

WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 27 June 2012, at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Kinson (Chairman); Councillors Barrott, Boad, Brookes, Mrs Bunker, Caborn, Coker, Copping, Cross, Dagg, Davies, De-Lara-Bond, Dean, Doody, Mrs Gallagher, Gifford, Gill, Mrs Goode, Mrs Grainger, Guest, Hammon, Heath, Mrs Higgins, Illingworth, Kinson, Kirton, Mrs Knight, MacKay, Mrs Mellor, Mobbs, Pittarello, Pratt, Mrs Syson, Vincett, Weber, Wilkinson, Williams and Wreford-Bush.

Apologies for absence were received from Councillors Mrs Bromley, Dhillon, Edwards, Mrs Falp, Rhead, Mrs Sawdon, Shilton and Weed.

8. **DECLARATIONS OF INTEREST**

Minute Number 13 – Questions to the Leader

Councillor Mrs Mellor declared a personal and prejudicial interest about the question about Racing Club Warwick, and left the room for this item.

Minute Number 17 – Police & Crime Panels

Councillor Goode declared a personal interest because she was a member of Warwickshire County Council and the Police Authority.

9. **MINUTES**

The Minutes of the meeting of the Council held on 16 May and 21 May 2012 were approved as a correct record.

10. **COMMUNICATIONS AND ANNOUNCEMENTS**

The Chairman made the following announcements and communications:

- (1) the armed forces flag would be flying at the Town Hall for Armed Forces Day on Saturday 30 June 2012;
- (2) the Olympic Torch would be visiting Kenilworth, Royal Leamington Spa and Warwick on Sunday 1 July 2012;
- (3) he intended to invite local Olympians and Para Olympians to the Council meeting on 27 September to congratulate them on their efforts;
- (4) he congratulated Councillor MacKay on his completion of the Two Castles Run and thanked him for the money he had raised for the Chairman's Charities.

The Chairman drew attention to the addendum that had been circulated that evening with regard to agenda item 14, Prayers at Council Meetings, and item 15, New Standards Regime.

(The Chairman explained that there had been no submissions for consideration under agenda: item 5, Public Interest Debate; item 7, Notices of Motion; item 8, Public Submissions; item 9, Questions to Committee Chairmen; and item 10, Questions to Portfolio Holders.)

11. PETITIONS

The petition was proposed by Councillor Mrs Blacklock and duly seconded:
"The Abbey Fields play area has been allowed to deteriorate and the opportunities for play have become very limited. We ask the Council to restore items that have been removed, immediately; and to draw up a programme for improvements and release the funding for this, so that it meets the standard expected of a 'Destination Play Area'."

The Chairman permitted Mark Davison to address the Council about the petition.

The Chairman informed the meeting that Kenilworth Round Table had written to him expressing an interest in making a financial contribution to any new play equipment in Abbey Fields and he asked for this to be fed back to appropriate officers.

Councillor Coker, in the absence of the Portfolio Holder, proposed alternatively that:

"The Council agrees with the petition, as the items of play equipment which were removed for safety purposes were due to be repaired or replaced within the next three weeks, although it hoped this would be prior to the Kenilworth Carnival."

The Council established a playground working party to consider the future of playgrounds across the District. This working party recommended that officers identify a replacement programme for playground equipment. A programme was being put together for the whole of the District and the play area at Abbey Fields would feature as a priority in this programme.

A meeting of the Play Area Working Party was to be arranged for the end of July to consider and approve the proposed programme. Once the programme had been agreed, officers would commence the procurement process and implement the refurbishment programme based on the agreed priority areas, and within the budget currently available."

This was accepted by the proposer and seconder of the original motion and on being put to the vote, was carried.

Councillor Coker also informed the meeting that across the District the cost of the replacement programme was estimated to be in the region of £1.67 million.

12. LEADER'S AND PORTFOLIO HOLDERS' STATEMENTS

- (A) Councillor Gallagher, Portfolio Holder for Culture, made two announcements:
- (i) following the changes to free swimming last year, the Council had undertaken a specific programme aimed at non swimmers for swimming lessons with several local primary schools. This had seen 119 non swimmers learning to swim and receiving awards for this; and
 - (ii) Linden Arches was officially opened by HRH Duke of Gloucester on 7 June 2012 and she took the opportunity to thank all the members of the public, companies, Councillors and District

Council Officers who had helped not only with organising the official opening, but also within the re-introduction of the arches.

- (B) Councillor Coker, Portfolio Holder for Environmental Services and Community Protection, made two announcements:
- (i) thanked the officers for all their time and effort involved in the successful prosecution of the owners of Warwick Castle for a breach of health and safety. He explained that while Warwick Castle had appealed the sentence they had not appealed the conviction; and
 - (ii) informed the Council that he had received a thank you letter from a well established local firm which was closing down. They had written to him to thank all staff at the Council for their work and professional attitude over the years.
- (C) Councillor Doody, the Leader, thanked the Chief Executive for all his work on the Boundary Review. He explained that the Boundary Commission had asked for further information and the Chief Executive would be meeting with them to discuss this.

13. **QUESTIONS FOR THE LEADER**

Councillor Barrott asked the Leader of the Council:

"If he could confirm, as set out in his response to Council in April, that the Council receiving rent from Racing Club Warwick (part of which was for the site occupied by the Cadets) and also from the Cadets?"

In response, the Leader of the Council, Councillor Doody, explained that the Council was receiving rent from both Racing Club Warwick and the Cadets. Following questions of clarification from Councillor Barrott the Leader confirmed the money was partly for the same land but that the Cadets were not paying rent to Racing Club Warwick. However he explained this was one of the matters he hoped to resolve through a revised lease.

14. **REPORT OF THE EXECUTIVE**

The report of the Executive meeting of 18 April, 21 May, 30 May and Minutes 17 to 19 of 20 June 2012 was proposed by Councillor Doody duly seconded and

RESOLVED that the report be approved.

15. **PRAYERS**

The Council considered a report from the Monitoring Officer which had been produced at the request of the Overview & Scrutiny Committee and outlined the legal position with regard to Prayers at Council meetings.

It was proposed by Councillor Boad and duly seconded, that Council resolves to:

- (a) Cease the practice of holding any form of worship at the start of all meetings of the Council with immediate effect;
- (b) Introduce at the start of the Council meeting a period of quiet reflection (of no more than 30 seconds) to enable all members and officers to gather their thoughts for the ensuing meeting;

- (c) Review the period of quiet reflection prior to the Annual Council meeting in 2013.

It was proposed by Councillor Mobbs and duly seconded by Councillor Mrs Higgins, that the Council holds prayers at 6.00pm with the formal meeting starting at 6.05pm.

On being put to the vote this was approved as the substantive motion and on the second vote was

RESOLVED that the Chairman holds prayers at 6.00pm with the formal Council meeting starting at 6.05pm.

16. **NEW STANDARDS REGIME**

The Council considered a report from the Monitoring Officer that set out proposals for a new standards regime for the Council, which included a new Code of Conduct; the arrangements for a new Standards Committee; the process for handling complaints about Councillors; and amendments to Council Procedure Rules.

Councillor Caborn addressed the Council and highlighted the addendum circulated at the meeting which included two additional recommendations from the Monitoring Officer and comments from the current Standards Committee. In addition he informed the Council that there would be training on 23 July 2012 on this subject matter and encouraged all Councillors to attend.

Councillor Caborn proposed the recommendations of the report, as amended by the addendum, subject to an additional recommendation asking the Standards Committee to consider its name, this duly seconded and:

RESOLVED that

- (1) the new Code of Conduct, as set out at Appendix A, to the report, be adopted from 1 July 2012;
- (2) Part B (Disclosable Pecuniary Interests) of the new Code of Conduct is a legal requirement and provides for criminal sanction should Members not reveal any Disclosable Pecuniary Interests, be noted;
- (3) the revised Warwick District Council Standards Committee Guide, as set out at Appendix B, be approved;
- (4) the procedure for handling complaints about Councillors, as set out at Appendix C, be approved;
- (5) the Council recommends to all Parish & Town Councils within Warwick District that they adopt the new Code of Conduct from the District Council;

- (6) the current co-opted Parish & Town Council Standards Committee members transfer to the new Standards Committee until Parish & Town Council elections in May 2015;
- (7) the following revisions to the Council's Constitution, be approved:
 - Council Procedure Rules, as set out at Appendix D to the report;
 - Article 9 of the Constitution, as set out at Appendix E to the report; and
 - Part 3 – Section 2 Council Functions, as set out at Appendix F to the report;
- (8) the Monitoring Officer, in collaboration with the Independent Person(s) and new Standards Committee Chairman, develop procedures for Conducting an Investigation and Standards Committee Decision Making;
- (9) the Monitoring Officer brings forward for approval any changes to the arrangements contained in this report once the new Code of Conduct and Standards Committee have bedded-in;
- (10) following the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 along with the roles and experience offered by Mr Purser and Mr Willers as Independent Representatives they be appointed as interim Independent Persons up to 1 July 2013;
- (11) the membership of the Standards Committee from 1 July 2012 be Councillors Brookes, Mrs Bunker, Ms De-Lara-Bond, Mrs Falp, Mrs Knight, Pratt, Mrs Sawdon, Mrs Syson, Wilkinson and Williams.

17. **POLICE AND CRIME PANELS**

The Council considered a report from Community Protection regarding the need to establish a county-wide Police and Crime Panel and proposals for bringing this into practice.

RESOLVED that

- (1) a Warwickshire Police and Crime Panel be appointed as a joint committee of the six principal authorities in the Warwickshire Police Force Area, to be administered by Warwickshire County Council;
- (2) up to two Councillors from Warwick District Council be appointed to the Warwickshire Police and Crime Panel, one of which will be the Leader of the Council; and

- (3) the Chief Executive, be authorised, in consultation with the Head of Community Protection, Leader of the Council, and Portfolio Holder for Community protection, to consult with other authorities in Warwickshire to finalise the composition of the Panel, subject to a retrospective report to the Executive.

18. **UNAUTHORISED RESIDENTIAL CARAVAN SITE, KITES NEST LANE, BEAUSALE: UPDATE**

The Council received a report from Development Services that set out the current position in respect of the ongoing breach of planning control at Kites Nest Lane, Beausale. It sought delegated authority for the Chief Executive, in consultation with the Development Portfolio Holder and the Group Leaders of the Council, to authorise further action as necessary to ensure full compliance with the current Enforcement Notice.

RESOLVED that

- (1) the actions currently under way to seek to revise the terms of the existing interim injunction on this site, be endorsed;
- (2) the Chief Executive, be authorised, in consultation with the Development Portfolio Holder and Group Leaders of the Council, to authorise further action to be taken by the Council as necessary to ensure full compliance with the current Enforcement Notice; and
- (3) a further update report be brought to Council as soon as possible after the compliance date with the Enforcement Notice in September.

19. **FINANCE & AUDIT SCRUTINY COMMITTEE – END OF TERM REPORT**

The Council received the end of term report from the Finance & Audit Scrutiny Committee, that outlined the work it had undertaken in the last 12 months.

RESOLVED that the report be noted

20. **OVERVIEW & SCRUTINY COMMITTEE – END OF TERM REPORT**

The Council received the end of term report from the Overview & Scrutiny Committee, that outlined the work it had undertaken in the last 12 months.

RESOLVED that the report be noted

21. **PUBLIC AND PRESS**

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

Minute No.	Para Nos.	Reason
21	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

22. **REPORT OF THE EXECUTIVE**

The confidential report of the Executive meeting of 30 May 2012 was proposed by Councillor Doody duly seconded and

RESOLVED that the report be approved

23. **COMMON SEAL**

It was

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

(The meeting ended at 8.40 pm)

CHAIRMAN
27 September 2012