

# Executive

Minutes of the meeting held on Wednesday 26 July 2017 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; Barrott (Chair of Finance & Audit Scrutiny Committee), Mrs Falp (Chair of Overview & Scrutiny Committee and Whitnash Residents' Association (Independent) Group Observer); and Councillor Quinney (Labour Group Observer).

## 25. **Declarations of Interest**

There were no declarations of interest.

## 26. **Minutes**

The minutes of 1 June 2017 were taken as read and signed by the Leader as a correct record.

### **Part 1**

(Items on which a decision by Council on 9 August 2017 was required)

## 27. **Final Accounts 2016/17**

The Executive considered a report from Finance that set out the Final Accounts for 2016/17, provided summary information on the 2016/17 out-turn with the Appendices and Statement of Accounts providing an in depth analysis.

The 2016/17 Accounts had been closed, and were being audited by the Council's external auditors. This report should be completed and made available on the Council's website by the end of July, subject to the outcome of the Audit. It was intended that Finance and Audit Scrutiny Committee would formally approve the Audited Statement of Accounts on the 25 July 2017.

The Executive were asked to note the financial position for 2016/17 as detailed in the report, and to retrospectively approve the allocation of the surplus which had been appropriated to the Planning Appeals Reserve and the Leisure Options Reserve under delegated authority.

Under the Accounts and Audit Regulations 2015, local authorities' audited Statement of Accounts from 2017/18 must be published by 31 July 2018, and annually thereafter. Under the current regulations, the draft accounts must be completed and signed by the responsible finance officer by 30 June, with the audit and formal publication completed by 30 September. Piloting this new tighter timetable, the draft accounts for 2016/17 were completed by the end of May, giving June and July for the audit process.

The November 2016 Budget Review report detailed how the new arrangements would work and Members approved that any surplus or deficit on the General Fund balance was to be appropriated to or from the General Fund Balance within the Statement of Accounts. Similarly it was agreed for the Housing Revenue Account, that the balance would be automatically appropriated to/from the HRA Capital Investment Reserve. It was also agreed that the Head of Finance, in consultation with the Finance Portfolio Holder, would amend these arrangements for appropriating the surpluses or deficits as necessary and would agree any further items of revenue and capital slippage.

In February of this year as part of the Budget Setting Process, Members approved the Revenue Ear Marked Reserves to be carried forward into 2017/18 where it had not been possible to complete projects during 2016/17. Further requests had been approved under delegated authority by the Head of Finance as follows:

| <b>Portfolio</b>     | <b>Project</b>   | <b>Amount £</b> | <b>Reason</b>  |
|----------------------|--|-----------------|--|
| Cultural Services    | Replacement of Netting at St Nicholas Park and Castle Farm Leisure Centres | 6,400           | Awaiting completion of the Redevelopment of the Leisure Centres                          |
| Strategic Leadership | ICT Hardware   | 3,100           | Ordered at the beginning of February, shortage of parts has delayed delivery until April |
| Strategic Leadership | Software for new printers that are in the process of being procured        | 11,200          | Part of review of printer software and equipment based on relocation requirements        |

The unspent balances on the original approved Ear Marked Reserve Requests had been updated to reflect those at 31 March 2017. Some of these had proven lower than forecast, due to more monies being spent during 2016/17 than originally envisaged. Incorporating the new requests, the actual amounts carried forward had reduced. The final position for Ear Marked Reserves to be carried forward into 2017/18 was as follows:

|                           | <b>Actual Unspent Balance</b> | <b>Original Request</b> |
|---------------------------|-------------------------------|-------------------------|
|                           | <b>£</b>                      | <b>£</b>                |
| <b>General Fund</b>       |                               |                         |
| Strategic Arts Programme  | 5,300                         | 5,500                   |
| St Marys Lands Masterplan | 39,300                        | 55,900                  |
| Electric Pool Vehicles    | 2,100                         | 6,200                   |

|   |                |                |
|---|----------------|----------------|
| Heat Distribution Network                                     | 17,200         | 17,200         |
| Lillington Regeneration                                       | 26,300         | 26,000         |
| Europa Way Strategic Opportunity Proposal                     | 6,400          | 26,200         |
| Harbury Lane  | 103,800        | 104,000        |
| <br>  |                |                |
| Crematorium Rebranding  | 24,000         | 24,000         |
| <br>  |                |                |
| HQ Relocation Project Manager                                 | 9,000          | 9,000          |
| Coventry & Warwickshire LEP Growth Hub                        | 22,500         | 22,500         |
| Website   | 2,900          | 15,000         |
| Workplace Transformation in preparation for Office Relocation | 9,100          | 9,200          |
| ICT hardware  | 3,100          |                |
| Castle Farm £1,700 & St Nicholas Park £4,700 nets             | 6,400          |                |
| Installation of new printers                                  | 11,200         |                |
| <b>Total General Fund</b>                                     | <b>288,600</b> | <b>320,700</b> |
| <b>HRA</b>  |                |                |
| New Carpeting for Chandos Court                               | 10,700         | 10,700         |
| Independent Satisfaction Survey for Tenants and Leaseholders  | 5,800          | 6,000          |
| Chandos Court Scooter Store                                   | 32,700         | 33,000         |
| New Fire Panels for Sheltered Schemes                         | 114,700        | 157,000        |
| <b>Total HRA</b>  | <b>163,900</b> | <b>206,700</b> |

The final out-turn positions upon closure of the Accounts are as follows-

|                   | <b>Revised Budget<br/>£'000's</b> | <b>Actual<br/>£'000's</b> | <b>Variation<br/>£'000's</b> |
|-------------------|-----------------------------------|---------------------------|------------------------------|
| HRA               | -3,992                            | -5,599                    | -1,608                       |
| General Fund      | 11,969                            | 11,512                    | -457                         |
| Capital Programme | 21,515                            | 16,690                    | -4,825                       |

£150,000 of the General Fund Surplus was appropriated to the Planning Appeals Reserve to replenish the extra demands from the implementation of the local plan as outlined in the June 2017 Fit for the Future report. The Refurbishment of the Leisure Centres had been delayed. At the time of writing this report, officers believed that the new Contractor was likely to seek compensation but would also aim to reduce the net cost to this Council. The Leisure Options Reserve was not adequate to forward fund any settlement, prior to the Council being able to agree any reimbursement. Therefore, approval was sought for the residual surplus (£306,800) to be appropriated to the Leisure Options Reserve. These appropriations were made within the 2016/17 Accounts under the delegated powers outlined in 3.2 above. The HRA balance was automatically transferred to the HRA Capital Investment Reserve with the Capital underspend being slipped to 2017/18 or returned to the HRA or General Fund Capital Investment Reserves as appropriate. Any adjustments to these arrangements would be carried out in 2017/18.

Section 8, of the report, and the appendices, to the report, provided further information on the Capital Programme, General Fund and HRA Revenue Accounts outturns, with explanations for significant variations. The Executive needed to be aware of the final position for the Council's finances for 2016/17 and any future implications. They were asked to note these explanations and endorse the work that officers were doing to improve the accuracy of budget setting and monitoring.

£484,000 was approved to be drawn down from the Leisure Options Reserve to compensate for the reduced income whilst Newbold Comyn and St Nicholas Park Leisure Centres underwent refurbishment (November 2016 Base Budget Report). Upon closure of the Accounts, the actual outturn was £101,000 favourable against the Revised Budgets, so reducing the need for this Reserve Funding from £484,000 to £383,000. Confirmation was sought of the revised contribution, with no changes to this being made in 2017/18 at present.

In April of this year, a report on the Corporate Repair and Annual Maintenance Programme, was considered. At that point it was forecast that £485,600 of this budget would be slipped due to some of the planned works being deferred until 2017/18. Upon closure of the accounts, it had been established that the budget, £1,371,500, had actually been underspent by £931,800. These monies would be returned to the Corporate Asset Reserve to be utilised in future years. The April report outlined the reasons for the delays, including the absence of the Head of Service, weather and proactive decisions to defer works to minimise service disruption. This underspending was spread across the General Fund Services and was contained within the "Premises" variations in the detailed General Fund Appendix. It was recommended that the revised position be noted and approval of the surplus appropriated back to the Reserve within the 2016/18 should remain so for 2017/18.

The report was a statement of fact. However, how the outcomes could be treated, could be dealt with in a variety of ways, mainly the alternatives were to allow the General Fund balance to vary from the £1.5m level, along with how the 2016/17 surplus was allocated. Any changes to the allocations would be carried out during 2017/18.

Finance and Audit Scrutiny Committee had not been able to approve the Audited Statement of Accounts at their meeting on 25 July 2017 because the external auditors had not yet completed their work on the accounts.

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

The Executive recognised that there was a significant amount of paperwork to be considered and scrutinised in a short period of time. They also recognised the challenge of requesting attendance from a significant number of officers to respond to questions rather than relying on the Head of Finance. However, they reminded Scrutiny that they could always email questions to officers in advance of the meeting to enable a detailed written response to be available.



The Executive also commended officers for their success in continuing to deliver services for a far lower cost and that they knew this was getting harder to achieve. They also reminded all Councillors, while the general budget was being balanced, there was a need to fund a significant amount of capital works.

**Recommended that**

- (1) the new arrangements for the closure of the Annual Accounts as outlined in the report and in the November 2016 Budget Review Report be noted;
- (2) the final position for Revenue Slippage (Ear Marked Reserves) to 2017/18. £288,600 General Fund and £163,900 Housing Revenue Account (HRA), including the additional requests approved under delegated authority, be noted;
- (3) the final positions for the two funds, £456,800 favourable General Fund Revenue and £1,607,600 favourable Revenue HRA, the Capital Programme shows a favourable variation of some £4,824,600, be noted and Council confirms the appropriations set out in the report in section 3.4 of the report; and
- (4) the revised contributions from the Leisure Options Reserve and to the Corporate Asset Reserve as detailed in sections 3.6 and 3.7 of the report, be approved.

(The Portfolio Holder for this item was Councillor Whiting.)  
Forward Plan reference 847

**28. Fire Safety in High-rise Buildings**

The Executive considered a report from the Deputy Chief Executive (BH) regarding fire safety in high-rise buildings managed by the Council, advised them of the work that had been underway since the Grenfell Tower fire and the work that had been identified as a result of the Warwickshire Fire and Rescue Service compliance checks.

The fire in Grenfell Tower in the London Borough of Kensington & Chelsea on the night of the 13/14 June 2017 was presumed to have killed at least 80 people and had far reaching consequences. The causes of the fire, the spread of the fire and the response to the fire were the subject of a number of investigations, including an on-going Police investigation and the commencement of the process for a Public Inquiry into the tragedy, led by a retired judge. The Department of Communities and Local Government had issued a number of guidance statements on fire safety checks and instructions on the testing of certain types of cladding to all local authority and housing association chief executives and the owners, landlords and managers of private residential blocks and the Government



Property Unit had subsequently extended this guidance to all Government departments so that it applied to all government buildings and the education and health sectors.

In Warwickshire, the Chief Fire Officer had instigated a series of Fire Safety Compliance Checks on any building above 18 metres in height and/or any residential premises above six storeys. These audits of the fire safety provisions within those premises had been undertaken by officers from Warwickshire Fire & Rescue Service (WFRS), in conjunction with representatives of the building owner or managing agent, in the Fire Services' capacity as Enforcing Authority under the Regulatory Reform (Fire Safety) Order 2005.

Warwick District Council (WDC) owned and managed seven multi-storey blocks above 18 meters in height, and had two further blocks of flats of six-storeys, all within Leamington. These blocks contained a further 28 socially rented and leasehold flats. In total, across the nine blocks there were 375 socially rented flats and 32 leasehold flats as detailed at Appendix One to the report. These blocks had all been inspected by WFRS and a Fire Safety Compliance Check Report had been received for each block.

DCLG fire safety guidance applied to the seven multi-storey blocks and the Council had provided the necessary returns confirming compliance with this guidance to Government.

In the immediate aftermath of the Grenfell Tower disaster, the Council hand delivered a letter to each property within the seven multi-storey blocks to provide reassurance to the residents of the fire safety provisions that were in place and the additional checks that were now being put in place. A subsequent letter was hand delivered on 29 June. Copies of these letters were set out at Appendix Two and Appendix Three to the report.

Although the DCLG guidance only referred to blocks in excess of 18 metres in height, WFRS decided that they would inspect all blocks of six storeys or more. An initial round of joint inspections was undertaken for the seven multi-storey blocks and subsequently the two additional six storey blocks falling within the local designation had also been jointly inspected. A separate letter would be sent to the residents of these blocks.

The joint inspections included visual inspections of the following elements within each block:

- External cladding where fitted
- Communal areas, stairwells and escape routes
- Fire safety signage
- Dry risers where fitted
- Bin stores and, where applicable, bin chutes
- Storage areas and meter cupboards
- Fire doors to communal areas
- Front doors to flats
- Fire stopping and cable clipping in communal areas
- External areas to ensure there were no fire safety hazards



In addition, the visit also assessed the records maintained in respect of:

- Testing of electrical installations
- Testing of fire alarm systems
- Testing of emergency lighting
- General fire safety management

The national guidance initially focussed on the cladding fitted to high rise blocks. Five of the HRA blocks were clad, four with one system, one with another. None of the cladding systems fitted to the blocks comprised the Aluminium Composite Material (ACM) system that was fitted to Grenfell Tower and which the DCLG guidance had required to be tested. The focus of the investigations into the cladding of the five blocks had been to ensure that the integrity of the cladding system was not compromised, with repairs being ordered to rectify the few examples of minor damage, followed by a thorough technical review of the fire safety properties of the cladding's properties, in consultation with WFRS.

The joint visits focussed on a broader range of issues than just the cladding fitted to the blocks. Following the visits, the Council had received an individual Fire Safety Compliance Check Report for each of the seven multi-storey blocks and was awaiting similar reports for the two six-storey blocks. Each of the reports received, provided an individual schedule of issues that WFRS would require the Council to address in respect of its duties under the Regulatory Reform (Fire Safety) Order 2005 and some additional recommendations listed as 'Goodwill Advice'. It was anticipated the two letters yet to be received would follow a similar format.

WFRS advised that they would re-inspect each block on 20 September 2017 by which time they expected that the specified issues would have been addressed. Provided this was the case, they intended to then issue a 'Letter of general compliance' in respect of each block. At this point the Council would formally update its Fire Risk Assessments in respect of each block.

Officers welcomed both the detailed reports that have been received and the collaborative approach adopted by WFRS. Resident safety was of paramount importance and a huge amount of work had already been completed or put into train. A corporate Fire Safety Group had been established and was currently meeting weekly to oversee the multiple work-streams that were underway. Led by the Deputy Chief Executive (BH) the membership of this group was:

- Head of Consortium, Warwick Building Control
- Technical Consultant, Warwick Building Control
- Building Manager & Health and Safety Coordinator
- Asset Manager
- Sustaining Tenancies Manager

This group had been working closely with WFRS and officers from the group had been attending a fortnightly WFRS/Local Authority meeting that was overseeing the county-wide response to events since the Grenfell Tower fire.

As a result of the joint inspections of the blocks, work had either been completed or was well advanced to:

- Replace damaged front doors and/or repair damaged door frames to 58 flats
- Provide additional cable clipping in communal areas as appropriate
- Provide fire stopping in communal areas where new work had been identified since this was last completed (e.g. where a new cable had been fitted).
- Repair or replace any damaged communal area store or meter cupboard doors
- Relocate external recycling bins further away from blocks
- Repair any minor damage to cladding, where fitted

In addition, the following management actions had been implemented:

- Review of existing fire safety assessments
- An enhanced communal area inspection regime with revised recording systems
- Issue of revised fire safety notices to all residents
- Visual inspection of every flat front door
- Identification of an appropriate specialist framework contractor to enable additional works to be ordered speedily
- Adoption of a risk based approach in respect of additional verification of the fire safety properties of the cladding fitted to five of the multi-storey blocks
- Prioritised requests to specialist contractors for costed proposals for automatic smoke ventilation systems to stairwells, fitting of 'drench' sprinkler systems to bin stores; upgrades to the communal fire alarm systems currently fitted to every block; retro-fitting of dry-risers to the two six storey blocks; upgrades to lobby protection and bin chute door specifications; provision of an electronic register for future maintenance recording

WFRS had indicated they were satisfied with the response that WDC had made to date in respect of the Compliance Check Reports and had reiterated their desire to work collaboratively. Officers would be ensuring that regular dialogue was maintained in respect of the progress of the works already in train in the Council's nine designated blocks and will be seeking their specialist guidance in respect of particular proposals that were now being developed under the last bullet point above. It was also known that the Chief Fire Officer would continue to advocate the 'retro-fitting' of sprinkler systems to all designated blocks, an issue set out in the 'goodwill advice' section of the letters received to date. This was a significant technical issue that would require detailed and specialist consideration so would be dealt with once the list of works set out above had been addressed.

The Fire Safety group had developed a programme for an internal inspection of every flat within the nine blocks to provide a further level of reassurance in respect of fire safety. These inspections would record:

- Flat layout (to enable details to be provided to WFRS)
- Check to ensure no internal fire safety measures had been compromised (e.g. unauthorised removal of kitchen door, deactivation of fitted smoke detectors etc.)
- Occupant details (to enable details to be provided to WFRS of any occupants with special needs and allow an assessment to be made of





the need for any specialist equipment e.g. beacons as well as sounders for alarms for hard of hearing occupants)

- Condition of windows and doors
- Visual check of cladding around window reveals (to check for any damage that could not be observed from ground level)

In addition to these inspections, WFRS would be arranging for their operational crews (as opposed to their specialist Fire Prevention Officers who had undertaken the joint visits to date) to visit each flat within the nine blocks and offer the occupants a 'Safe and Well Check' allowing education and guidance on fire safety issues to be provided.

An appropriate specialist framework contractor had been identified and a direct award made to engage their services as required by the Code of Contract Practice. Demand for the services of such contractors was currently high so officers had moved quickly to place the direct award which would be followed by an appropriate form of contract. The contractor would begin a detailed survey of every door on every floor of the communal areas, including all flat front doors. This was additional to the current programme of repairing or replacing damaged doors for which two dedicated crews had been provided by our responsive repair contractor. The aim of this survey would be to enable us to work with the framework contractor to devise a programme of replacing every door on a rolling programme, enabling them to be upgraded to provide 60 minute fire protection.

It was recommended that authority be delegated to the Deputy Chief Executive (BH), in consultation with the Housing Portfolio Holder, to enable this work to be undertaken during the coming financial year. Clearly, all this work would not be completed by 20 September 2017 when WFRS would re-inspect the blocks but they had indicated that they were likely to be satisfied with evidence that an appropriate, risk based, programme was in place provided the immediate remedial work (currently underway) had been completed. The likely cost of a comprehensive door replacement programme plus future specialist works such as the fitting of automatic smoke ventilation, fire alarm upgrades or fire suppression systems for bin stores was estimated at c£2.5m. The proposed mechanism for financing these works was to use the unallocated balances within the Major Repairs Reserve which meant it could be accommodated without detriment to the planned expenditure already budgeted for within the HRA Business Plan. This was explained in further detail in section 5 of the report.

It was recommended that the Council assume responsibility for the replacement of the front doors to the 32 leasehold flats within the nine blocks and for any upgrades required to the existing internal alarm provision within these flats (for example, currently it was unclear if any of the flats were sold prior to hard-wired smoke alarms being fitted to flats within the block). Legal advice had been requested on whether a nominal charge should be levied for the proposed work and whether or not a leaseholder could be compelled to accept the offer of the work being paid for by Council (at least in respect of an upgraded front door to their flat on the grounds that a door providing less fire protection than those fitted

elsewhere in the block could compromise the safety of all residents not just the occupants of the leasehold flat).

In addition to the work that was being undertaken in respect of the Council's nine HRA blocks, officers from the Private Sector Housing Team and Warwick Building Control had been in extensive and regular dialogue with WFRS in respect of privately owned residential blocks within the District.

WFRS had been undertaking similar inspections of the communal parts and exterior of these blocks in conjunction with the owner, landlord or managing agent and providing them with the same Fire Safety Compliance Check Report as they had for the Council. In all cases to date, these had identified issues to be addressed and other 'goodwill advice' issues for consideration as in the reports the Council had received.

The blocks inspected to date were:

- Manor Court, Avenue Road, Leamington
- The Space, Clarendon Avenue, Leamington
- Regency House, Newbold Terrace, Leamington
- 9 Clarendon Place, Leamington

WFRS were currently assessing whether a further block at Kempton Drive, Warwick fell within their criteria. They had also undertaken an inspection of the Holiday Inn, Kenilworth as this was above six storeys in height.

At present, there appeared to be no immediate role for the Council in respect of these privately owned blocks although there could potentially be a future enforcement role were the owners/agents not to undertake work identified by WFRS as necessary under the Regulatory Reform (Fire Safety) Order which applied to the private sector as well as local authorities and housing associations. There was also the possibility that, based on a risk assessment of their findings in respect of communal areas WFRS could advise that it would be prudent to check the fire safety of flats within these privately owned blocks, utilising the Council's powers under the Housing Health and Safety Rating System. The potential for Council involvement was being monitored by the Fire Safety Group and in addition officers would hold a further meeting with WFRS, focussing solely on these blocks.

The current situation was fast moving and guidance continued to evolve. The Council continued to do all it could to reassure tenants, collaborate with WFRS, adapt its risk based approach, deal with immediate issues, revise inspection regimes and evaluate all options to mitigate risk and enhance the existing levels of fire safety. The Council's risk based approach to fire safety in its high rise flats would be independently re-assessed by WFRS, no later than 20 September 2017 when the nine designated blocks were re-inspected. A further report would be brought to a future Executive after that date, setting out any further work required in respect of the nine designated high rise blocks and examining any issues relating to fire safety in the Council's remaining low rise blocks of flats.

Alternatively, the Council could consider not adopting the recommendations set out in this report but this was not considered to be a viable option given the risks set out above.

The Overview & Scrutiny Committee supported the recommendations in the report and praised the actions taken so far. The Committee looked forward to the next report and seeing the timescales.

The Executive complimented officers for their work that was already in place prior to the tragedy, at Grenfell Tower, which had put the Council in a robust position. However, in addition to this, their work after the event, demonstrating their knowledge of Council properties, had been exceptional to ensure issues were identified and resolved. This work was a credit to the Council.

The Executive also confirmed that the next report was expected to come forward in November 2017.

The Head of Finance informed the Executive that he had revisited Item 4 Fire Safety in High-Rise Buildings, due to be considered by the Executive this evening. On reflection, due to the value of the additional works being proposed, and in accordance with the Council's Code of Financial Practice, the increased budget required the approval of Council.

Therefore recommendation 2.2 should be amended to read as follows:

*"That Council delegates authority to the Deputy Chief Executive (BH) in consultation with the Housing Portfolio Holder, to agree additional expenditure in 2017/18 for fire safety works to Housing Revenue Account (HRA) properties, utilising the unallocated balances on the Major Repairs Reserve."*

Therefore, if approved by the Executive, this aspect of the report would be referred to Council for consideration on 9 August 2017. However, recommendations 2.1, 2.3 and 2.4 within the report remained as decisions for the Executive to take.

**Recommended** that Council delegates authority to the Deputy Chief Executive (BH) in consultation with the Housing Portfolio Holder, to agree additional expenditure in 2017/18 for fire safety works to Housing Revenue Account (HRA) properties, utilising the unallocated balances on the Major Repairs Reserve; and

**Resolved** that

- (1) the contents of this report be noted;
- (2) subject to agreement of Council, above, that fire safety works to front doors to, and fire detection equipment within, leasehold flats within the nine designated blocks, listed at Appendix One, will 'in principle' be funded by the HRA; and



- (3) a further report will be presented to the Executive when WFRS have re-inspected the Council's nine designated blocks of six-storeys or above.

(The Portfolio Holder for this item was Councillor Phillips.)

## **Part 2**

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

### **29. Improvements in Royal Pump Rooms**

The Executive considered a report from Cultural Services which brought forward proposals for improvements in the Royal Pump Rooms that would ultimately increase footfall through them and the use of the services within them.

A report regarding the management of the Royal Leamington Spa Visitor Information Centre (VIC) was considered at a meeting of the Executive on 5 January 2017. The Executive approved the report's recommendation that Warwick District Council's Arts section take responsibility for the delivery of the service and that the VIC and Box Office teams be combined into a single team.

It was also agreed by the Executive that the budget for the annual grant previously allocated to Warwick Town Council for delivering the VIC service in 2017/18 could be reallocated to fund the relocation of the box office to the VIC area at the front of the Royal Pump Rooms.

A staffing review which aimed to combine the two teams was underway and was in the final stages of the Council's established service review process. During the consultation stages of the service review a wide range of issues were identified that affected the Royal Pump Rooms more generally.

It would be the aim of the proposed project to increase the use of one of the Council's key assets, the Royal Pump Rooms. It was believed that the Council was best placed to promote all of the various services delivered from the site in a more cohesive fashion. It was necessary to reinforce public perception of the Royal Pump Rooms as a 'high quality cultural hub' in order to increase footfall from local residents and tourists.

In order to achieve this there had to be a level of investment from the Council. The objective would be to change the layout and use of the public concourse area in order to create a destination where the public would wish to dwell for leisure time, rather than simply use it as a thoroughfare. There would be no structural alterations to the building and these changes would be achieved through a review of the roles of District Council staff that worked within the building and some relatively minor improvements to the internal layout and décor of the concourse area.

Any increase in ongoing operational costs would have to be met from the service's existing budgets and would be cost neutral. It was also the expectation that any additional investment in the area would need to be met through external grant funding or sponsorship.



There was the opportunity to partner with the District's professional and community arts sector as part of the project in order to provide a space from which it could create and promote their work. It was the belief that the Royal Pump Rooms could become the primary focus for the District's arts community.

A request to utilise £6,000 of the £15,000 budget re-allocated from Warwick Town Council was made by the Arts Manager in May 2017 in order to fund the relocation of the Box Office from the Town Hall to the VIC area of the Royal Pump Rooms. This request was granted and primarily enabled changes to the ICT infrastructure and the purchase of equipment.

At a meeting of the Executive on 5 January 2017 Members agreed that this budget could be utilised to 'deliver ICT infrastructure upgrades'. It was now necessary to request further authorisation from the Executive in order to utilise the remaining £9,000 of the budget to fund wider improvements to the area associated with the project.

If approved, it would be the intention to use the £9,000 budget to make changes to the layout of the concourse area. A plan of the current area was included as Appendix A - Plan of the Current Concourse Area. As part of that project the current art gallery reception desk would be re-sited into the concourse area and placed more prominently in order to act as a reception for the wider building, as well as serving as the combined box office and visitor information point. The CCTV monitor screens and telephone located at the current gallery desk would also be relocated as part of the project. The budget would also fund any necessary enabling works to re-route CCTV, data and power to the desk.

It was intended that the space made available within the gallery by the relocation of the reception desk would be utilised as additional exhibition space, which was currently at a premium.

It was intended that the display 'rotundas' and the large reception desk currently sited within the Visitor Information Centre area of the concourse would be removed in order to reduce the footprint in that area and generate additional space which could be utilised in new ways. The quantity of promotional literature on display would be rationalised and a new method of displaying print would be introduced.

It was intended that the retail display furniture of the Art Gallery & Museum (AG&M) shop would be relocated to the concourse and combined with that of the VIC. There would also be a review of the retail products lines on offer.

It was intended that the signage and décor of the general concourse area would be redesigned. The main wall would be repainted and branded with a sympathetic scheme which would clearly signpost visitors to the various areas within the building – particularly to the AG&M. A visual representation of the interior was included as Appendix B to the report.

While these proposed changes to the layout of the concourse area, together with changes to staff roles and responsibilities, would improve the customer



experience it was proposed that a more comprehensive scheme would be necessary in order to have any significant impact on the use of the Royal Pump Rooms, increasing footfall. This would extend to changing the layout of the concourse area to enable activities to take place there and the re-branding of the main entrance to the building in order to better promote the services within. A plan of the proposed layout was included as Appendix C to the report.

It was believed that the main entrance to the Royal Pump Rooms should be emphasised and that the services within should be better promoted externally. It was intended that 'Food & Drink, Art, History, Literature, Information' would be the five 'pillars' of the building's brand. It was proposed that the entrance way and the windows which were along the Pump Room Gardens side of the building be treated with a sensitive vinyl design which attracted attention, clearly promoted the services within and ensure that the primary route into the building was highlighted. An example visual representation was included as Appendix D to the report. Officers had successfully explored the opportunity to incorporate the work of a local artist in the design of this scheme which would directly link to the heritage of the Royal Pump Rooms and further emphasise the purpose of the building as a cultural space. This scheme would have to comply with the restrictions placed upon the building, as it was listed. WDC's Conservation & Design Officer was consulted during the initial scoping stages and would continue to be involved throughout. All potential Planning issues would be considered and the correct processes followed.

There was an ambition for smaller workshops and events (that currently take place in the library and AG&M) to take place in that concourse space. It was proposed that once the Arts section staff were responsible for supervising that area from a central desk it would become feasible for the team to police it effectively. It was feasible that an area could be dedicated for local professional artists to work within on a rotating basis and to display their works for sale. This would have the advantage of drawing the local professional artistic community into the venue, providing a showcase for their work. It could create a more interesting, engaging atmosphere for visitors and meet a substantial need of the arts sector. The feasibility of this had been explored with a local collective of artists and extremely positive, supportive feedback had been received.

It was intended that all the services delivered from the Royal Pump Rooms should each become an integral part of the concourse space. Items from the AG&M collections and literature should be displayed in that area to the same quality as they were currently within the AG&M spaces. The intention would be create displays which would capture the interest of visitors immediately upon entry to the building and to encourage them to enter the gallery and museum for further information. This additional display space would provide an opportunity to exhibit social history objects and artworks that could not currently be viewed by the public as they were kept in storage. It would serve to better promote the AG&M's programme temporary exhibitions, as pieces from those exhibitions could be showcased in that prominent area at the front of the building. The selection of the objects and the design of the displays would be resourced from the service's current exhibitions budget, using existing resources. The majority



of the budget would be allocated to the purchase of appropriate, secure and environmentally sound display cases.

The café seating would also be included in the area and the Library would include displays.

Alternatively the Executive could refuse to support the proposed changes. The service review, which sought to amalgamate the VIC and box office teams, would increase the opening hours of that area of the service and would also create an enhanced customer experience. With no additional funding or physical changes to the concourse area the newly formed team could operate from the existing VIC desk. However, none of the other challenges identified would be resolved and it was unlikely that footfall through the building would increase significantly.

The Executive could choose, as an alternative, to support only the reallocation of the remaining £9,000 grant to fund this project. These funds would allow for partial implementation of the proposal including the relocation of the gallery desk to the concourse area and the disposal of the current VIC furnishings. However, without significant improvements to the exterior and interior branding of the building, it was unlikely to have a significant impact on attendance to the Royal Pump Rooms and the services within. A limited scheme was also unlikely to attract the support of potential local partners or national funders.

The possibility of commercial sponsorship for the project had been investigated but interest was not high at the current time. The Council had received informal indications that if the planned changes were to occur and the footfall was to increase significantly, there could be renewed interest from commercial creative companies to become involved in a potentially more ambitious scheme. This would be particularly feasible if creative events were to begin to take place in the area.

The possibility of gaining external grant funding to support the project had been explored. Informal discussions with the Arts Council of England (ACE) have been encouraging but it was clear that there would need to be evidenced commitment from WDC before a supporting bid could be considered. Any external funding would be in addition to any capital investment by WDC. There remained a significant potential to connect the concourse space and the wider building with the AG&M's series of temporary exhibitions. If the proposal was to be authorised it would be the intention for the AG&M to submit a specific bid to ACE to support a programme of work in the area aimed at connecting the heritage of the building to the local community, commissioning local artists to work in the space and engage with the public.

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

However, Members raised concerns that the catering contract at the Pump Rooms would be extended for a further 12 months from February 2018 although they noted the reasons for this decision.



The Executive recognised the concerns raised by Finance & Audit Scrutiny Committee and explained that it would be monitoring this situation very closely.

**Resolved that:**

- (1) the aims and principles of the proposed scheme of improvements to the public concourse at the Royal Pump Rooms as detailed in the report, be approved;
- (2) the use of the remaining £9,000 of the £15,000 total annual grant that was reallocated from Warwick Town Council in 2017/18, be approved; to fund improvement works to the concourse area of the Royal Pump Rooms; and
- (3) a further amount of up to £20,000 be allocated from the Contingency Budget in order to pay for additional improvement works to the Royal Pump Rooms concourse area and that the Executive delegate authority to the Head of Cultural Services to agree the allocation of those funds in consultation with the Culture Portfolio Holder.

(Portfolio Holder for this item was Councillor Coker.)

**30. 2<sup>nd</sup> Warwick Sea Scouts Headquarters**

The Executive considered a report from Development Services, that sought approval for landlord's permission for a revised outline scheme for the development of new facilities for 2<sup>nd</sup> Warwick Sea Scouts in St Nicolas Park that was designed to reduce the overall cost of the scheme and re-sequence the work to allow a start on site to be made before the current planning consent expired in November 2017.

On 12 February 2014 the Executive approved landlord's permission for the development of new facilities in St Nicholas Park by 2<sup>nd</sup> Warwick Sea Scouts (2WSS).

Following the granting of landlord's permission by the Executive in February 2014, 2WSS gained planning consent for its scheme in November 2014.

Cost estimates for the consented design put construction costs for the new HQ building at circa £1 million and the boathouse/ yard circa £450,000. 2WSS was optimistic that it might be possible to raise funds to cover costs of that scale. A scheme proposed (but subsequently withdrawn) in 2008 attracted pledges of over £300,000 within just a few months.

Fundraising for the current scheme had proved to be challenging with receipts and pledges well short of the £1 million required for the HQ. The



confidential appendix D summarised the funding raised and pledged to date.

In light of the fundraising results to date, the 2WSS HQ Project Team had reviewed the proposals and scaled back its ambitions. It now proposed to retain the existing hut and refurbish it. A new boatyard would be required, but that would be positioned adjacent to the west wall of their hut. With the boatyard repositioned, the proposed slipway arrangements needed to be amended to align with revised winching points and the boatyard gates. 2WSS was considering reducing the new HQ building from a two storey structure to a single floor building with mezzanine.

2WSS estimated that the cumulative effect of the changes under consideration could reduce overall costs to circa £700,000.

In order to achieve a start on site and preserve its planning permission (which would otherwise lapse in November 2017), 2WSS wished to implement its revised plans for the slipways, jetties and boatyard. This would require a planning application to vary its current planning consent in relation to the hut, boatyard and riverbank works. At the time of writing this report, it was anticipated that by the report date this application would have been submitted.

2WSS estimated that works on the slipway, jetties and boatyard would cost in the region of £50,000. The 2WSS HQ Project Team advised that such an amount could be covered by cash held from general fundraising activities which was not specifically pledged in relation to the HQ building. Before agreeing that work could commence, officers would seek sight of construction cost quotations and bank statements to confirm the availability of funds.

Members' attention was drawn to the fact that the Chief Executive had taken over as sponsor for this project from the Deputy Chief Executive (AJ). A number of decisions were delegated to the Deputy Chief Executive (AJ) in the 2015 Executive Report, and so for clarity and consistency recommendations proposed that these be now passed to the Chief Executive.

Alternatively the Council could refuse to provide landlord's consent. That would leave 2WSS having to pursue its original scheme where the funding challenge was of such magnitude that was likely never to be delivered

**Resolved that**

- (1) landlord's permission be approved, for the refurbishment of the existing riverside hut; construction of a new boatyard adjacent to the west wall of the retained building and remodelling of the slipway and landing stages on the riverbank (as set out in Appendix C to the report for illustrative purposes only) subject to the requirement that formal approval is obtained from the Council for the



commencement of any works considered in this report;

- (2) subject to 2WSS providing evidence of the projected cost and its ability to fund that sum, 2WSS may undertake the works relating to the riverbank and boatyard while it continues fundraising to support the construction of a new HQ building, refurbishment of its riverside hut, withdrawal from the sailing club site in Myton Fields and reinstatement of that area as parkland (including removal of slipways, docks, fencing and storage containers); and
- (3) the Chief Executive in consultation with the Portfolio holders for Neighbourhood Services and Culture authority to consider the cost estimates for the riverbank and boatyard works and provided they are satisfied that 2WSS has sufficient funds to cover the cost, authorise 2WSS to commence work; and this delegation would extend to all subsequent phases of the project as fundraising continues; and
- (4) the delegations contained within the Executive decisions for minute 137 of 12 February 2014 be amended to replace any delegations to Deputy Chief Executive (AJ) with the Chief Executive.

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

### **31. Environmental Enforcement Service Delivery Options**

The Executive considered a report from Neighbourhood Services regarding service delivery options for Environmental Enforcement.

Warwick District Council provided an extensive range of waste collection and street cleansing operations to deliver a high quality environment across the District. This work was delivered through two of the Council's major contracts, and included both scheduled and responsive operations.

Responsive operations included removal of fly tipping, fly posting, and graffiti, additional cleansing/waste collections, to address issues that would not wait until the next scheduled visit. Recent increases in the levels of these incidents (as shown in Appendix 1 to the report) had prompted a review of the Council's approach, and to consider the use of enforcement powers in addition to education, informal cautions, and the use of operational resources.

Warwick District Council had a wide range of legislative power available to it, ranging from Council Tax to Planning Enforcement and the approach required for its use could be very prescriptive, to allowing a degree of



discretion. An example of the legislation available within the different Service Areas was set out in Section 8 of the report.

It was clear from a review of the legislation actively used within Warwick District Council that the areas dealing with the waste offences were not presently actively enforced and circumstances had prompted a review of this position.

The environmental legislation available to Warwick District Council that provided the enforcement tools for incidents of fly-tipping, littering etc. stems from a number of pieces of legislation, including the Environmental Protection Act 1990, the Clean Neighbourhoods and Environmental Act 2005 and more recently the Anti-Social Behaviour, Crime and Policing Act 2014.

The report explored the three environmental enforcement options that had been considered, and set out the basis on which the recommended course of action had been established.

The options considered were:

- Option 1 In-house direct employment of staff;
- Option 2 Shared service with a neighbouring local authority; and
- Option 3 Use of external contractors.

Utilising existing resources and expertise from another local authority would enable enforcement activities to commence in a shorter period of time than the other options considered.

The ability to draw down services as and when required made this the most cost effective option and would provide greater flexibility. This option could be trialled without any long term commitment, and other options were still available should it prove unsuccessful. Full details of the evaluation of this option were set out in 8.2 of the report.

Alternatively the Executive could decide to do nothing and Neighbourhood Services could continue to use its street cleansing contractor Veolia to react to issues such as fly-tipping, as the cost was covered within the current contract. These operational teams were within the direct control of the Council, with some of the resources funded by the Housing Revenue Account. Whilst this was the most viable option from a financial perspective, this approach had been discounted due to the increasing levels of enviro crime, and the expectation of residents for the Council to use the enforcement powers at its disposal.

The Executive could also decide to employ additional members of staff and provide an in-house enforcement function. This had been discounted at this time because it was an expensive option and could take up to 12 months to establish. Full details of the evaluation of this option were set out in paragraph 8.1 of the report.

The Executive could also decide to engage an external contractor to carry out enforcement activities on behalf of the WDC. This had been discounted due to the risk of a potentially aggressive enforcement approach around the issuing of fixed penalty notices, rather than concentrating on the



Council's prime requirements of prevention and compliance. Full details of the evaluation of this option were set out in paragraph 8.3 of the report.

The Overview & Scrutiny Committee supported Option 2 in the report recommendations.

The Committee strongly recommended that enforcement through the Courts should be looked at, something that would be welcomed by residents.

The Committee stressed that enforcement should not focus solely on South Leamington, but was required across the whole District.

The Leader thanked the residents of Black Lane, who had provided a book illustrating the fly tipping problems they had suffered and the work they had personally undertaken to combat these issues.

The Executive explained that it was committed to doing the best for the residents and businesses and it wanted to work together to resolve issues. However there was need to manage expectations because of the financial restraints placed on local authorities. This Council recognised the prosecution rate was low and they were cases very expensive to bring forward. However it was understood that the approach of issuing fixed penalty notices, used by Rugby Borough Council, had been very effective in resolving most issues. This approach would also be one of the quicker ways of resolving any specific issue as well.

The Executive thanked the Overview & Scrutiny Committee for its comments and detailed debate the previous evening. The Executive agreed with the Committee's recommendations and therefore it was proposed

**Resolved that**

- (1) a shared service with a neighbouring local authority, is adopted as the preferred method of managing environmental enforcement, and to investigate this option further;
- (2) a further report be brought in September 2017 which provides full details of the cost, time scale for implementation, and scope of service; and
- (3) enforcement through the courts be looked at; and enforcement should relate to the whole of the District.

(The Portfolio Holder for this item was Councillor Grainger.)

**32. Significant Business Risk Register**

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

It has been drafted following a review by the Council's Senior Management Team and the Leader of the Council.

This report was aimed to assist them fulfil their role in overseeing the organisation's risk management framework. The Audit Commission set out the responsibilities of Members and officers with regard to risk management within its management paper, "Worth the risk: improving risk management in local government".

The Significant Business Risk Register (SBRR) recorded all significant risks to the Council's operations, key priorities, and major projects. Individual services also had their own service risk registers.

The SBRR was reviewed quarterly by the Council's Senior Management Team and the Council Leader and then, in keeping with their overall responsibilities for managing risk, by the Executive. The latest version of the SBRR was set out as Appendix 1 to the report. This also detailed any movement in the risk score.

A summary of all the risks and their position on the risk matrix, as currently assessed, was set out as Appendix 2 to the report.

The scoring criteria for the Risk Register were judgemental and were based on an assessment of the likelihood of something occurring, and the impact that might have. Appendix 3 to the report set out the guidelines that were applied to assessing risk.

More than six months ago there were three risks in the "red zone". Since then, following the introduction of additional controls and mitigations, two risks had come out of the red zone. Conversely, the risk of Sustained Quality Service Reduction had moved into the red zone by virtue of the likelihood of it occurring increasing. There had been significant progress on this area, however, this remained in the red zone pending the full implementation of mitigations and controls.

The other risk in the red zone was the risk of the Local Plan being unsound. This came out of the red zone last quarter to reflect recent developments and had been re-titled 'Risk of Local Plan not adopted'.

The other risk in the red zone reflected the current IT risk environment entitled 'Risk of failure to protect information assets from a malicious cyber-attack' which was added to the register in the last quarter.

The Finance & Audit Scrutiny Committee noted the report but expressed its dissatisfaction that the Leader of the Executive was not available to attend the meeting and answer its questions.

The Leader accepted that he normally attended Finance & Audit Scrutiny Committee for this item but was not present last night because he wanted to listen to the debate at the Overview & Scrutiny Committee regarding Fire Safety in High Rise Buildings and Environmental Enforcement Service Delivery Options.



**Resolved** that The Executive approved the Significant Business Risk Register as appended to the report and noted the emerging and potential risks identified in the report.

(The Portfolio Holder for this item was Councillor Mobbs.)

### 33. **Temporary Assistant Conservation Officer – Historic Canal Network**

The Executive considered a report from Development Services that sought approval for £35,000 to fund the appointment of a temporary assistant Conservation Officer whose primary role would be to create a new canal Conservation Area, covering the historic canal network in Warwick District.

It was estimated that the full cost of the appointment would be £35,000 (inclusive of all on-costs), which would come from the surplus funds following the cessation of the Historic Building Grant fund.

Warwick District contained several miles of the historic Grand Union Canal (Birmingham to London) and the Stratford-upon-Avon Canal (Birmingham to Stratford-Upon-Avon), built in the late eighteenth and early nineteenth centuries. The whole of this network, together with its associated bridges, locks, towpaths, and cottages, was of special architectural, engineering, and historic interest, and warranted designation as a Conservation Area.

This was a major piece of conservation work, requiring assessment of the canal network and the contribution of its setting, establishing conservation area boundaries, identifying development sites, undertaking public consultation, producing a conservation area management plan, and reporting to Executive and/or Planning Committee on recommendations.

It was envisaged that the work would feed into a new Development Plan Document that would guide development that affected the setting of the canal network. It was considered that this provided more weight in raising the standard of design for developments and its public realm next to the canal, and would increase the opportunity to require improvements where development directly impacted on the canal-side.

The amount of work justified the appointment of one full time assistant Conservation Officer for approximately twelve months. The officer would be part of the conservation team, line-managed by the Principal Conservation and Design Officer, but would work across teams, and particularly closely with planning policy.

The appointment would secure continued investment in the District's heritage following the discontinuance of the Historic Buildings Grants scheme, but in the canal network rather than the Barford Wall as that project had been completed by the owner of that property. The principal of transferring these funds to another project was agreed by Executive on 13 January 2016.

The option of doing nothing was not considered to be appropriate given the high level of development pressure in the District, the fact that much

of the canal infrastructure had no statutory protection, and the legal duty to designate conservation areas in those parts of the District that were of special architectural or historic interest.

The work could be undertaken by the existing conservation staff, but the team consisted of only two officers and it would not be possible to take on the additional workload without cutting back on existing work streams, including providing advice on applications and enforcement-related work.

The work could be undertaken by consultants with experience of establishing new conservation areas, which could reduce the risk of relying on a single new member of staff, but recent experience suggested that the extra cost of appointing consultants compared with a temporary member of staff meant this option would not represent best value for money

**Resolved** that an allocation of £35,000 be approved from the Capital Investment Reserve for the appointment of a temporary assistant Conservation Officer for the period of approximately twelve months, to implement a new Conservation Area based upon the historic canal network in Warwick District.

(The Portfolio Holder for this item was Councillor Rhead.)

#### 34. **Rural/Urban Capital Improvement Scheme (RUCIS) Application**

The Executive considered a report from Finance that provided details of a Rural/Urban Capital Improvement Scheme grant application by Leamington RFC which incorporated three mini-projects.

The Council operated a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grant recommended was in accordance with the Council's agreed scheme and provided funding to help the project progress.

This project contributed to the Council's Sustainable Community Strategy because without the rugby club there would be fewer opportunities for the community to enjoy and participate in sporting activity which could potentially result in an increase in anti-social behaviour, an increase in obesity (particularly in children) and disengage and weaken the community. The project would increase opportunity to participate in sporting activity as the additional floodlights for the third team pitch would enable evening activities all year round.

The Council only had a specific capital budget to provide grants of this nature and therefore there were no alternative sources of funding if the Council was to provide funding for Rural/Urban Capital Improvement Schemes.

The three projects within the grant application from Leamington RFC were:



- Project 1; Install additional floodlighting for third team training pitch to support rugby training/matches, football training and community events throughout the year.
- Project 2:Green Plan to a) install new LED lighting, b) re-location of bar storage cellar to outside the building, c) new heating system to reduce costs for the club overall as part of a RFU green plan.
- Project 3: Replacement of tractor powered mower to be able to maintain playing pitches

Alternatively the Executive could choose not to approve the grant funding, or to vary the amount awarded.

**Resolved** that a Rural/Urban Capital Improvement Grant from the rural cost centre budget for Leamington RFC of 50% of the total project costs to install additional floodlighting, new LED lighting, new heating system and to re-locate the bar cellar to outside the building and replace the tractor powered mower, as detailed within paragraphs 1.1, 3.2 and 8.1 of the report, supported by Appendix 1 to the report, up to a maximum of £21,525 including vat subject to receipt of the following:

- an updated quote from BeerTech Energy Solutions to reflect the costs as noted in the application; and
- written confirmation of a successful application for a Rugby Football Foundation RFF Green Deal interest free loan

(The Portfolio Holder for this item was Councillor Whiting.)

### 35. Public and Press

**Resolved** that 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.

| Minute Nos. | Para Nos. | Reason  |
|-------------|-----------|---|
| 36 & 37     | 3         | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |



36. **2<sup>nd</sup> Warwick Sea Scouts Headquarters – Appendix D**

The Confidential Appendix D for 2<sup>nd</sup> Warwick Sea Scouts Headquarters summarised the funding raised and pledged to date.

**Resolved** that Appendix D, be noted.

37. **Minutes**

The confidential minutes of the Executive meetings held on 12 April and 1 June 2017 were taken as read and signed by the Leader as a correct record.

(The meeting ended at 6.43pm)

