

Apologies for absence were received from Councillors Ashford, Cooke, Grainger, Grey, Leigh-Hunt, Morris, Murphy, and Norris.

## 41. Declarations of Interest

There were no declarations of interest made.

## 42. Minutes

The Minutes of the meetings held on 27 July, 7 and 9 September 2022 were taken as read, subject to the addition of recording Councillor Cullinan being present in July and signed by the Chair as a correct record.

## 43. Communications & Announcements

The Chair informed Council that earlier this afternoon she had attended a presentation by the High Sheriff of Warwickshire for a few specific officers who had been key in response to the pandemic. In addition, the High Sheriff had also presented a certificate to Warwick District Council in recognition of great and valuable service to the community for activity and contribution in enhancing the life of the community for the collective effort of the Council during the pandemic.

The Chair reminded Council that it was the Diwali light switch-on on 24 October 2022 at 7.00pm.

## 44. Petition

The Council received a petition of 1145 signatures of which 641 were from Warwick District residents. The petition asked the Council to be pesticide-free by 2025 by taking the following actions:

1. Commit to phasing out all pesticides, (which included herbicides such as glyphosate, fungicides, insecticides and synthetic insecticides) - in all council managed spaces, including but not limited to parks, playgrounds, gardens, verges, pathways, roads, pavements and street infrastructure. Contractors must also use pesticide-free weeding methods.
2. Run trials of non-chemical weed management alternatives over full-year seasonal cycles and create an adapted plan to replace pesticides. There were many viable and cost-effective alternatives which were available and already in use by many other councils across the UK. The

council should evaluate alternatives ready for full-scale adoption by 2025 at the latest. The only acceptable use of toxic weed killers would be to treat illegal and notifiable noxious weeds, e.g., Giant hogweed, but only when these were not responding to treatment by non-toxic alternative methods.

3. Create and run a comms campaign to accompany the pesticide phase-out to help residents to understand the change in management and its benefits to their health and biodiversity. The campaign was to run for at least six months and include: signs, news articles and events.

Sara Lever addressed the Council, as a member of the Public, in support of the petition.

Councillors J Dearing, Boad, Rhead, Roberts, Cullinan, Hales, Day, R Dickson, Barton and B Gifford spoke in response to the petition.

**Resolved** that the Petition, with a report from officers, be passed to Cabinet for consideration.

#### 45. **Notices of Motion**

The Council received a Notice of Motion proposed by Councillor Kohler and seconded by Councillor Kennedy that read as follows:

This Council notes:

- The National Biodiversity Network 2019 State of Nature report, concluded that 1,188 of the 8,431 species assessed in Great Britain were threatened with extinction. The July 2022 statement of the Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services (IPBES) Sustainable Use Assessment provided compelling evidence that humans were overexploiting wild species and habitats and the government's Chief Scientific Advisor made it clear that we needed to change if we were to survive;
- Under the Environment Act of 2021 the Government aimed to clean up the country's air, restore natural habitats, increase biodiversity, reduce waste, and make better use of our resources. The provisions of the act would "halt the decline in species by 2030 and require new developments to improve or create habitats for nature";
- Warwickshire County Council Highways Department had developed a new policy which considered a sustainable County wide approach to verge maintenance and wildflower planting in order to increase biodiversity whilst still ensuring the over-riding importance of road safety was maintained;
- Warwick District Council declared a climate emergency in 2019 and had created an action plan to address the three stated ambitions: to become a net zero council, to reduce the carbon emissions of the district as a whole and to enable our environment and communities to adapt to the coming rise in global temperatures, including an ambitious tree planting programme;
- Warwickshire Wildlife Trust, *which aims to bring wildlife back, and to help people act for nature*, numerous charities and community groups, many gardeners, allotment holders and some local farmers were actively engaged in trying to improve biodiversity across the District.

This Council therefore resolved to declare an Ecological Emergency and develop a new Biodiversity Action Plan to complement the Climate Action Plan and position the Council as the leading organisation to enhance biodiversity in the District. *Following discussions with the Climate Change Programme Advisory Board, a report*

*setting out the process, resources, and funding to develop a detailed Biodiversity Action Plan would be brought to Cabinet in February 2023. The Biodiversity Action Plan would deliver these aims:*

1. To improve biodiversity in the green spaces managed by WDC and its contractors, taking full account of public safety and amenity requirements, including events;
2. To set out options for further reducing the amount of Glyphosate and other toxic chemicals that were used by WDC and its contractors, including at least one option to completely eliminate their use;
3. To ensure that the provisions of the Environment Act 2021 for Biodiversity Net Gain were fully implemented in all developments in the District and that Biodiversity Net Gain be maximised in all developments that WDC had a financial interest in;
4. To ensure that biodiversity ran through the new South Warwickshire Local Plan, for example, by creating green corridors;
5. *Linking in with the Warwickshire Local Biodiversity Action Plan and emerging Nature Recovery Strategy, to work in partnership with other agencies including the County Council, the Environment Agency, Severn Trent and other relevant bodies to improve the biodiversity of areas supported by the natural water systems in the District including the development of natural flood management and drought resistant water courses and bodies of water;*
6. To seek opportunities to invest the Carbon Offset Fund in projects that both sequester carbon and increase biodiversity;
7. To develop a public awareness and education plan for biodiversity in collaboration with WWT, charities and community groups, focussing on what individuals and groups could do in their own local areas.

Councillors Kohler, Rhead, Tangri, Matecki, J Dearing, Davison, Hales, Boad, Illingworth, Skinner, Milton, Day, B Gifford, Russell, and Kennedy addressed the Council on this item

**Resolved** that the Motion be approved and passed to Cabinet with an accompanying report from officers.

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

The Portfolio Holder for Arts & Economy, Councillor Bartlett, informed Council that:

- (1) Officers had submitted a bid for over £2million to the Mend fund for replacement roof at the pump rooms.
- (2) the Open22 art exhibition had started at the Pump Rooms Art Gallery, with over 350 entries;
- (3) the Spa centre had recovered well since pandemic where its 15% up on sales and the Pantomime sales were comparable to 2019.
- (4) The Events Team were now focussing on the festive season starting next week Diwali light switch on which would be followed by events in other towns over the next month. The light switch on events were key part to helping town centres but the Council recognises the costs of the lights being on and would be looking at the hours of operation across the four towns;
- (5) The Future High street fund had started to look at the Town Hall and how to be safeguard it for generations to come.

The Portfolio Holder for Safer Communities, Leisure & Environment, Councillor Falp, explained that in response to the Notion of Motion to the Council on the Cost of Living Crisis officers had undertaken a significant amount of work to detail help for residents which was available via the District Council Website. Council tenants would be sent a copy of this information in the post and other housing associations

had been asked to do the same. Councillor Redford as Parish/Town Council Champion had been asked to share the details with Parish/Town Councils in the District and to engage with them on ways they may be able to further support their local communities.

The Portfolio Holder for Neighbourhood, Councillor Grainger, who had submitted apologies for the meeting had circulated an update via email to all Councillors appended to these minutes.

The Portfolio Holder for Place, Councillor Cooke, had submitted his apologies for the meeting so his update was provided by Councillor Hales. He reminded the Council of the planning appeal decision in respect of the new dwelling at Nova Stables. The enforcement noticed had been quashed on a matter that was not part of deliberation at the hearing around the wording of the enforcement notice. The Council had taken further legal advice and while there was some scope to challenge this decision, it was considered more appropriate to issue a new enforcement notice. This new notice was being drafted by officers in partnership with legal.

The Portfolio Holder for Housing, Councillor Matecki, informed Council that:

- (1) Tim Hands, part of housing development team, had sadly passed away;
- (2) Following an inspection of block of flats by the Private Sector Housing Team, with Warwickshire Fire & Rescue, a prohibition order was served on a landlord due to the issues identified. Due to the nature of the properties, they had to be vacated and the Council successfully provided temporary accommodation to all residents; and
- (3) There would be a proposal to Cabinet before end of the year on additional licensing for HMO properties. This would cover all HMO regardless of size, covering 8 statutory conditions. There was potential for this to include additional conditions including, for example, Anti Social Behaviour. Not only could permit action to be taken against landlords, letting agents and tenants, but could also reward good behaviour.

The Portfolio Holder for Transformation, Councillor Tracey, offered his thanks to the ICT and People & Communications teams for their continued support to rest of Council in delivering services.

The Portfolio Holder for Resources, Councillor Hales,

- (1) reminded Council of the challenging financial circumstances faced by the Council, business, and residents and that while supporting the community the Council needed to recognise the challenges faced by officers and their response to these over the last three years;
- (2) thanked all who had been involved so far in looking at the proposed Fees and Charges for 2023/24;
- (3) reminded Council of the need to look at the options for a balanced the budget, one of these would be around Riverside House which cost the Council circa £700,000 per annum, but a paper would be coming forward that would seek to move out by Spring; and
- (4) reminded Council about the importance of procurement and that it sat at the a heart of everything the Council undertakes. Councillors should be aware of this and should be considering this when discussing matters at Programme Advisory Boards.

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

- (1) the Council was Party to the application of an investment zone centred on Gigafactory where there was outline planning consent. The application was

- on the understanding there would be no diminution of the environmental standards set by this Council. The site was an exciting development to support the response to the Climate Emergency and would also support the car industry within and around the District;
- (2) the Coventry, Warwickshire and Solihull Local Enterprise Partnership would cease by the end of March 2022. The circa £1million assets would be passed to the Growth Hub. This was very successful company helping business to invest in growth;
  - (3) there would be a joint Group from the Audit & Standards and Overview & Scrutiny Committees to look at the Fees and Charges report on 2 November in the evening. The Group would comprise of Councillors Cullinan, Milton, Redford and Syson (volunteered from Overview & Scrutiny Committee) and Councillors Davison, Dickson, King, Margrave and Wright (volunteered from Audit & Standards Committee). It would be a public meeting at the Town Hall and would be broadcast.
  - (4) the revised Portfolio Holder remits and titles were circulated to Council on 6 October 2022,(Appendix 2 to the minutes). The remits of the Programme Advisory Boards (PAB) reflected the areas of responsibility and title of the Portfolio Holders. In line with the July report to Cabinet, the Leader would be contacting each PAB Chair to see how they are progressing in line with agreed expectations of this Council; and
  - (5) Mark Lee had been appointed as the Independent Chair of the Leamington Transformation Board.

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

Councillor Wright asked the Portfolio Holder for Housing if he could provide an update on the Council development at the Waverly Stables site in Cubbington?

In response Councillor Matecki explained that the works had been delayed because asbestos was identified on site. However, the build quality would be similar to those on the triangle off Europa Way with timber frames, air source heat pumps, solar panels, and insulation, providing an EPC A rating.

Councillor Boad asked the Leader to confirm that if the interest in the investment zone was accepted if this would remove the special controls and limitations in place by this Council on the GigaFactory Site?

The Leader explained he had covered this points within his earlier statement, but asked the Chief Executive to provide more details to Council.

The Chief Executive explained that the expression of interest had been submitted by the West Midlands Combined Authority with, as required by the Government, support from both Coventry City Council and Warwick District Council as the Local Planning Authorities for the site. It was understood that a significant number of applications had been made and those selected would move to a second stage. The agreement to support from this Council was on the understanding that the controls in place remained. If the bid was successful and it was a requirement the controls would be removed the Council would be faced with a decision to make on if to continue. The Chief Executive explained he had made it clear that the quickest way to progress the application would be to submit a reserve matters application which would be completed before any planning reform through parliament. Realistically this site did not need planning reform but needed Government funding to make it competitive in an international market.

In response to a supplementary question from Councillor Redford, the Chief Executive explained that the only way he could identify to remove the site from the



Green Belt would be through a review of the Local Plan, unless the Government changed the law.

Councillor K Dickson asked the Leader, in the absence of the Portfolio Holder for Neighbourhood, if the Council could provide a timescale for the delivery of the Abbey Fields Management Plan which was understood to have been delayed again?

In response Councillor Day explained he did not know the answer but would follow this matter up.

Councillor R Dickson asked the Leader, in the absence of Portfolio Holder for Place, if he could provide an update on the process and on the timetable to design and deliver the community facility proposed for the Thickthorn development on the land east of Kenilworth?

In response Councillor Day explained that the new school was opening in September and understood this would include community facilities. There was provision for a new community centre which land had been acquired for by the developer and planning agreements provided for funds to build the centre and staffing costs. No decision had been taken as yet about how the project would be delivered. The centre was only required to be built once there was occupation of 65% of the development. Therefore there may be proposals to be brought to Cabinet to forward fund this development but this was likely to be after the local elections.

Councillor Luckhurst asked the Portfolio Holder for Housing if he could provide an update on homelessness in Warwick District and when William Wallsgrove House would reopen?

In response Councillor Matecki explained that options were being considered for William Wallsgrove House. This was not causing issues for rough sleeping as the Council had a number of measures in place to support individuals who were rough sleeping that were working.

Councillor Davison asked the Leader if the temperature of the Glasshouse in Jephson Gardens could be reduced to reduce not only cost but also the resulting emissions? In addition he asked if more generally could the Council look at initiatives to reduce gas consumption such as not providing hot water, or reducing heating?

Councillor explained this was being reviewed by officers along with more sustainable ways to heat and provide power to the Glass House. The current planting scheme, which had been there since it opened, requires specific temperatures and to reduce these would require replanting which would also provide a significant cost. There would also be the potential impact, from any changes, on the restaurant and its core business of events. More widely officers were looking at simple steps that could be taken to reduce the cost of energy but also the resultant emissions.

In response to a supplementary question from Councillor Kohler, the Leader agreed to ask officers to look at lowering the voltage capacity of buildings because it was a way of reducing costs.

Councillor King asked the Portfolio Holder for Resources, Councillor Hales, to provide details of the challenges faced by the Council and the potential cuts that may have to be made?

In response Councillor Hales explained that the finance of the Council were the most significant risk in in the Significant Business Risk Register. It was very challenging time for this Council with a predicted £3million deficit but if the Council received the same Government funding as last year there was not a problem for next year. However, the wider challenge was the ability to plan and Local Government needed certainty from the Government on funding over a number of year, not one at a time, Therefore, he had written to both MPs to raise this matter and encouraged all Councillors to do the same.

Councillor Quinney asked if the Council could reuse the red boxes being returned by residents to be provided free of charge to residents, who were not provided blue top bins and who want them?

In response Councillor Hales explained that he had spoken with Officers and the Council did offer free red boxes which would be promoted more, and officers were looking at reusing the boxes.

Councillor Day added that extra red bins had been provided to residents thatasked for them, they had been available free and would continue to be free. In addition, the website had been updated to make it clearer.

Councillor Cullinan asked the Portfolio Holder for Housing if in light of inflation and pressure on the resulting on tenants were there any emerging risks to housing with tenants not paying bills?

In response Councillor Matecki explained that the biggest risk to the Housing Revenue Account was Government restricting the Councils ability to make properties energy efficient and maintain them. Homeless cases were increasing but it was unclear if this was the tail end of covid or cost of living. At present it was possibly the tail end of Covid. Rent arrears were reducing and towards pre-pandemic levels. Officers had been asked to ensure that sheltered accommodation tenants paid no more than the Government scheme. In addition, those tenants on universal credit would see rent cost covered by this.

Councillor Jacques asked the Climate Change Portfolio Holder if he could provide an update on the aim for this Council to be at Net Zero Carbon by 2025?

In response Councillor Rhead explained there would be a detailed report coming to Cabinet in December. There had been a number of important changes by the Council in the last 12 months with the current Carbon emissions being calculated. The Council had submitted the NetZero Carbon DPD for inspection, there was work on delivering heat source pump, solar panels, and insulation for Council properties. By the end of the year all Council vehicles would be electric, and the Council had installed over 40 EV charging points in car parks with plans to expand this to village halls. The most important thing for the next year would be the hydrogen hub feasibility study which presented a number of opportunities including decarbonising the refuse collection vehicles.

Councillor Margrave asked the Climate Change Portfolio Holder that following the adoption of the WCC Minerals Plan and the provision within it for the Wasperton Farm Quarry what plans did the Council have to mitigate the impact of any such quarry on residents?

In response Councillor Rhead explained this was a matter in his Ward and close to the village where he lived. He explained he wanted the Council to have a substantial degree of control if an application was submitted for the location. This

could include the NetZero DPD requirements, mitigation for traffic and biodiversity of the quarry. Importantly though the Council should make sure residents were not unduly harmed by the quarry.

#### 48. **Cabinet Report**

The recommendations of the Cabinet on 29 September 2022, in respect of the Quarter 1 Budget Report and Final Accounts were proposed by Councillor Day, seconded by Councillor Hales and

**Resolved** that the recommendations from the Cabinet of 29 September 2022, be approved.

#### 49. **Employment Sub-Committee Report**

It was proposed by the Chair that, following the Employment Sub-Committee, Andrew Rollins be appointed as S151 Officer for the Council. It was duly seconded by Councillor Hales and

**Resolved** that Andrew Rollins be appointed as S151 Officer for the Council.

The Chair asked that the congratulations of the Council to Andrew Rollins, on his appointment, be formally recorded.

#### 50. **Overview & Scrutiny Committee**

The recommendations of the Overview & Scrutiny Committee on 28 September 2022 in respect of Treasury Management, were proposed by Councillor Milton, seconded by Councillor King and

**Resolved** that the recommendations from Overview & Scrutiny Committee of 28 September 2022, be approved.

#### 51. **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 8.12pm)

CHAIR  
23 November 2022

**Portfolio Holder for Neighbourhood  
123+ Joint waste contract update – (August – September 2022)**

Below is a summary of collections for the first 2 months of the new contract. These are joint figures for SDC/WDC, as we have not had individual figures to date.

There are 287,000 collections per week across the two districts, meaning over 2.5 million collections have now taken place.

The main reason for a complaint is a missed collection, figures below.

The total missed collections reported is 13,696 for the same period, giving an overall collection rate of 99.47%

Missed collections broken down by container and are as follows.

	<b>Refuse</b>	<b>Food</b>	<b>Recycling</b>	<b>Garden</b>	<b>TOTAL</b>
<b>August</b>	1427	3652	1760	1208	8047
<b>September</b>	835	1715	856	722	4128

Although the missed collection reports are reducing as the new contract beds in, missed food waste stays high, but weekly reports show an improvement as the crew staffing begin to stabilise. Food waste participation stays consistent.

Biffa are now focussing on reducing missed Assisted collections, there has been an issue whilst crews get used to the new in cab technology and rounds – over the last couple of weeks these have reduced from 173 per week to less than 80 per week.

The SLA target for missed bins are >350 per week and missed assisted >11 per week. On 17<sup>th</sup> November, a meeting with held between WDC/SDC, Biffa and WCC to discuss improving the efficiency of current food waste tipping arrangements at Princes Drive HWRC. Delays in tipping has been a contributing factor to food collection rounds not completing.

In November we will share the first quarter performance against agreed KPIs and tonnages in more detail.



## Membership and roles of the Cabinet 2022/2023

Portfolio Area Name	Portfolio Holder	Service Area(s)	Teams/Projects
Climate Change	Councillor Rhead	Climate Change Dave Barber	<ul style="list-style-type: none"> <li>Climate Emergency Action Plan</li> <li>Trees for our Future programme</li> <li>Net Zero Carbon Development</li> </ul>
Arts & Economy	Councillor Bartlett	Place, Arts and Economy Phil Clarke	<ul style="list-style-type: none"> <li>Economic Development &amp; Regeneration</li> <li>Enterprise</li> <li>Events &amp; Markets</li> <li>Arts &amp; Culture</li> <li>Tourism</li> </ul>
Safer Communities, Leisure & Environment	Councillor Falp	Safer Communities, Leisure & Environment Marianne Rolfe	<ul style="list-style-type: none"> <li>Environmental Health &amp; Licencing</li> <li>Community Safety</li> <li>Emergency Planning</li> <li>Green Spaces</li> <li>Sports &amp; Leisure</li> <li>Play Areas</li> </ul>
		Housing Lisa Barker	<ul style="list-style-type: none"> <li>Community Health &amp; Wellbeing</li> </ul>
Housing	Councillor Matecki	Housing Lisa Barker	<ul style="list-style-type: none"> <li>Housing Needs</li> <li>Landlord Services (less Community Health &amp; Well-being)</li> <li>Housing Strategy and Development</li> <li>Business Development and Change, within Housing</li> <li>Milverton Homes and Joint venture</li> </ul>
		Neighbourhood & Assets Steve Partner	<ul style="list-style-type: none"> <li>Compliance Repairs &amp; Maintenance Facilities</li> <li>Technical Surveying &amp; Contractors</li> <li>Building Surveying</li> <li>Internal Health &amp; Safety</li> </ul>

Neighbourhood	Councillor Grainger	Neighbourhood & Assets Steve Partner	<ul style="list-style-type: none"> <li>• Bereavement Services</li> <li>• Public Conveniences</li> <li>• Off street Car Parking &amp; Rangers</li> <li>• Refuse &amp; Recycling Collections</li> <li>• Street Cleansing,</li> <li>• Grounds Maintenance</li> </ul>
Place	Councillor Cooke	Place, Arts and Economy Phil Clarke	<ul style="list-style-type: none"> <li>• Building Control</li> <li>• Development Management</li> <li>• Planning Enforcement</li> <li>• Planning Policy &amp; Delivery</li> </ul>
Resources	Councillor Hales	Finance Andrew Rollins(Interim)	<ul style="list-style-type: none"> <li>• Accountancy</li> <li>• Audit &amp; Risk</li> <li>• Procurement</li> <li>• Council Tax &amp; Business Rates</li> </ul>
Transformation	Councillor Tracey	Customer & Digital Services David Elkington	<ul style="list-style-type: none"> <li>• Helpdesk</li> <li>• Applications Support</li> <li>• Infrastructure</li> <li>• GIS</li> <li>• Transformation</li> <li>• Benefits &amp; Customer Services</li> <li>• Broadband delivery</li> </ul>
		People & Communications Tracy Dolphin	<ul style="list-style-type: none"> <li>• People</li> <li>• Learning &amp; Development</li> <li>• Marketing &amp; Communications</li> </ul>
Strategic Leadership	Councillor Day	Chief Executive (Chris Elliott) and Deputy Chief Executive (Andrew Jones)	<ul style="list-style-type: none"> <li>• Corporate Policy</li> <li>• Strategic Partnerships</li> <li>• Governance</li> <li>• Democracy</li> <li>• Leisure Development Programme</li> <li>• Programme Team - Development &amp; Delivery of Major public realm projects</li> <li>• Commonwealth Games</li> </ul>

# Cabinet

Excerpt of the Minutes of the meeting held on Thursday 3 November 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillors Day (Leader), Bartlett, Cooke, Falp, Grainger, Hales, Matecki, Rhead, and Tracey.

**Also Present:** Councillors: Boad (Liberal Democrat Group Observer), Davison (Green Group Observer), Mangat (Labour Group Observer), and Milton (Chair of Overview & Scrutiny Committee).

## 51. **Declarations of Interest**

There were no declarations of interest made.

### **Part 1**

(Items upon which a decision by the Council was required)

## 53. **Fees and Charges 2023/24**

The Cabinet considered a report from Finance which detailed the proposals for discretionary Fees and Charges in respect of the 2023 calendar year. It also showed the latest Fees and Charges 2022/23 income budgets, initial 2023/24 budgets and the actual out-turn for 2021/22.

The recommendations would enable the Council to continue to offer and deliver services while reducing and eliminating deficits on specific service provisions, supporting the overall financial position of the Council going forward.

The Council was required to update its Fees and Charges in order that the impact of any changes could be fed into the setting of the budget for 2023/24. Discretionary Fees and Charges for the forthcoming calendar year had to be approved by Council.

In accordance with the Financial Strategy and Code of Financial Practice, it was appropriate to consider certain other factors when deciding what the Council's Fees and Charges should be:

- The impact of the Fees and Charges levels on the Council's Business Plan.
- The level of prices the market could bear including comparisons with neighbouring and other local authorities.
- The level of prices to be sufficient to recover the cost of the service and the impact on Council finances, where this was not the case.
- The impact of prices on level of usage.
- The impact on the Council's future financial projections.
- Ensuring that fees, in particular those relating to licensing, reflected the current legislation. The regulatory manager had to ensure that the fees charged should only reflect the amount of officer time and associated costs needed to administer them.

- Whether a service was subject to competition from the private sector, such as Building Control. This service had to ensure that charges set remained competitive within the market.
- Income generated from services including Building Control, land charges and licensing was excluded from the Medium Term Financial Strategy and was managed through ring-fenced accounts, due to the legislation and criteria under which they operated.
- Management of the Council's Leisure Centres was by Everyone Active. The contract definition stated that 'The Contractor shall review the core products and prices in September of each year and submit any proposed changes to the Authority for approval (the "Fees and Charges Report")'. Appendix C to the report outlined the core fees.

Managers had been challenged on ensuring income maximisation and cost recovery where appropriate, and had provided commentary on the rationale behind some of the charges highlighted below.

Within the savings proposals agreed by Council in December 2020, a target of 15% was agreed in respect of additional income generated from discretionary fees and charges. Consequently, Budget Managers had been tasked with seeking to achieve this increase, with the exception for some fees and charges, where legislation and other factors might have made it unviable. These had been set in accordance with such legislation and service knowledge provided by the managers. This was intended to make a contribution towards the savings that the Council needed to make in its overall Financial Strategy.

As a result, the fees and charges outlined in Appendix A to the report presented an overall forecast increase in General Fund income of £2,300,500, or 33.29%. Amounts totalling £1,798,000 had already been factored into the MTFS. This included the increase in forecast income from green waste permits as outlined in the Q1 Budget Review Report approved by Members in September. The additional income to be incorporated into the Medium Term Financial Strategy totalled £502,500. This excluded the additional income from certain ring-fenced charges (Building Control, Licensing and Land Charges).

Appendix A to the report also outlined an increase in income within the Housing Revenue Account of £18,000, or 3.2%. This would be factored into the HRA budgets and Business Plan.

The revenue effects of the proposed Fees and Charges were summarised in the following table (ring fenced accounts had been removed):

(Please note this table would be updated through the draft process to reflect the new organisational structure).



<b>General Fund Services</b>	<b>Actual 2021/22 £ '000</b>	<b>Original Budget 2022/23 £ '000</b>	<b>Forecast 2022/23 £ '000</b>	<b>Forecast 2023/24 £ '000</b>	<b>Change Original 2022/23 - 2023/24 %</b>
Community, Environment & Leisure Services	78	102	86	121	
Customer & Digital Services	40	45	45	55	
Housing – GF	63	28	29	30	
Neighbourhood & Assets	5,510	6,171	7,293	8,381	
Place, Arts & Economy	471	565	568	625	
<b>Total General Fund Services</b>	<b>6,161</b>	<b>6,912</b>	<b>8,021</b>	<b>9,212</b>	<b>33.29%</b>
<b>Housing Revenue Account</b>	<b>560</b>	<b>557</b>	<b>557</b>	<b>575</b>	<b>3.23%</b>

A breakdown of the key drivers of the 2022/23 Fees and Charges was provided in Appendix B to the report.

Increased income from Fees and Charges would seek to ensure where possible the costs of the provision of respective services were covered. Any increases would reduce the ongoing savings target within the Financial Strategy.

The current forecasts for 2022/23 and 2023/24 would be reviewed within both the Base Budget Report (December) and Budget setting Report (February 2023). Managers would also continue to review their projections on a monthly basis.

In terms of alternative options, one was to leave all fees and charges at 2022 levels or increase at a reduced level. This would increase the savings to be found over the next five years unless additional activity could be generated to offset this.

Another option was to increase at a level higher than proposed in the report. Excessive increases could deter usage where the take up was discretionary. Customers might choose to use the service less frequently or use an alternative supplier where one was available.

Both of the above were not realistic options given the increased cost of delivering some services, the current position of the Financial Strategy, and the level of savings required.

An addendum circulated prior to the meeting advised of the following amendments to the report:

‘To remove the following from Appendix B, Section 6.2.6 ‘Free parking for electric vehicles in council car parks can be obtained through a season pass’.

The free EV parking trial permit was withdrawn earlier this year. Usage information was not possible to track, it was a trial and with nearly 1,000 permits subscribed, clearly indicating it was popular as free parking was allowed in all car parks. The scheme was for 12 months from August 2020 but extended to the end of April 2022.

To amend and replace the proposed car park charges in Appendix A with the following single charge:

Car parks: Station Approach, Bath Place, Court Street and Packington Place:

Proposed charge: £3 all day from 2<sup>nd</sup> January 2023”.

The fees and charges review meeting:

1. Thanked officers for their work on the report and responses to the volume of questions that came through.
2. Recognised that the Council was dependent on the professional judgement of Officers and Portfolio Holders on Fees & Charges and that there was no perfect solution.
3. Recognised the potential financial challenges faced by the community over the next 12 months and it was keen that services remained accessible to them.
4. Recognised the overall financial challenge for the Council and this was one of three strands of the budget, the others being the government and Council Tax setting.
5. Recognised the challenges faced with elasticity of demand in that if fees were reduced in one area it may (or may not) result in increased demand that equated to extra income (above that anticipated from the proposed higher fee) from increased usage.
6. Asked that Officers looked at opportunities to reduce the impact of the increases in sports facilities by keeping any increase below 15% to increase demand, especially being mindful of the legacy of the Commonwealth Games.
7. Asked Officers and Portfolio Holders to look for additional sources of income around potential sponsorship of works or assets or their maintenance.

The Leader stated that the Council had declared a Climate Emergency, and there work had been done to bring policies in alignment to that overall strategic objective. One of the proposals if he was still in the next Council, was to enable carbon-based parking charges to provide discounts to those that contributed less carbon and air pollution to the area. The Council was also going to be called upon to invest in improving facilities that enabled people to cycle in and park their bikes. Finally, the business model needed to work because the Council could not end up in the same place where

there were car parks that could not be replaced because there was a lack of sufficient income to put into reserves to maintain them, specifically Covent Garden and Linen Street car parks. The legacy of not charging the right amount for parking was the inability to have the capital to invest in those car parks.

Councillor Hales thanked the Resources Programme Advisory Board (PAB), and the Leadership Co-ordinating Group for their support, and highlighted the benefit of cross party working. In response to a question from Councillor Davison regarding promoting Electric Vehicles, he had been speaking to officers and this was something that would go through the PABs. He proposed an additional recommendation that there should be free car parking across all WDC car parks for every Sunday in December 2022. This was with a view to supporting businesses within the Town Centres in Warwick District by encouraging people into the Town Centres. When this would come to Council, it would include:

- (a) Details of the anticipated loss of income over this period as a result
- (b) Detail of any proposal to fill that funding gap within the Council.
- (c) If a reserve is used to fund the gap this would create, the Council should also be provided detail of the risk associated with using that reserve (i.e. how it would be replenished, what chance there was to need that funding before it being replenished and the constraints imposed on that reserve).
- (d) Details of any monitoring that would be put in place to look at usage of the scheme.

Councillor Hales also proposed to open Riverside House Car Park to the public at weekends (without charge) in December 2022 to help increase capacity in the Town over this busy period and encourage more people to shop in Royal Leamington Spa Town Centre.

Councillor Hales proposed the report as laid out, subject to the addendum and along with the additional recommendations above.

**Recommended** to Council that

- (1) the Fees and Charges proposals set out in Appendix A, to operate from 2nd January 2023 unless stated otherwise, be approved;
  - (2) provided the changes proposed by Everyone Active to the core products and prices from January 2023 are within the September RPI, the Heads of Community, Environment & Leisure Services and Finance, in consultation with the relevant Portfolio Holders (Councillors Bartlett and Hales), can accept the changes; and
  - (3) there is free car parking across all WDC car parks for every Sunday in December 2022. This is with a view to support businesses within the Town Centres in Warwick District by
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encouraging people into the Town Centres.  
When this comes to Council it will include:

- (a) details of the anticipated loss of income over this period as a result;
- (b) detail of any proposal to fill that funding gap within the Council;
- (c) if a reserve is used to fund the gap this creates, the Council should also be provided detail of the risk associated with using that reserve (i.e. how will it be replenished, what chance there was to need that funding before it being replenished and the constraints imposed on that reserve); and
- (d) details of any monitoring that will be put in place to look at usage of the scheme.

**Resolved** that Riverside House Car Park be open to the public at weekends (without charge) in December 2022 to help increase capacity in the Town over this busy period and encourage more people to shop in Royal Leamington Spa Town Centre.

(The Portfolio Holders for this item was Councillor Hales)  
Forward Plan Reference 1,311.