

# Executive

Minutes of the meeting held on Thursday 5 April 2018 at the Town Hall, Royal Leamington Spa, at 6.00 pm.

**Present:** Councillor Mobbs (Leader); Councillors Butler, Coker, Grainger, Phillips, Rhead, Thompson and Whiting.

**Also present:** Councillors; Boad (Liberal Democrat Observer); Mrs Falp (Chairman of Overview & Scrutiny Committee); and Councillor Quinney (on behalf of Finance & Audit Scrutiny Committee and as Labour Group Observer).

## 145. **Declarations of Interest**

Minute 154 - New Village Hall at Norton Lindsey

Councillor Rhead informed the Executive this was in his Ward and had helped bring the project to the attention of the Council.

## 146. **Minutes**

The minutes of the meetings on 7 February and 7 March 2018 were not available and would be submitted to a future meeting.

### **Part 1**

(Items on which a decision by Council on 18 April 2018 was required)

## 147. **Information Governance Framework**

The Executive considered a report from Democratic Services that brought forward an Information Governance Framework for Warwick District Council, revised relevant policies and a proposed action plan for the year ahead.

From 25 May 2018 the UK would be subject to the General Data Protection Regulation from the EU. These would replace the current Data Protection Act 1998 and would be supplemented (and in due course) replaced by the Data Protection Act 2018. This act would define the approach by the UK in respect of the requirements of the EU Data Protection Directive, known as the Law Enforcement Directive.

The Council would be required to abide by the regulations because of its need to handle personal data in order to carry out its functions as a local authority.

Under the regulations, the Council must appoint a Data Protection Officer. The Council had completed this duty via a shared Information Governance Manager with Stratford District Council as part of a two year agreement.

There was a delay in completing the agreement for the above post and because of the technical knowledge the above post would need and oversight role it provided a large proportion of the work to bring forward the attached framework was delayed until they were in post.

The proposed Information Governance Framework provided the overall structure for Information Governance within the Council and established who would be responsible for the approval of relevant policies and training.

The Framework and associated policies were based on good practice from other authorities and shared knowledge through partnership but also reflected the requirements placed on the Council by the new regulations.

The Information Security & Conduct Policy had not been brought to the Executive as this Policy was one that had been approved, by Employment Committee on 21 March 2018.

The priorities for the forthcoming year in respect of Information Governance focused on further training for Officers and Councillors but also further developing the sub-policies within the Framework and importantly the Data Quality Strategy. This was to ensure the Council's commitment to robust information governance practices were firmly embedded within the Council.

The proposed amendments to the scheme of delegation were proposed to reflect the changes in statute and regulation to enable current working practices to continue.

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

**Recommended** that to Council that:

- (1) the scheme of Delegation G(13) be amended to read as follows: Make decisions under the provisions of the DPA 1998, GDPR and DPA 2018; and
- (2) the Constitution be amended so that it recognises the Council has appointed an Information Governance Manager to act as Data Protection Officer for the Council.

**Resolved** that the

- (1) Warwick District Council, Information Governance Framework, as set out at Appendix 1 to the report, be approved;

- (2) policies below as set out in the appendices 2 to 5 of the report, be approved:
  - (a) Data Confidentiality & Privacy
  - (b) Access to Information and Rights
  - (c) Incident Management
  - (d) Records Management Policy
  
- (3) the priorities for Information Governance for the year 2018/19 be; (1) training and awareness of Information Governance with staff and Councillors; (2) Delivering a Data Quality Policy; (3) embedding protective marking of documents; and (4) a review of data retention schedules with Service Areas.

(Portfolio Holder for this item Councillor Mobbs)

## **Part 2**

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

### **148. Consideration of a Warwick District Council Hackney Carriage Vehicle (HCV) Limitation Policy**

The Executive considered a report from Health & Community Protection that asked it to consider the Council's current policy in relation to Hackney Carriage Vehicle licences and decide if WDC should continue not to restrict the number of HCV or if it should, in principle, introduce a quantity standard.

Representations had been received from the trade that there were too many hackney carriage vehicles (HCV) in the District and the hackney carriage (HC) trade requested a cap on the number of licences issued by Warwick District Council (WDC).

In April 2017 the Competition and Markets Authority (CMA) issued guidance to local authorities that concluded restricting HCV numbers harmed consumer choice. Furthermore, CMA released guidance that advised quantity restrictions could cause harm to passengers through reduced availability, increased waiting times, and reduced scope for downward competitive pressure on fares. In addition it could increase the risk to passenger safety if a restriction encouraged the use of illegal, unlicensed drivers and vehicles.

In areas where limits were imposed, vehicle licence plates often commanded a premium. Advice from legal was if a limit was set, the value of licensed vehicles could become inflated and there were no obvious legal interventions that could be put in place to prevent this.

In order to justify a restriction the licensing authority would need to be able to demonstrate there was no unmet demand. This issue was normally addressed by means of a survey. An interval of three years was commonly regarded as the maximum reasonable period between surveys. This Council

undertook a survey via CTS Traffic & Information with a recommendation that a cap was brought in.

There had been a significant change of circumstance in the overall taxi and private hire market since the CTS survey was commissioned.

Over the past two years there had been a natural downturn in the number of HCV and drivers licensed by WDC. If this trend was to continue a restriction would have little effect.

The number of private hire vehicles (PHV) coming into the District had increased considerably. For example private hire drivers legitimately working for companies such as Uber. WDC controls on vehicles and drivers licensed by other authorities were limited.

The demand from the traveling public for app-based public transport solutions was most likely to increase over the coming years.

A restriction on the number of HCVs was not necessarily going to benefit the HC trade. It was possible a limit could cause additional financial strain on them. This was because the costs associated with running and maintaining a limitation policy, including the commissioning and project management of surveys every three years should not be borne by the general tax payer and would need to be recovered from the trade via licence fees.

Setting a limit could mean there was an increase in litigation as the number of appeals could increase, the local authority would be open to a Judicial Review. Regardless WDC would be required to process applications and if refused on the grounds of a limitation or restriction policy the applicant retained the legal right to appeal the decision.

The CTS Survey recommended a limit at a fixed level (and determine what that level should be and any other fleet development proposals). The thought of developing the fleet, if a limit was returned, was based on the theory that the trade would benefit from the introduction of a limit and that there should be some return to the Council and the people using hackney carriages in the area.

Fleet development was a tempting factor, however under existing market conditions and external pressures on the trade any benefit to the trade was questionable.

The Authority could attempt to restrict the number of vehicles in a hackney carriage fleet by using quality controls. For example, controls on age or types of vehicles used, which could provide a similar effect to increasing the cost of entry to the hackney carriage vehicle market. Other quality controls adopted by other local authorities included mileage limitations on vehicles, restrictions to where proprietors lived and exhaust emissions.

At the present time, the quality controls applied to a new hackney carriage licence application were that it must be a brand new vehicle with side loading wheelchair accessibility. If a licensed vehicle was being replaced, the

replacement vehicle must be newer than the vehicle that it replaced but no older than five years. If the vehicle being replaced was wheelchair accessible, then the replacement vehicle must be wheelchair accessible

**Resolved** that there is no change to existing policy and therefore not to implement a limit or restriction.

(The Portfolio Holder for this item was Councillor Thompson)  
Forward Plan reference 851

149. **Service Area Plans for 2018/19 & Annual Performance Reports for 2017/18**

The Executive considered a report from the Deputy Chief Executive (AJ) that sought approval of the Council's Service Area Plans for 2018/19; reported performance against Service Area Plans (SAP) for 2017/18; and updated them on officers' approach to performance management.

The Council had seven Service Areas - Chief Executive's Office; Cultural Services; Development Services; Finance; Health & Community Protection; Housing Services; and Neighbourhood Services - each of which, following consultation with the respective Portfolio Holders, produced an annual SAP. The SAP comprised of five parts: Purpose of the Services Provided; Managing Service Delivery; Managing and Improving People; Budget (Main budgetary pressures and changes); and Managing Planned Changes, Major Work-streams and Projects.

The individual plans sought to describe a Service Area's scope of services and projects, and how delivery would be managed through the respective Service Area's resources. In aggregate the SAP's were the programme of work for the Council for the financial year in question.

Following Executive's agreement of the SAP's each year, Service Heads used them as a tool to manage performance. They were used as the catalyst of discussion between individual Portfolio Holders and Service Heads, as well as giving Overview & Scrutiny Committee (O&S) the opportunity to question the Portfolio Holders on their performance against their respective Plans on a rolling basis. At Appendices H to O an annual performance report was provided for each of the Service Areas.

Historically the Council had used a very comprehensive performance management framework to manage and report upon service delivery. Following the change of Government in 2010, Councils were encouraged to take a more streamlined approach. This Council embraced the new attitude dispensing with a target-based approach to performance and instead using *measures* (not aiming for a specific output but seeking continuous improvement) to understand and manage performance.

In tandem with this new approach the practice of presenting Councillors with a myriad of performance figures ended and instead, Heads of Service were encouraged to use narrative performance reports to describe to Councillors how their respective Service Areas were performing. It was officers' view

that this had been successful in helping Councillors get a good understanding of how a Service was performing without getting bogged-down with why a particular target had not been achieved.

As reported to Executive in April 2017, it was senior officers' view that to enable service issues to be addressed more readily than performance information needed to be available in a more timely fashion and that extra resource was necessary to gather and interpret this information. Following preliminary discussions with Warwickshire County Council it was envisaged that their automated approach to performance reporting could be replicated at this Council. A project therefore commenced involving both Councils' ICT teams.

As this Council's ICT team started to understand the County's approach it became clear that it would be possible to deliver a solution in-house via the use of Microsoft's Sharepoint product. Working with Neighbourhood Services Service Area, a performance reporting model had been developed that had been endorsed by the Council's Senior Management Team which would now be rolled-out on a Service Area-by-Service Area basis over the next 12 months. As the programme rolled out, Councillors would be advised how they could access the performance information. This approach had enabled the funding that was provided for the initiative totalling £60,000 to be returned to the Service Transformation Reserve (STR).

No alternative options to the recommendations in this report had been considered

The Finance & Audit Scrutiny Committee reviewed the annual reports by Health & Community Protection (alongside the contracts register) and

- suggested positioning the end of year summary as the first paper in the report;
- welcomed the performance measures summary of KPI's.
- invited other service areas to include a similar analysis in the future (as the rolling annual reviews got under way) – perhaps using slide presentation
- suggested further work to see if the future plans report can be condensed

The Executive noted the comments from the Scrutiny Committee, welcomed its input and the approach it would be taking in monitoring these plans.

**Resolved that**

- (1) the Service Area Plans set out appendices A-G of the report, be approved as the Council's programme of work for the financial year 2018/19;
- (2) the respective Service Area's Annual Performance Reports at Appendices H to O; be noted; and

- (3) the position in respect of performance monitoring and reporting; be noted.

(The Portfolio Holders for this item were Councillors Butler, Coker, Grainger, Mobbs, Phillips, Rhead, Thompson and Whiting)  
Forward Plan reference number 922

**150. Corporate Property Repair and Planned & Preventative Maintenance Programme 2018/19**

The Executive considered a report from Deputy Chief Executive (BH) that proposed a budget provision of £1,668,800 was made available in 2018/19 to continue the Council's investment in its corporate property assets.

To ensure that the Council was spending the budget effectively the report provided the rationale for the proposed allocation of works against the budget.

The overall budget allocation for the Council's Corporate Property Responsive Repair & Cyclical Maintenance Programme and its Planned & Preventative Maintenance (PPM) Programme, informed by stock condition data, enabled the Council to proactively maintain all existing corporate assets (i.e. all assets owned by the Council other than its Housing Revenue Account homes, shops, garages and land) in a sound condition unless or until any future decisions were made in respect of individual assets through a future Corporate Asset Strategy, as was currently being worked on.

The proposed budget allocation for 2018/19 was based on a review of historic responsive and cyclical repair data and a review of the current PPM data by officers within the Assets Team, in consultation with building managers from other service areas which held or operated specific assets.

The recurring base budget for Corporate Property Repair and PPM works was set at £1,073,800 for 2018/19 in the February 2018 budget setting report. Evaluation of the PPM data had identified that this year's programme could be accommodated within the agreed budget, without the need to release funds from the Corporate Asset Reserve.

The slippage of PPM works from 2017/18 PPM were the result of several factors, including unexpected staffing absences within the Assets Team during the last financial year, which delayed the commissioning and completion of a number of programmed works. The slipped works programme had been reviewed following the appointment of new interim managers within the Building Surveying and Asset Management teams, and any works deemed unnecessary omitted from the slipped works programme.

The PPM Programme was expected to require significant works to be completed in the subsequent three year period up to and including 2021/22 and to support this level of work £1,291,700 would be required from the Corporate Assets Reserve, as per the breakdown provided in Table 2. Without the use of the Corporate Assets Reserve, the programme would be

unable to be maintained, resulting in the maintenance of the Corporate Stock potentially falling behind schedule.

If the recommendations were approved the works would be procured in accordance with the Council's Code of Procurement Practice, with advice and input provided by the Procurement Team as appropriate.

The cost of the proposed programme was estimated at this stage based on the stock condition surveys undertaken to date. The allocations for each specific element of the programme, as set out in the appendices to the report, were therefore indicative only. Past experience was that these allocations were liable to change as the works were procured and/or progress on-site. In previous years it had been found that, rather than attempt to address this volatility by building a contingency into the budget, a more effective and flexible means of managing the programme was through the use of the delegated authority. This allowed for the programme to be managed within the overall budget allocation for the year and, in addition to allowing changes to the indicative allowances to be managed, provided the flexibility needed to ensure that as service priorities evolved or new opportunities emerged during the course of the financial year the programme could be re-profiled to ensure that the Council achieved the maximum value for money from its investment in its corporate assets.

The Corporate Property Repair and Planned Maintenance Programmes could be reduced to a level that only supported necessary responsive repair works. However, it was considered that this approach would risk reducing the performance of the assets with the lack of a managed approach preventing underlying degradation of the building fabric to be proactively addressed. This would store up longer-term, potentially more costly maintenance liabilities that would need to be addressed in future budget setting.

Executive could choose to recommend that only work covered by the recurring base budget should be undertaken, and to not take the additional money from the Corporate Asset Reserve to cover the full 2017/18 programme. However, officers consider that it would be prudent to fully fund the 2017/18 programme as this will ensure that the Council was undertaking preventative maintenance efficiently and that would reduce the risk of diminished building operational performance by making use of available budget within the Corporate Asset Reserve.

The Finance & Audit Scrutiny Committee noted the report but

- expressed concern at the scale and persistence of 'slippage' in completing planned works – in particular the £180k slipped over two years;
- as an example raised concern with regard to the Abbey Barn roof which had been slipped for two years as a specific issue with possible safety and cumulative cost implications which should be looked at further
- understood the need however to retain flexibility in setting and reacting to priorities in-year; and
- welcomed the expectation that resource issues were being resolved and slippage would be reduced over the coming 12 months



The Executive was mindful of extra work being undertaken as a result of Grenfell Tower, noted the comments from Scrutiny and envisaged a much better position next year.

**Resolved** that

- (1) a budget allocation of £1,668,800 for the 2018/19 Corporate Property Repair and Planned & Preventative Maintenance (PPM) Programmes, as set out in Table 1 in Section 5 of this report, be approved, to fund the list of proposed works set out at Appendices One and Two;
- (2) the 2018/19 budget includes £553,000 for works previously included within the 2017/18 budget but which have been subject to slippage for the reasons set out in the report;
- (3) there is no requirement to draw down any funding from the Corporate Asset Reserve for 2018/19 but that the release of up to £1,291,700 from this reserve will be required to support the PPM programme up to 2021/22, as set out in paragraph 5.5, be noted;
- (4) the Assets Manager, in consultation with the Deputy Chief Executive (BH) and the Procurement Manager, is authorised to procure the works as per the Code of Procurement Practice;
- (5) authority be delegated to the Deputy Chief Executive (BH) and the Head of Finance, in consultation with the Finance Portfolio Holder and the Leader of the Council, to approve any amendments to the proposed programme of works listed at Appendix One or Appendix Two and/or revisions to the amount of budget allocated for specific schemes, provided these can be accommodated within the overall budget of £1,668,800

(The Portfolio Holder for this item was Councillor Phillips)  
Forward Plan reference number 926

**151. Community Infrastructure Levy (CIL) Revised Regulation 123 List for 2018/19**

The Executive considered a report from Development Services that set out the proposed CIL Regulation 123 list for 2018/19 as the basis for focusing the distribution of CIL receipts collected during the year.

In preparing the proposals for the Reg. 123 List, officers had consulted with Infrastructure Providers including Warwickshire County Council, NHS South Warwickshire Foundation Trust, the Clinical Commissioning Group, the Police, and other services within this Council. These providers had submitted proposals for consideration for inclusion in the Reg. 123 list for 2018/19. A full description of the submitted proposals was set out in Appendix 2 to the report. Having assessed these proposals, taking particular account of likely CIL receipts for the year and alternative sources of funding, the recommended CIL Reg. 123 list was set out in Appendix 1 to the report.

In August 2017, in conjunction with the Development Portfolio Holder, the following criteria were put forward as the basis for assessing proposals for the Reg. 123 list:

- Identified benefits of project
  - § Relationship to development proposed within the Local Plan
  - § Extent to which project addresses current and projected issues
  - § Anticipated impact on infrastructure capacity once project completed
- Identification of the project within the IDP
- Overall cost of project
- Required level of funding from CIL (taking account of other sources of funding and the degree to which these are committed)
- State of progress (is the scheme clearly planned and deliverable within the timescale envisaged?)

These criteria had been circulated to infrastructure providers to help shape their proposals and had been used to assess the proposals.

These criteria were identified to provide a way of fairly assessing infrastructure proposals from different organisations. In doing, officers had been conscious that, although Warwick District Council was the CIL charging authority and had the ultimate say on where CIL money was spent, the purpose of CIL was to collect money to spend on infrastructure that the community needed. In this context, the relationship between the Reg. 123 List and the Infrastructure Delivery Plan was important. The IDP was underpinned by an evidence base which was prepared alongside the Local Plan. Schemes in the IDP had therefore been identified as being priorities to address the impact of growth. It was reasonable to use the IDP as the starting point for the Reg. 123 list to be confident that the benefits of these schemes had been evidenced and tested alongside the Local Plan preparation and examination.

It should also be noted that the CIL regulations prevented Section 106 contributions being sought for any items that were included within the Reg.123 List. It was therefore important to consider which infrastructure projects were directly related to specific developments (and were therefore best funded through Section 106 contributions) and which related either to a large number of developments or did not relate to any specific development, in which case CIL could be more appropriate. A summary of the assessment of each proposal was set out in the report.

The schemes identified as fitting the Reg. 123 criteria total £26.44m for the period 2018 to 2023. This exceeded the predicted CIL income of £17.7m to

£20m. For 2018 alone the schemes total £840,000. This could be accommodated within the predicted CIL income of £1.65m to £1.87m, with any balance rolled forward to support funding in 2019/20. To manage the risk that development might not come forward in line with the Housing Trajectory, it was proposed that the total cost of schemes over five years to be included within the Reg.123 risks should not exceed £17.7m. It was therefore necessary to further prioritise these schemes to ensure CIL provided sufficient funds to deliver.

A number of the proposed prioritised projects were in early feasibility and design stages or could access other sources of funding, it was proposed that the level of CIL allocated to these could be reduced. To align the potential costs with projected receipts, it was proposed that the Reg 123 List was comprised of the Infrastructure projects set out in the table below and that over the five year period 2018 to 2023, the CIL receipts contributed accordingly:

Some of the Infrastructure Projects within the proposed Reg 123 list did not require specific funding during 2018/19. Any surplus in CIL receipts for 2018/19 over and above the required £840,000 would be carried forward to 2019/20 and applied proportionately to the Reg 123 list priorities for 2019/20. There were three schemes in the Reg 123 list (destination parks; Warwick Town Centre Improvements; and N Leamington Medical facilities) which did not specifically require funding in 2018/19. These were included for transparency as each of them would require significant CIL funding in future years and any surplus in CIL receipts in 2018/19 could be applied to these schemes. It was therefore appropriate to include these from the start to ensure Section 106 agreements did not require future amendments.

Appendix 2 to the report, set out the full range of proposals that had been put forward by infrastructure providers for inclusion in the 2018/19 Reg. 123 list. From this it could be seen that a number of proposals had been excluded from the Reg. 123 list. From this full range of proposals, the Executive could choose different priorities for inclusion. However, this was not recommended for the reasons set out Appendix 2 to the report for the exclusion of proposals.

The Finance & Audit Scrutiny Committee welcomed the fact that the Portfolio Holder would be recommending to the Executive that all Councillors should scrutinise the 123 list regularly to ensure sufficient funds were available to deliver the 123 list schemes in their wards.

The Committee also suggested that the 123 list should include the Ward name or names in which each project was located.

The Committee would discuss at their next meeting the interest in establishing a Working Party of the Committee to scrutinise the CIL123 list.

The Executive welcomed the Scrutiny Committee comments and agreed that more information earlier in these projects would be beneficial for all because of the significant values involved.

Councillor Rhead proposed the recommendations and that all Councillors should scrutinise the CIL Regulation 123 list regularly to ensure sufficient funds are available to deliver the Regulation 123 list schemes in their respective Ward.

**Resolved that**

- (1) the CIL Regulation 123 List set out in Appendix 1 to the report, be approved;
- (2) the table below is used as the basis for distributing CIL receipts collected during 2018/19; and

<b>Infrastructure Project</b>	<b>Proposed 18/19</b>	<b>Percentage</b>
Destination Parks	Nil	-
Bath Street Improvement Scheme	£70k	8.3%
Emscote Road Multi Modal Corridor Improvements	£200k	23.8%
Warwick Town Centre Improvement works	Nil	-
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	£500k	59.5%
Medical facilities - N Leamington (Cubbington/Lillington)	Nil	-
Wayfinding in Leamington, Kenilworth and Warwick	£70k	8.3%
<b>Total</b>	<b>£840k</b>	

- (3) Councillors should scrutinise the CIL Regulation 123 list regularly to ensure sufficient funds are available to deliver the Regulation 123 list schemes in their respective Ward.

(The Portfolio Holder for this item was Councillor Rhead)  
Forward Plan reference number 921

**152. Regeneration of the Leper Hospital Site, Saltisford, Birmingham Road, Warwick (St Michael’s Chapel and Master’s House)**

The Executive considered a report from the Deputy Chief Executive (AJ) that set out the conclusions of a viability appraisal undertaken in respect of the Leper Hospital, Saltisford, Warwick and sought approval to commit Section 106 affordable housing funding to help deliver a supported housing scheme.

The Leper Hospital site contained the remains of St Michael's Church and a 15th Century two-story timber framed building known as Master's. The buildings were Grade II\* listed and were situated on a Scheduled Monument and the site was a Designated Heritage Asset. It was one of only three known examples of leper hospitals in the county. An archaeological evaluation was undertaken in 2004 which among other things revealed stone wall foundations, a pebble yard surface, postholes and pits in the area between the chapel and the Master's House.

In February 2007 planning permission in respect of application W04/2128 was granted for conversion of the former chapel and Master's House to offices along with construction of an office building to the rear of the site and associated car parking to all buildings. Scheduled Monument Consent was granted in 2009. Despite these planning consents and the owner having undertaken remedial repair works to the Chapel, the site remained undeveloped, with the Master's House under a tarpaulin to protect it from the elements. The buildings therefore remained on the Heritage at Risk Register with the Master's House condition described as being "very bad"; the most serious of categories.

In 2001 the land formed part of a larger parcel of land owned by Warwick District Council (WDC). The Council had produced a development brief which resulted in regeneration of the area with all the land redeveloped except for the Leper Hospital. This land was purchased by a private company and the ownership remained with the company.

The Council had sought a solution for the site over many years. The site contained designated heritage assets of the highest significance yet its current state could reasonably be described as an embarrassment to the town and it had caused great concern to local Councillors and residents.

In 2012, the Executive approved a Warwick Heritage Improvement Programme of projects and feasibility studies to see redundant buildings in Warwick brought back in to use. This programme had been successful with the *old Gasworks* and *Printworks* being redeveloped for affordable housing. The outstanding project was the Leper Hospital site.

Following the 2012 Executive approval, officers commissioned EC Harris to undertake a feasibility study. The objective of the study was to develop a sustainable solution for the site around three principles: community benefit; conservation and heritage; and financial optimisation. The feasibility work involved discussion with a range of key stakeholders to capture relevant information and views on possible development opportunities. Having considered all the options for the site, the study concluded that the optimum solution was for the Council to work with a developer/provider to deliver new build residential units for use by a specialist provider of care e.g. for people with dementia, acquired brain injury or needing mental health support. The existing listed buildings were to be incorporated as communal / office space to be used as part of the housing scheme.

In May 2013, this Council, working together with Warwickshire County Council (WCC) Strategic Commissioning - Care and Choice Accommodation

team jointly hosted a soft market testing session for interested developers and housing providers so they could learn more about the site's potential. Whilst the session produced a reasonable degree of interest in the opportunity, feedback also highlighted developers' requirements for further clarity on, inter alia, the repairs costs to the listed buildings.

Following ongoing informal discussions with potential developers, a further feasibility study was commissioned by WDC and WCC and undertaken by Arden Estate Partnerships LIFT, a public private partnership between Community Health Partnerships (a wholly owned subsidiary of the Department of Health) and gbconsortium2 led (made up of gbpartnerships and Equitix). The partnership's expertise was in developing, designing and providing high quality health and social care buildings.

Part of this study required a comprehensive understanding of the repair costs of the Master's House. Therefore an application to Historic England's (HE) Historic Buildings, Monuments and Designated Landscape Fund had been made for this work and a total of £47,000 was made available to this Council to commission architectural services. The commission was awarded to PCPT Architects Ltd a specialist conservation architect practise.

PCPT's work was of remarkable rigour analysing and understanding the Master's House brick by brick, timber by timber. It had enabled a complete specification of the schedule of works to be produced.

The recommendations of the Arden feasibility study had not been progressed. The work had achieved a comprehensive understanding of the Master's House costs and the sparking of interest of St Basil's a housing charity which helped young people "who are homeless or at risk of homelessness with advice, prevention, accommodation, engagement and support services enabling them to regain the stability they need to rebuild their lives." It was this interest that led officers to consider that there could be a solution for the regeneration of the site.

Following the studies and appraisals, officers approached WDC's housing joint venture partner, Waterloo Housing Group (WHG), to understand whether it had any appetite for developing the site. Whilst WHG did not manage supported housing schemes it partnered St Basil's on various initiatives. WHG therefore made an indicative bid to the Homes and Communities Agency (now Homes England (HEng)) for supported housing grant which was successful. There was therefore an end user who was interested in using the site and potentially an important tranche of capital funding could be available.

Officers therefore brought together a multi-stakeholder project team to undertake a viability appraisal based on the St Basil's interest. A key partner brought on board at this point was West Midlands Historic Buildings Trust (WMHBT). This organisation was important in giving funding bodies the appropriate level of reassurance that should the site be developed then the necessary respect and understanding was given. The viability appraisal was funded by this Council, HE and The Architectural Heritage Fund (AHF).

At about the same time another housing provider, Homelife, which specialised in dementia care, approached officers to express an interest in the site. This meant that there were two providers expressing an interest whose core business was aligned with the conclusions of the previous feasibility studies.

In summary, the feasibility study concluded that subject to the appropriate capital funding coming forward there was a viable business case for the delivery of a supported housing care scheme. The scheme would be managed by St Basil's and would encompass the whole site (an essential planning requirement). The scheme's client group was young adults with complex needs. These needs were addressed by way of a psychologically informed environments programme of support.

The purpose of the appraisal was to investigate the options to secure a future for St Michael's Chapel & Masters House buildings together with the Leper Hospital Scheduled Ancient Monument. It would form a foundation for decisions and possible grant applications and will ascertain the current condition of the buildings, investigate options for its future use, recommend a preferred option and provide a financial appraisal of the project's viability.

The study was commissioned by WMHBT and led by DTS Solutions who in turn commissioned a full range of professional services: Conservation Architects; Business Planner; Structural Engineer; Quantity Surveyor; Archaeologist; Services Consultant; and Valuation Surveyor. This team's work built on the site investigations that had already taken place namely condition survey and repair details of the Master's House and archaeological evaluation, and the options appraisal and feasibility study described earlier.

The appraisal examined three options: Develop the entire site for social care supported housing by St Basil's; Split the site with HomeLife social care use to the rear and Scheduled Ancient Monument to be residential or commercial use; or combining the first two but with the addition of a new build frontage on the historic footprint of the almshouses.

Each of these options was then examined against the objectives of the appraisal in terms of heritage and the environment; health and wellbeing, and community; and economic benefits. The project board unanimously supported option 3, the Waterloo/St Basil's model with new build frontage. Subject to further discussions with WDC's Planning officers, this scheme would bring forward up to 16 units of residential accommodation. Importantly, the scheme had the in-principle backing of Historic England who was represented on the project board.

The appraisal estimated the capital cost of the scheme at c£1.55m. It was considered that funding could be realised outside of WDC as follows:

- Waterloo Housing Group = c£465k
- Homes England = c£150k
- Historic England = c£141k
- Warwickshire County Council = c£250k
- Trusts and Foundations = c£75k
- WMHBT = c£70k

Total = c£1.15m

At this point the sums detailed above were indicative and it was clear from project board members that there could be the opportunity to increase the funding for example via HEng's supported housing grants or WCC's extra care housing programme but the aforementioned figures provided a realistic picture of what funding could be realised.

The appraisal currently made no allowance for the purchase of the land from the landowner. Negotiations were ongoing but all partners recognised that the aggregate of their grant contributions needed to take account of the negotiated amount.

Assuming that the necessary capital could be raised, the revenue costs of running the housing support scheme would be underwritten by WCC. Where young persons with complex needs currently present themselves to WCC, due to lack of in-County accommodation, it has to commission out-of-area accommodation at very expensive rates. The indicative costs presented by St Basil's for its proposed scheme are considerably less expensive and therefore very attractive to WCC. Officers would work with WCC to ensure that this Council's input into nomination rights was taken into account.

The indicative grant WHG had bid for comes from the Affordable Housing programme 2016-2021. This programme made specific reference to supported accommodation whereas the previous programme had no allocation for such housing. It was therefore important to try and secure this opportunity whilst it existed.

The appraisal left a potential capital funding gap of c£500k. WDC had Section 106 planning obligation income (commuted sums for affordable housing) of £1.25m that was not currently earmarked for any particular scheme (s). More specifically, £528,000 of this amount was generated by developments in Warwick - Chase Meadow; Northgate Street; Lord Leicester Hotel - and so it could be argued that the affordable housing that was not provided in Warwick in respect of the aforementioned developments would be as part of this proposed scheme.

Based on 16 units of accommodation being provided this would be a subsidy per unit of £33,000. It was difficult to determine whether this would be value for money for this Council as historically it had found it difficult to utilise its commuted sums, however, this contribution needed to be considered in the round and not just the housing related benefits that were being brought by the scheme particularly the potential to promote the heritage aspect of the site. Sensitively positioned interpretation boards and other "history-trail" signposting could be installed. It was worth noting that the commuted sums were not large enough to bring a scheme forward. However, they enabled gap-funding to be provided so that otherwise unviable schemes could be delivered.

Should the Executive agree with the recommendations in the report, this Council's Monitoring Officer and Head of Finance would liaise with WCC's



Treasurer to ensure they were comfortable with the sustainability of the scheme and if that was the case, determine the appropriate schedule for release of the funding.

The Council had commissioned two feasibility studies and a viability appraisal so it was officers' view that all the options had been explored in detail and therefore the one proposed was the only one with any realistic possibility of success.

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

The Executive noted that this was a key scheme with wide spread community benefit and support. They took the opportunity to thank the Deputy Chief Executive (AJ) for his work in bringing this complex scheme forward.

### **Resolved**

- (1) the historical context of the site known locally as the Leper Hospital and officially as St Michael's Chapel and Master's House, and its recent history, be noted;
- (2) the work undertaken by this Council to find a sustainable solution for regeneration of the site, be noted;
- (3) the outcome of the viability appraisal commissioned by West Midlands Historic Buildings Trust (WMHBT); the partners who have worked collectively on the appraisal; and supports the conclusion of the appraisal to develop a supported housing scheme delivered by St Basil's, be noted; and
- (4) up to £530,000 be made available from affordable housing commuted sums received by this Council in respect of housing developments in Warwick thereby helping to deliver a supported housing scheme and provide opportunities for learning about an important historic asset, but before releasing the funding delegates authority to the Council's Monitoring Officer and Head of Finance to confirm the scheme's viability and if confirmed the schedule for release of funds.

(The Portfolio Holders for this item were Councillors Butler, Phillips and Rhead)  
Forward Plan Reference number 925

### **153. Delivery of the St Mary's Lands Masterplan for 2018/19 and beyond**

The Executive considered a report that updated it on the delivery of the agreed Masterplan for St Mary's Lands, Warwick thus far and sought agreement for; the next steps for delivery; and, the appropriate funding to complete this key project for the town of Warwick and the District.

The Executive had agreed, in late 2016, three-year development programme to be funded and implemented on a year by year basis. The first year was in fact only a part year programme. The second year was agreed in March 2017. It was time to consider the programme for Year 3 and beyond as the Executive had agreed at its meeting on 1 November to consider the proposals for 2018/19 as part of the budget proposals for 2018/19.

The work of the Working Party led to the adoption of a Master Plan in 2017 which set out all the projects that will enable the vision for the area to be achieved. In this past year the most significant elements that have been completed include the new entrance to the Racecourse; the upgrading of footpaths around the Stables; and the completion of the roof works and internal repairs to the community room of Racing Club Warwick (RCW). This builds on the earlier work to improve the footballing facilities of RCW; and, improvements to the Corps of Drums building. Improvements to the toilets at the Golf Course are in progress and will be open to the public to use. Other minor improvements have been carried out to fencing lines to both open areas to the public and to protect nature conservation interests.

Alongside these improvement works other issues had been taken forward – for example consultation of the proposals along Bread and Meat Close for car parking; and, for the footpath/cycleway. Work had continued in respect of the possible hotel and to seek investment in the Golf Centre. Appendix 1 to the report set out all the Master Plan proposals and their status and the next steps where that was appropriate over the next three years.

A considerable amount of discussion and work had taken place around the proposals to create a footpath/cycleway from Hampton Road to the metalled track that ran north from Linen Street. This was the missing part of the National Cycleway Route 41 in Warwick town. It would also be part of the Safer Routes to School from the Woodloes estate to Aylesford School as illustrated on Plan 1 attached to the report; and, it would be a much better pedestrian route for people parking in the car park off Hampton Road and off Bread and Meat Close to walk to the town centre. Discussions about precise routing, surface material use, and lighting had been protracted as had been agreeing contributions from other parties. The proposal allowed for an increase in parking along Bread and Meat Close and on Hampton Road car parks, but it was not proposed that those on Hampton Road be funded at present.

Warwickshire County Council and Sustrans were both supportive of the proposals and letters of support were attached as Appendix 2b to the report. There had been two rounds of consultation with residents in Bread and Meat Close who had objected to the scheme even after the Traffic Safety Audit was undertaken and the scheme revised. The residual concern for residents was that car headlights could shine into their windows. The scheme

proposed to mitigate this by appropriate hedge planting to shield their windows from such potential effects. The residents had suggested an alternative which was to have the parking parallel to the road, but this would result in almost no new parking spaces, after those to be removed to create the cycleway were accounted for, but just as much expense.

The scheme had also been altered to consider a comment made by the Friends of St Mary's Lands about the route of the footpath/cycleway so that it stayed near the racecourse railings until the bottom of Linen Street. This made sense from a safety perspective and so had been incorporated. The Friends had objected to the route of the cycleway along the canter track, but the expressed reason was only that it was not the route shown in the consultation on the masterplan. The starting and finishing points remained but instead of going through the middle of the forecourt of the Racecourse Grandstand, which was heavily parked and thus on detailed inspection was felt to be less safe especially if it was also to be part of a Safer Route to School.

The proposal developed breaks down into the following components, setting out contributions and time periods:

- From the existing Pelican crossing on Hampton Road to the existing canter track – funded wholly by WCC. Year 1
- From the point above along the canter track to the entrance of the racecourse – funded 50/50 by the Jockey Club and WDC. Year 1
- Lighting along the above route plus CCTV – funded wholly by WDC. Year 1
- From the racecourse entrance to the bottom of Linen Street, including alteration to the car park and CCTV - funded wholly by WDC. Year 1
- Lighting from the bottom of Linen Street to the entrance near Sainsbury's– funded wholly by WDC. Year 2

It was suggested that once these works were in place, that WDC promote a Park and Stride initiative to test whether people would be prepared to park at Hampton Road but walk to the town centre. The initiative was explained at Appendix 3 to the report. This would require promotional funding of £5k but if successful it could help to generate £55k p.a. additional income and would prove or otherwise, the concept of all day parkers being prepared to park a little further away from the town centre. Success of the initiative would be measured by changes in income and ticket sales. It was anticipated that the scheme would be operable for the financial year 2019/20.

Alongside this it was suggested that the names of the car parks be changed. Since they were constructed they have been known as Area 2, 3 and 4 respectively which meant little to anyone. It was suggested that the names change from/to as follows: Area 2 to Hampton Road; Area 3 to Bread and Meat Close; and, Area 4 to Saltisford. Area 1 was the parking area by the stables which was little used and was to be transferred into the Jockey Club's lease. If agreed, then the name changes would come into operation at the next publication of the car park regulations.

All the above would contribute to the contingency plan if/when Linen Street car park had to be closed. The proposal was attached as Appendix 4 to the report. However, other elements of a contingency plan needed £42k to cover the cost and nothing so far had been provided budget wise. It was suggested that this sum be provided from the existing car park repair and maintenance reserve which had circa £400,000 within it.

Improving public access and signage was a key objective for St Mary's Lands. A signage and location plan had been prepared. However, the Jockey Club had approached the Council to bring the inner perimeter track up to a decent standard for vehicular use (its intended use was on race days for ambulances and service traffic). This would have a black tarmac surface which by itself was unlikely to be acceptable planning wise. That could be mitigated if the surface was treated with a different topping material rolled into the tarmac. The Jockey Club was seeking a contribution from the Council on the basis that the track could then be used by the public for walking, cycling, jogging and for people in wheelchairs or motorised scooters. It could also be waymarked for a measured mile walk (or in this case almost two miles). This tied in with the signage plan and the masterplan objective of improving access for the public. The Jockey Club's estimate for the works was £138k for a tarmac surface and it was suggested that WDC contributed for the surface dressing etc. on top.

Related to the whole concept of signage was the issue of the name of the area. The decision to hold a competition for the name had resulted in controversy even though it was widely acknowledged that it was called different things by many people. The issue had been raised twice at the Working Party and although not a firm conclusion it suggested that the Council should leave the name alone but seek to define it with a strap line. It was proposed that this be discussed further and agreed with the Working Party.

The extended commission on the proposed hotel had been carried through to stage 1. The report on demand and financial viability had been updated. Work was continuing preparing the Development Brief for the site, but some further technical assessment work was needed and funding for it was needed. A separate report on the possible hotel would be bought forward later.

Hill Close Gardens (HCG) was intending to submit a Heritage Lottery Fund grant application to improve its visitor facilities worth in the region of £100k plus. It was suggested that either or both of the following options were pursued (1) that part of the works to the Bread and Meat Close area 23re used as match funding; and/or (2) that HCG be guided to submit a RUCIS grant application at the appropriate time.

The Corps of Drums (CoD) had undertaken substantial improvements to its facilities. The money previously granted by WDC had been used to good effect and had drawn in other monies. However, there was a final set of works to be done worth £25k for which it had not been able to raise funds. A Business Plan was attached at Appendix 6 to the report. The CoD would be agreeable to the sum being provided by a loan from the Council to be set

against an appropriate rent increase over the lifetime of its lease (it had 20 years remaining) on terms to be agreed and approval was proposed to be delegated to the Chief Executive, Heads of Finance and of Health and Community Protection in consultation with the respective portfolio holders and the Business Portfolio Holder.

Racing Club Warwick (RCW) had made considerable improvements on and off the field since 2015. The masterplan for St Mary's Lands envisaged that a Multi-Use Games Area (MUGA) should be installed. The estimated cost of this was £80k of which RCW could contribute £10k. RCW was preparing a business plan to demonstrate how a grant for the remaining sum would have a positive impact on the local community.

Having examined other options it was unlikely that the proposal would come forward unless the Council offered financial support. It was therefore proposed that the Council offered a mixture of underwriting 50% of the £70,000 of the funding of the proposal and recouped it from S106 Agreements proposing off site provision for outdoor playing facilities and the other £35,000 by way of a loan on terms to be agreed. The draft Business Plan for the proposal was attached at Appendix 7 to the report but would require some further discussion. The Council should look to ensure the MUGA was subject to a Community Access Agreement so that the local community could access the facility. It was proposed that these detailed matters were delegated to the Chief Executive, Heads of Finance and Culture in consultation with the respective portfolio holders and the Business Portfolio Holder.

All the above represented a considerable amount of work to oversee. The current arrangements for project management rested with Plincke but their commission would expire in June 2018. Exemptions to the Code of Procurement Practice were agreed by Executive in April 2016 for project management up to £25,000 and June 2017 at £34,000. WDC did not have the in-house resources to oversee this work. Although the Finance and Audit Scrutiny Committee had suggested that the work should be put out to tender, both the Officers and Members directly involved considered that the degree of knowledge and experience would be very difficult for any other company to replace and so it was suggested that an exemption from the Code of Procurement Practice be sought to give Plincke a new commission but much more focused on project implementation. This would cost over a two-year period £66k – the same rate had been deployed over the past year. The cumulative cost of the work from Plincke on project management for St Marys Land would be £125,000 which was below the relevant EU Threshold of £181,000.

There was a lot of public interest in St Mary's Lands and the proposals for it so it was important that the Council and the other organisations on the Working Party engaged with the local community. It was suggested that a St Mary's Lands newsletter was prepared to be circulated to residents and to the town via a variety of means of communication including the Council's proposed new Facebook page and including a wrap around in a local newspaper. It was anticipated this work would cost circa £5,000.

There remained a few other elements of the Master Plan that required funding and implementation after the elements outlined above were completed. However, not all of them would fall to the Council. Those that were likely to include the following:

- Play area adjacent to RCW (work on its planning and design would be undertaken over the coming year)
- Improvements to the 2 Playing Fields inside the racecourse;
- Improvements to the Northern Enclosure, including seeking access under/over the railway line.

Of the other elements, improvements to the Golf Course were being investigated by way of seeking external investment. The improvements to the caravan area and to the parking area adjacent to the Stables would fall to the Jockey Club to pursue.

The estimated costs of the various elements were set out in Appendix 1 to the report and were summarised in Table 1 to the report. The costs were spread out over three financial years. Taken together with external contributions this programme represented an investment in the St Mary's Lands of over £1m.

In addition, the Executive considered a report in late November 2017 in respect of the hours of flying for model aircraft. A risk assessment and a noise assessment had been undertaken. The ecological work had been commissioned but was not completed. The report back would not happen until that work was complete.

The only other option the Council had was not to progress the proposals which would seem perverse. Similarly, not to agree for the elements of the masterplan to proceed would be a reputational risk for the Council given the efforts that had been made to engage local groups.

There could be options of when elements in the programme should be done but as set out the programme was reasonably logical and took account of the limitations that the racing season might place on when some elements could be implemented.

The Overview & Scrutiny Committee supported all of the recommendations in the report

The Executive took the opportunity to thank all those who had been involved in bringing this positive work forward because here had been significant challenges that had needed to be addressed.

**Resolved** that the

- (1) progress on the delivery of the Masterplan to date be noted and that the next steps as set out in Appendix 1 to the report are approved;
- (2) proposal for the footpath/cycleway from Hampton Road to Bread and Meat Close via the canter track

and alterations to the car park at Bread and Meat Close were approved and that planning permission and any other necessary consents be sought to progress the scheme to implementation with WDC's contribution being £335,000 over two years;

- (3) proposal to trial a Park and Stride initiative (as set out in Appendix 3) once the above works are in place, be agreed and that funding of £5,000 is made available to publicise and market the initiative;
- (4) names of the car parks presently known as Area 2, 3 and 4 be changed to Hampton Road; Bread and Meat Close and Saltisford respectively next time the Council's car park Regulations are updated;
- (5) £42,000 be made available from the car park maintenance and repair reserve to fund the cost of works to put in place contingency works should Linen Street need to be closed;
- (6) implementation of the works, set out in (5) and use of the funds to be delegated to the Head of Neighbourhood in consultation with the Neighbourhood Services Portfolio Holder;
- (7) proposals for signage and for the surfacing treatment of the inner perimeter track subject to the Jockey Club confirming its contribution with WDC's contribution being £42,000 in 21018/19, be supported;
- (8) previous decision to consider changing the name of the area be rescinded but that an appropriate strap line be developed in discussion with the St Mary's Lands Working Party;
- (9) further technical assessment work and pre-application discussions on the hotel proposal as part of the development of the brief for the site be funded at a cost to WDC of £22,000 over 2 years;
- (10) Hill Close Gardens Trust be advised that the Council will help its Heritage Lottery Funding application by examining ways in which either the capital works along Bread and Meat Close can contribute in kind and/or that the Council will entertain a RUCIS grant application;

- (11) loan of £25,000 be made to the Corps of Drums on terms to be agreed but which in principle are based on a commensurate increase in rent over the lifetime of its existing lease; and upon the receipt of a satisfactory Business Plan;
- (12) agreement of the terms and the Business Plan, required in (11) be delegated to the Chief Executive, Heads of Finance and Health and Community Protection in consultation with the respective portfolio holders and the Business Portfolio Holder; and The administration of the use of the Council's contribution be as per the usual administration of a RUCIS grant;
- (13) contribution of £70,000 be made to funding the cost the installation of a MUGA at RCW provided £10,000 is provided by RCW. The Council seeks to re coup this funding from off-site S106 agreement payments (£35,000) and a loan payment (£35,000); subject to:
- a) Satisfactory terms being agreed for the loan;
  - b) Agreement to a satisfactory business plan;
  - c) Completion of a satisfactory community access agreement; and,
  - d) The administration of the use of the Council's contribution be as per the usual administration of a RUCIS grant.
- Agreement to a), b) and c) above to be delegated to Agreement of the terms and the Business Plan to be delegated to the Chief Executive, Heads of Finance and Culture in consultation with the respective portfolio holders and the Business Portfolio Holder.
- (14) exemption from the Code of Procurement Practice under paragraph 6.4.3 to appoint Plincke for a further 2 years from June 2018 at a cost of £66,000 over 2 years to be funded from the Community Project Reserve, be approved;
- (15) funding of £5,000 from the Community Project Reserve be made available to produce newsletters and similar publications to inform residents of the work proposed and undertaken; and
- (16) proposals set out in the recommendations above, subject to them being agreed, be funded from an existing underspend of £50,000 and from the Community Projects Reserve over 3 years, subject to the other named parties providing their stated



contributions, as set out and profiled in Table 1 attached to this report.

(The Portfolio Holders for this item were Councillors Butler and Grainger)

#### 154. **New Village Hall at Norton Lindsey**

The Executive considered a report from the Chief Executive that sought agreement in principle for the Council to make a financial contribution of £85,000 towards the overall costs of just under £500,000 for a new village hall to replace the existing hall that was unusable.

The local community had sought and obtained planning permission for a new facility on the same site.

The local community estimated that the scheme would cost £495,000. Around £175,000 had been raised or pledged, including the pledge from the Parish Council of £35,000 but £20,000 had had to be expended to get the scheme progressed to date. A national charitable grant making body had indicated that if the local community could raise half of the estimated costs then it would be disposed to provide the remainder. On this basis the local community was £85,000 short of being able to cover 50% of the estimated build costs. A request had been made to the Council to provide this sum of money.

Normally a grant application for village halls would normally be dealt with under the Council's RUCIS scheme. However, the sum sought was well outside of the parameters of that scheme. In similar situations the Council had taken the approach of considering the request in the light of the use of its Community Projects Reserve. Therefore, it was proposed that the Council administered the request as if it were a RUCIS scheme grant application but fund it from the Community Project Reserve subject to:

- the other sources of funding being agreed and confirmation that the funding such as pledges will materialise;
- the signing off of a finalised Business Plan (a draft has been prepared but requires improvements); and
- that the administration of the application meets all the usual criteria of the administration of a RUCIS grant application.

The Council could decide to refuse the request, but the purpose of the request was unique, in an unusable village hall, and so it would seem churlish to refuse to help, especially as it would lever in much more investment into the District.

The Council could offer a larger contribution but given what had been suggested there would be no need to do that if 50% of the remaining estimated costs could be met locally and the other 50% could be provided by a national charitable grant giving body.

The Council could offer a smaller contribution but if this were the case it would not be of sufficient assistance to meet the shortfall between the cost

needed to construct a new village hall and the projected sums that can be raised by the local community.

The Finance & Audit Scrutiny Committee supported the recommendation including the revised recommendation, as circulated at the meeting.

There was an addendum circulated at the meeting that proposed the removal of the words "no more than" and recommendation 2.2 was revised to read as follows: "That a further report was made to the Executive to seek agreement on the provision of match funding and on the business plan referred to in recommendations 2.1.1 and 2.1.2.

The Executive welcomed the report and the revised recommendations were proposed, duly seconded and

**Resolved** that

- (1) in principle the Council contributes £85,000 toward the cost of constructing a new village hall in Norton Lindsey subject to:
  - (a) written confirmation that all the matching funds required have been received;
  - (b) a final and acceptable version of the business plan for the scheme;
  - (c) the conditions that normally apply to the administration of RUCIS scheme grants are met.
- (2) a report is brought to the Executive to seek agreement on the provision of match funding and on the business plan set out in (1).

(The Portfolio Holders for this item were Councillors Thompson and Whiting)

**155. Supporting Coventry & Warwickshire Business Festival 2018**

The Executive considered a report from Development Services that sought approval for a financial contribution for the Coventry & Warwickshire Business Festival 2018 (CWBF18) and the hosting of events.

In November 2018 the CWLEP's Growth Hub would sponsor CWBF18 with the aim of once again delivering:

- regional conferences, exhibitions and trade fairs;
- sector specific days – addressing key SME challenges;
- networking and new business opportunities.

The Coventry & Warwickshire Business Festival in 2017 delivered:

- 114 events take place of which 99% were rated 'good to excellent';
- 4,910 attendees of whom 86% said the festival positively affected them or their business; and

- A total media reach of 5.54million for the region. The reach refers to the total audience who would have seen or engaged with the marketing content in any form.

Given the positive impact of the festival, it was considered that an investment of £5,000 to support the Festival itself and a further £5,000 for any other opportunities that the Festival generated should be made available. This was in line with the level of support WDC offered the Coventry & Warwickshire Business Festival in 2017.

The Executive could choose to not make financial support available for CWBF18. This had not been considered given the impact and publicity the festival offered to the District.

**Resolved** that £10,000 be released from the Council's Contingency Budget to support the CWBF18 sponsored by Coventry and Warwickshire Local Enterprise Partnership (CWLEP).

(The Portfolio Holder for this item was Councillor Butler)  
Forward Plan reference 924

#### 156. **Cycle Tour 2017 and 2018 Update**

The Executive considered a report from Development Services that sought funding following the agreement that the finish line for the Women's Cycle Tour would be in Leamington on 15 June 2018.

Official organiser figures stated that the Women's Cycle Tour 2017 brought around 20,000 visitors to Leamington Spa on the day of Tour, with an expenditure total of at least £300,000.

Highlights of the event were shown on ITV4 on the day of the race, with further coverage of Royal Leamington Spa, and the sprint stage in Kenilworth, being shown during the Tour de France coverage later in 2017 and syndicated through Eurosport and other networks to a national and international audience.

Given the experience of the 2017 Women's Tour finish it was anticipated that £20,000 was required (in addition to the £15,000 contribution with WCC) to ensure that sufficient stewards, security, engagement and entertainment was provided on the day to deliver an event for all visitors, that would continue to showcase the town through the extended coverage after the event. Whilst the final location of the finishing line was to be confirmed, the organisers and County Council had listened to concerns, and learning points from 2017, and a town centre finish that did not necessitate the closure of Parade would be selected. Sufficient space would always be a priority in order to provide a memorable occasion whilst maximising the economic impact of the day for town centre businesses

The funding would allow for a comprehensive and fully funded, communication plan for the District. This would allow for more engagement

and work to be done with the businesses within Royal Leamington Spa, to help it make the most out of this event. This could be through workshops on social media, place making, and town centre activities to ensure that local businesses had the skills and knowledge to gain maximum benefit from this unique event.

The route included a sprint stage in Kenilworth, as well as passing around the town centre of Warwick which was the same as the 2017 Women's Tour. With that in mind, the Business Support and Events team would include activities and promotions that maximised the benefits to the towns as well as the wider district, within the requested budgetary amounts.

The Men's Tour would be a new event to Warwick District, but would build on the basic layout of the Women's Tour. The funding was requested now because the announcement of a route was due in Mid-April if the District was included on the route there would be a need to implement relevant plans immediately and the next Executive meeting was on 1 June 2018. The need to start implementing the plans earlier for the Men's Tour was because it was significantly larger, with crowds usually being around four times larger (although this increase was spread throughout the route) and live TV coverage throughout. In order to put on an appropriate event and accompanying business support, and allowing for additional security and stewarding costs, the budgetary impact was therefore greater than the Women's Tour.

One alternative option was to not support the event. This would remove the risk of the economic impact not being met. Likewise we would remove the chance of disruption in the local area. However, this option was not being recommended as in its first year in Royal Leamington Spa, the Women's Tour delivered a significant economic impact and that should grow in 2018.

The amount could be reduced that was to be spent on the event to £21,000 per event. This would provide Warwickshire County Council with its £15,000 contribution, and give the Business Support and Events team £6,000 to provide the organisers with everything that was expected from the finish line host. This was not being recommended, because there would not be available funds for the team to put on additional activities and marketing to help the District make the most out of these internationally publicised events.

One final option would be to support the hosting of the finish or finishes in principle without committing Council funding, instead seeking sponsorship to cover the costs. This had not been recommended as there was a substantial risk that such sponsorship would not be forthcoming and the event would remain unfunded.

The Finance & Audit Scrutiny Committee welcomed the relocated finish line from Parade to a nearby road adjacent to Parade.

The Committee had concerns that the report did not include key background information for last year's event to enable an informed judgement to be made –

- comparative footfall figures
- comparative car park income
- TV and other media exposure 'value'
- views of local businesses, both individual and collective about the impact of the event, alongside the organisers' own assessment

The Committee suggested these, especially the first three, could then be used as baseline figures to assess this year's events.

The Committee questioned the balance of funding priorities between supporting this national event and the lack of funding for many locally organised events; and welcomed the review which would shortly address this issue.

The Committee suggested that the figure of £80,000 in recommendation 2.1 was removed because the values were covered in 2.1(1) and 2.1 (2).

The Executive confirmed that BID Leamington supported the event with the revised finish line. It agreed the figures proposed would be useful and there was data from last year that would be shared with all Councillors. The Executive was mindful that a 30 second TV advert for ITV4 during the coverage would cost £120k and in place of this the District received far greater coverage. The Executive accepted though that the measures proposed needed to be used to measure the effectiveness of the event.

The Portfolio Holder agreed that the reference to £80,000 was not required and reminded the Executive that the events funding review would be coming to Council later in year

**Resolved** that an allocation from the Service Transformation Reserve to allow the Business Support and Events Team to secure the hosting of one or both finishes and to deliver other events in support of both cycling events, and to ensure proper publicity is given to them:

- (1) Women's Cycle Tour Funding: £35,000 (included in this amount is a £15,000 contribution to Warwickshire County Council to help cover expenses such as traffic management); and
- (2) Men's Cycle Tour Funding (if the route passes through Warwick District): £45,000 (included in this amount is a £15,000 contribution to Warwickshire County Council to help cover expenses such as traffic management).

(The Portfolio Holder for this item was Councillor Butler)  
Forward Plan reference number 923

#### 157. **Royal Naval Club, Adelaide Road, Royal Leamington Spa**

The Executive considered a report from the Chief Executive that set out the progress made in respect of the departure of the Royal Naval Club from the premises in Adelaide Road and sought agreement for the next steps. The Executive agreed last year, to waive the rent payable by the Royal Naval Association (RNA) on its premises in Adelaide Road for the period October 17 to March 18 and not to pursue any dilapidation costs provided the Club handed back the lease at the end of March 2018. This arose as the Club could not afford to run the property anymore. This stage was on course for completion and the keys to be handed back on 3 April 2018.

The Council also agreed to try to find alternative venues for the various community organisations that had used the premises and to help the RNA find another venue. All groups had found another home. The RNA was going to hold its meetings at Racing Club Warwick as were a number of the other community groups.

The Council had agreed to look at the future possible uses of the site and agreed a sum of £50,000 to do so from the Community Project Reserve.

Officers were offered, and took the opportunity of some free work to look at options and costs for a more commercial development on the site. This route was chosen rather than to use the £50,000 allocated immediately. The capital costs for all three options were significant but with the knowledge that for example of a capital bid of nearing £1m for circa 2,000 sq. ft. then an office building as proposed could generate a capital value on that basis of circa £10m or could generate a significant rental income sufficient to pay back any financing cost and deliver a surplus back to the Council.

Since the November 2017 decision the Council had been approached by a number of community groups or organisations expressing an interest in the property. These included; Bowls England; Leamington Live Arts & Music Project (LAMP); the Ahmadiyyah Muslim Association; and the Irish Club.

The existing premises and indeed the site area was too large for Bowls England's requirements. They wanted an office on a very long lease or freehold of no more than 3,000 sq. ft. but it could be part of a larger scheme. Exploratory discussions had been held on a new-build option on the site of the RNA Club but the issue would be whether the Council could assist them with temporary accommodation to cover any gap between the closure of Riverside House and the availability of new premises which could be about a year to 18 months.

LAMP initially wanted an extension to its existing premises. However, such was the growth in its work that it considered an extension to the current property it occupied would not be adequate and so needed larger premises. LAMP therefore sought the tenancy of the RNAC building. LAMP had prepared a business plan for this proposal. Views had been sought from WCC as the Education Authority which were very supportive of LAMP and its work.

The Ahmadiyya Muslim Association had put forward a request for them to take on the property either as a rent paying tenant with a view in the longer term to buying the site and redeveloping it plus their current site for a larger

Mosque/community centre. The Ahmadiyya Muslim Association occupied the immediately adjoining site for its Baital Ehsan mosque on a long lease. The Association wanted to use the premises for community activities.

The Irish Club wanted to extend its existing property but had no interest in the RNA Club building other than wishing to ensure that it was not used as another licenced premise.

The Adelaide Road site as a whole was within the Creative Quarter project area boundary although the RNA Club site itself was excluded given the negotiations that were underway at the time that the Creative Quarter contract was let. The inclusion of this area within the project boundary allowed the Council's regeneration partner, Complex Development Project (CDP) to consider proposals for the area as part of the comprehensive Creative Quarter masterplan. The agreement between WDC and CPD provided for the following:

*"The Parties agree that for the period commencing on the Start Date and ending on the date that Phase 2 commences in accordance with clause 2.7, the following provisions shall apply:*

*The Regeneration Partner shall not enter into any agreement with a third party for the acquisition and/or development of any premises within the Red Line without the consent of the Authority (not to be unreasonably withheld); and*

*Subject to clause 4.14.3, the Authority shall not enter into any agreement with a third party for the disposal of Authority-owned Assets within the Red Line without the consent of the Regeneration Partner (not to be unreasonably withheld).*

*Clause 4.14.2 shall not apply to any disposal by the Authority that it has already notified the Regeneration Partner of prior to the Start Date and/or any disposal by way of lease that contains a break clause of no more than 3 months' notice (unless the Parties agree otherwise), provided that the Authority informs the Regeneration Partner of such disposal.*

*During Phase 1, the Authority shall:*

*Share with the Regeneration Partner all relevant information in relation to the Project, including but not limited to, all details of Authority-owned Assets, knowhow in relation to existing local creative industries and contacts for key people; and*

*Consult with the Regeneration Partner in the event that any other business of the Authority may, in the reasonable opinion of the Authority, impact on the Project."*

It was, therefore, recommended that the RNA Club site was re-inserted into the Creative Quarter project area and CDP asked to develop a masterplan for the whole of the Adelaide Road area as a priority action. This approach would reduce the upfront cost risk to the Council, potentially generate a return for

the Council in the future, maximise commercial opportunities and potential provide a way for the longer term ambitions of existing community groups in this area to be realised, though not immediately. There was the potential risk for any development of the area if there were to be widespread community opposition to any scheme. A masterplan approach would help to mitigate any such reactions by allowing early involvement of the local community in the development of ideas and proposals.

It was suggested that as part of the requirements for the masterplan that the potential to provide office provision for Bowls England should be considered as it would anchor the organisation in the town and be close to the bowling greens but such provision would be made on a wholly commercial basis.

This approach could leave the building empty for quite a while with any cost of keeping it safe and watertight falling to the Council. A short term let could mitigate this risk. If this route was to be chosen then the Council could agree a short term let with either of the community groups that had written to express interest in using the building on the best rental terms offered and their financial record; and, if they were not interested on that basis or neither were successful then the premises should be offered to the wider market of community groups.

Given the interest, should any one of the organisations be unsuccessful then it would be helpful for the wider community benefit if the Council offered help to find another solution to their accommodation needs. The Council would work with other agencies in this respect including Warwickshire County Council.

Alternatively the Council could decide to agree a disposal of the Royal Naval Club on a long lease or freehold but this was not recommended as the most appropriate way to make the best use of its assets nor to deliver best value.

The Council could decide to continue its original course of action and decide to examine the potential of the Royal Naval Club site by itself. The recommended approach however, took a more comprehensive and, to the Council, less costly and less risky approach.

The Finance & Audit Scrutiny Committee noted the recommendations in the report. Members agreed that recommendation 2.5 should be given particular priority so that the building should be let at the earliest possible opportunity and left empty for as little time as possible to meet local needs, maximise revenue and minimise further deterioration of the fabric.

The Committee looked forward to seeing future details about the plans for this area as part of the Creative Quarter.

The Executive thanked the Scrutiny Committee for its comments

**Resolved** that



- (1) the progress made on implementing the Executive's decision of October 2017 be noted;
- (2) the extent of Community Interest in use of the Royal Naval Club be noted;
- (3) the location of the site within the Creative Quarter project area is noted and that Complex Development Projects (CDP) be asked to prepare a Masterplan for the whole of the Adelaide Road area including the Royal Naval Club site, as a priority;
- (4) the Masterplan, as well as maximising the commercial opportunities for the Council, explores potential provision for Bowls England and the opportunities for the community groups currently housed in this area to realise their ambitions;
- (5) the offer of a short term let of the Royal Naval Club premises be made to the Ahmadiyya Muslim Association and to Leamington Live Arts & Music Project (LAMP). That determination of to whom the let shall be made be by the best offer for rent and the best financial background; and, if they do not wish to take up the offer or if their proposal is not acceptable, then the offer of a short term let should be offered to the wider market of community groups; and
- (6) if either of the 2 groups referred to in (5) are not successful, then the Council offers to work with them to find another solution.

(The Portfolio Holders for this item were Councillors Butler and Thompson)

#### 158. **Significant Business Risk Register**

The Executive considered a report that set out the latest version of the Council's Significant Business Risk Register (SBRR) for it to review.

The SBRR had been drafted following a review by the Council's Senior Management Team and the Leader of the Council.

The report sought to assist the Executive in overseeing the organisation's risk management framework. In its management paper, "Worth the risk: improving risk management in local government", the Audit Commission set out the responsibilities of Members and officers with regard to risk management and these were detailed in the report.

Any movements in the risk scores over the last six months were shown on the risk matrices in Appendix 1 to the report. There had been no movement

in any of the risk scores in the past two quarters, so no narrative to explain these was required. No risks were currently in the red zone.

As part of the process of assessing the significant business risks for the Council, some issues had been identified which at this stage did not necessarily represent a significant risk, or even a risk at all, but as more detail emerged could become one.

The impact of national housing policy proposals on the Council's ability to remain a viable landlord as a result of the imposition of a High Value Voids on HRAs remained but the Government had given a commitment not to implement anything now until at least April 2019. This issue would be reviewed when the Government was clear about its proposals.

The EU referendum result, recognised as a potential trigger to some of the Council's existing risks, would be kept under review so that as details emerged of exactly what Brexit could mean, for Local Government and specifically for this Council, its implications for the Council's risk environment could be considered further.

The Government had started consultations around the proposed 100% Business Rate Retention by Local Government. Depending on how these proposals developed, which could impact upon funding as well as functions, it could be that they represented a threat or an opportunity to this Council, or perhaps a combination of both.

The Finance & Audit Scrutiny Committee suggested that a further mitigation for risk 3 should be regular monitoring of Parent Company Guarantees (PCG), even as a short term measure while the issue of PCG's in our procurement policy were investigated further.

The Executive reminded Finance & Audit Scrutiny Committee that PCGs were useful and correct for specific contracts but care and due diligence always needed to be given to these matters.

**Resolved** that

- (1) the Significant Business Risk Register attached at Appendix 1 be noted; and
- (2) the changing risks and the emerging risks identified, be noted.

(The Portfolio Holder for this item was Councillor Mobbs)

159. **Public and Press**

**Resolved** that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following two items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government

(Access to Information) (Variation) Order 2006, as set out below.

Item Nos.	Para Nos.	Reason
160	1	Information relating to an Individual
160	2	Information which is likely to reveal the identity of an individual
161	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full minutes of items 160 and 161 would be included within the confidential minutes of the meeting.

**160. Exchequer and Benefits Redesign**

The Executive considered a report from Finance and the recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Whiting)

**161. Europa Way**

The Executive considered a report that updated them on the progress on the Europa Way project for a community football stadium and enabling developments.

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Phillips)

**162. Confidential minutes**

The confidential minutes of the meetings on 7 February and 7 March 2018 were not available and would be submitted to a future meeting.

(The meeting ended at 6.51 pm)