WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 14 November 2018, at the Town Hall, Royal Leamington Spa at 6.00pm.

PRESENT: Councillor Cross (Chairman); Councillors Ashford, Barrott, Boad, Bromley, Mrs Bunker, Butler, Cain, Mrs Cain, Coker, Cooke, D'Arcy, Davies, Davison, Day, Doody, Edgington, Mrs Falp, Gallagher, Gifford, Gill, H Grainger, Mrs Grainger, Mrs Hill, Howe, Illingworth, Mrs Knight, Margrave, Mobbs, Murphy, Naimo, Noone, Parkins, Phillips, Quinney, Mrs Redford, Shilton, Mrs Stevens, Thompson, Weed, Whiting and Wright.

50. Apologies for Absence

Apologies for absence were received from Councillors Evetts, Heath, Morris and Rhead.

51. Declarations of Interest

Minute 59 and 62 Executive report and Confidential Executive Report

Councillor Whiting declared a Disclosable Pecuniary Interest in both the Executive report of 31 October 2018, Minute 77 (Kenilworth School Loan and Land Purchase) and the Confidential Executive report of 31 October 2018, Minutes 89 (Kenilworth School Loan and Land Purchase – Private & Confidential) because his wife was a Governor at Kenilworth School.

52. Minutes

The minutes of the meeting of Council held on 19 September 2018 were taken as read and duly signed by the Chairman as a correct record.

53. Communications & Announcements

The Chairman of the Council offered congratulations to Princes Charles, the Prince of Wales, on his 70th birthday.

The Chairman informed Council that he had attended the Warwick remembrance Service, and Councillor Illingworth as Vice-Chairman had attended the Kenilworth remembrance service on Sunday.

The Chairman informed Council that, since the last meeting, Michelle Robertson from Housing Services and Dennis Maddy from Development Services had both passed away. As a mark of respect it had been agreed that the Warwick District Council flag would fly at half-mast on the day of their respective funerals. The Chairman led a short moment of reflection as a mark of respect for those officers.

The Chairman informed Council that there was no business to consider under either Item 5 - Petitions or Item 7 - Public Submissions.

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54. **Suspension of Council Procedure Rules**

It was proposed by Councillor Boad and duly seconded by Councillor Gifford that under Council Procedure Rule 31 Council Procedure Rules with the exception of Rule 13, The Rules of Debate for Council Meetings, and Rule 17, regarding Voting, be suspended, to enable a debate to be taken on a motion under procedure rule 19(3)(b) 'that Andrew Mobbs is removed as Leader'.

On being put to the vote, the motion was lost.

55. **Notice of Motion**

At the start of this item, the Chairman reminded Councillors of the additional information contained in the addendum from the Returning Officer and Electoral Commission on this matter.

It was proposed by Councillor Quinney and seconded by Councillor Mrs Gallagher that:

"That Council recommends to Executive that it defers taking final decisions on the Council Offices Relocation project to proceed to Phase 2, and seeks public approval at a District-wide referendum to be held on May 2nd 2019".

First amendment
It was proposed by Councillor Davison and second by Councillor Mrs Falp
"That Council recommends to Executive that it defers taking final decisions on the Council Offices Relocation project to proceed to Phase 2, to consider building an element of affordable housing on the Riverside House and/or Covent Garden sites".

Councillors Mrs Falp, Day, Phillips, Boad, Whiting, Gifford, H Grainger, Coker and Davison spoke on this item.

During the speech from Councillor Phillips, Councillor Barrott rose on a point of order to confirm that it was the amendment being debated, which was confirmed by the Chairman.

On being put to the vote, the amendment Motion was lost.

Second amendment
It was proposed by Councillor Boad and seconded by Councillor Gifford that the Motion be amended to read:

"That Council recommends to Executive that prior to taking final decisions on the Council Offices Relocation project to proceed to Phase 2, to consider building an element of affordable housing on the Riverside House and/or Covent Garden sites."".

Councillors Boad, Whiting, Day and Mobbs spoke on this item.

On being put to the vote, the amendment was lost.

The original Motion was then debated with Councillors H Grainger, Gifford, Mrs Redford, Boad, Butler, Naimo, Phillips, Coker, Barrott, Grainger and Ashford.

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During the speech by Councillor Phillips, Councillor Quinney raised a point of order to clarify that the cost of refurbishment of Riverside House, as set out in his speech, had been provided by officers.

Councillors Shilton and Mrs Redford called for the Motion to be put to Council. A recorded vote on this was proposed and duly seconded by two other Councillors.

The vote (on should the Motion be put to Council) was approved with Council voting as follows:
For: Councillors Ashford, Barrott, Bromley, Mrs Bunker, Butler, Cain, Mrs Cain, Coker, Cooke, D'Arcy, Davies, Davison, Day, Doody, Edgington, Mrs Falp, Gallagher, Gill, H Grainger, Mrs Grainger, Mrs Hill, Howe, Illingworth, Mrs Knight, Margrave, Mobbs, Murphy, Naimo, Noone, Parkins, Phillips, Quinney, Mrs Redford, Shilton, Mrs Stevens, Thompson, Weed, Whiting and Wright.
Against: Councillors Boad and Gifford
Abstention: Councillor Cross

Following summing up by Councillors Mrs Gallagher and Quinney the Motion that: "Council recommends to Executive that it defers taking final decisions on the Council Offices Relocation project to proceed to Phase 2, and seeks public approval at a District-wide referendum to be held on May 2nd 2019", was put to the vote and lost.

A recorded vote had been requested and duly seconded by two Councillors prior to the vote being taken. The record of the vote was:
For: Councillors Barrott, Bromley, D'Arcy, Gallagher, Gill, Naimo, Parkins, Quinney and Ms Weed
Against: Ashford, Boad, Mrs Bunker, Butler, Cain, Mrs Cain, Coker, Cooke, Davies, Davison, Day, Doody, Edgington, Mrs Falp, H Grainger, Mrs Grainger, Gifford, Mrs Hill, Howe, Illingworth, Margrave, Mobbs, Murphy, Noone, Phillips, Mrs Redford, Shilton, Mrs Stevens, Thompson, Whiting and Wright.
Abstention: Councillor Mrs Knight

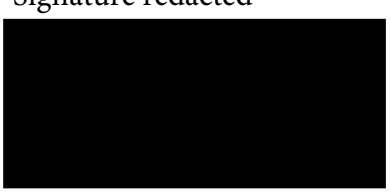
The Motion was therefore lost.

56. Leader's and Portfolio Holders' Statements

The Leader, Councillor Mobbs, explained to Council that,

1. supporting local communities was fundamental to what this administration wanted to achieve. He explained that since the last elections, £3.4m had been spent on community projects. This continued to increase with further financial support approved for Norton Lindsay village hall and on 28 November the Executive would consider further support for the Whitnash hub.
2. the work funded by the Council for the road at the Playbox theatre was completed and on the back of this, they had made a bid to the Arts Council to enable them to strengthen their offering even further.
3. the affordable housing scheme in Theatre Street in Warwick was nearing completion providing 39 affordable homes in the centre of Warwick;
4. the next stage of the Creative Quarter was due to be considered by the Executive on 28 November 2018;
5. as of July 2018, the data for town centre retail vacancy rates was as below:

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(i) Kenilworth: 3.7% of ground floor units were vacant in the town centre; this was lower than the regional and national averages of 10.2% and 9.9% respectively;
(ii) Leamington: 6.6% of ground floor units were vacant in the town centre; this was lower than the regional and national averages of 10.2% and 9.9% respectively;
(iii) Warwick: 3.7% of ground floor units were vacant in the town centre; this was lower than the regional and national averages of 10.2% and 9.9% respectively;

6. the current timetable for the HQ project was for Councillors to consider a report on the final decision on whether to proceed at Executive on 28 November 2018 and a subsequent Council meeting would be held on either 19 December 2018 or 3 January 2019, to make any final decisions on funding the project.

As previously explained, the role of the three District Councillors who were on the Limited Liability Partnership (LLP) Board was to ensure that the project not only delivered the objectives for new offices, a new larger car park and new housing, but that the Council reached the best possible financial deal for the taxpayers.

At a meeting with officers on Monday, the Executive heard that the extremely thorough due diligence process they were following had not yet been completed, discussions were still underway with Public Sector Plc to finalise the precise structure of the Stage Two financial and legal agreements and the necessary legal, technical and commercial advice could not be obtained until this had been fixed.

Rather than asking officers to rush things to bring the report to November Executive, it was decided that the prudent and proper approach was to defer consideration of the final report by Executive. It was now considered that the report would be debated by Executive in January 2019 and by the Council, at a date to be agreed, in February 2019.

The Leader had also given a commitment to local businesses at a breakfast meeting held on Tuesday, that the car parks would not close until the car park displacement plan was finalised. This had been widely communicated and all the practical support arrangements like new signage and Rangers on the ground to direct people to alternative parking were in place.

As a consequence of deferring the report, Covent Garden car park was now more likely to close in March 2019 than at the end of January. This allowed time to ensure the work at the new car parks being created was completed and had been communicated widely. To that end, the Leader was pleased to advise that a local marketing business was being commissioned in order to assist the Council in getting the message out that Leamington would remain "Open for Business" throughout the closure period and remained a vibrant and exciting destination.

The Portfolio Holder for Neighbourhood Services, Councillor Grainger, explained that the Green Space Team was working on updating the play areas at Othello Avenue, Ophelia Drive, Twycross Walk, Rushmoor and Midland Oak with improvements to existing play areas at Sabin Drive, Mander Grove and Glendale Avenue, Kenilworth. This would include some new play equipment with a view to

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being complete by May. In addition, the major upgrade at Victoria Park was scheduled to be completed by the school summer holidays in July 2019.

The Portfolio Holder for Health & Community Protection explained to Council that,

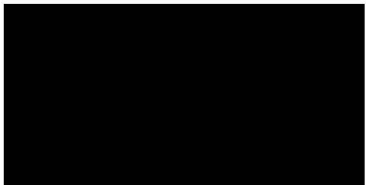
(1) alongside representatives from WDC and University of Warwick she had been out in the night time economy observing the work of the Street Marshalls. During the visit there were a number of things witnessed:
- the range of work of the Marshalls including a number of welfare issues;
- during term time, Monday to Thursday, the primary aim of the scheme was the welfare of those on a night out, and the scheme used early intervention techniques in order to reduce the risk of harm to individuals;
- Pastoral care and protection was offered after people had left the pubs and clubs, including making sure that vulnerable people got home safely and arranging medical treatment for people who were injured;
- The scheme educated and encouraged respect of the interests of other residents as people returned home, and it was good to see that this had an impact.

On the same evening, Licensing Enforcement Officers from Warwick District and Wolverhampton were conducting taxi and private hire vehicle inspections. Officers addressed the following issues with both the Warwick District Council licensed vehicles and those UBER vehicles licenced with Wolverhampton:
- Parking on double yellow lines, in bus stops and across junctions
- Tyres close to the legal limit
- Failure to display hackney carriage private hire drivers licence badge
- Failure to display the correct signage as required by Wolverhampton licence conditions

(2) the Council should be aware of the various events with fireworks in recent weeks. Whilst many people loved the excitement of a good firework display, it was important to not forget that fireworks were explosives with the potential to cause major injuries. This Council operated a Voluntary Firework Display Registration Scheme which helped organisers of events to plan and operate a safe firework or bonfire display. Officers had arranged appointments and carried out advisory site visits to inspect 15 public events this year, and all events had run successfully.

(3) this past weekend was Remembrance Sunday and across the District people commemorated and paid tribute to those that had been killed or wounded in battle and Councillor Grainger thanked the Council's two Armed Forces Champions, Councillor George Illingworth, and Berni Allen, who, along with others in Health & Community Protection, had put in a huge amount of effort, and produced some tremendous work. The Executive had agreed to just over £10,000 of grants across the District relating to remembrance and these included:
- Purchase of silent soldier silhouettes
- Re-enactment of WW1 commemorative football match held on the 7 October at Leamington Football Club
- Supporting in a number of areas across the District (Leamington, Burton Green and Stoneleigh) to participate in the national beacon lighting scheme that took place on Sunday 11 November as part of the Armistice Day

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- Event to recognise the contribution made by the Warwick Royal Horse Artillery during WW1 – which was held on Saturday 10 November at Midland Oak Park
- Purchase of WW1 memorial benches to be located at North Leamington School
- Exhibition of art work produced by local schools in Lillington
- Production of the Warwick Poppies brochure
- Commemorative displays in the villages of Offchurch, Cubbington, Stoneleigh and at Kingsley School
- Development of an on-line WW1 commemorative resource for the villages of Beausale, Haseley, Honiley and Wroxall.

In addition, the Council had supported Royal Leamington Spa Town Council to arrange custody and placement of commemorative paving stones for Private Henry Tandy and the second Lieutenant J C Barrett, both of whom received the Victoria Cross award for conspicuous gallantry in September 1918.

Councillors knew that the Council was signed up to the Armed Forces Covenant, and had a yearly Action Plan. As an update on the Action Plan, the Council had completed over 65% of the actions to be delivered, and were already looking at reviewing and developing a new action plan, which would include additional action points such as identifying the number of veterans who were volunteering their services, and continuing to encourage service areas and Voluntary Community Sector Partners to ask the 'armed forces question' and record the answer.

The Portfolio Holder for Business, Councillor Butler, explained that:

(1) the second Coventry &Warwickshire Business Festival would run from 19 to 30 November. There were 140 events being held throughout Coventry & Warwickshire with this Council hosting three of them. The monthly update from the Economic Development Team was to be published at the end of this week;

(2) as previously reported, internal work to the Racing Club Warwick clubhouse had been completed and there was now a community room completely separate from the football bar that was being used by numerous community groups including most of those who were displaced when the Royal Navel Club closed. The new Multi Use Gamers Area (MUGA) has been completed and was already booked every evening Monday to Friday. The club had started a Football Academy and there were over 50 children undertaking their 16 to 18 year education within it. The classrooms were currently at the Warwick Cricket club and it was planned to move these to the Community room after Christmas.

(3) earlier this year the Council received the disappointing news that Wolseley was closing its distribution depot in the District and staff were to be made redundant. Officers from the Council and the Growth Hub were working together to see what could be done to assist those people to find new jobs. In parallel, officers had started discussions with World of Books who were planning to open a distribution depot in the Midlands. They were looking at a number of sites throughout the region but they had decided to locate the depot in our district. This was not only good news for the District but for the former employees of Wolseley as they had the skills and experience World of Books would be looking for.

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The Portfolio Holder for Culture, Councillor Coker, informed Council that in respect of the Pump Rooms Catering the new contractors were looking at opening it up and bringing it back to life.

(Councillor Howe left during this item)

57. Questions to the Leader of the Council & Portfolio Holders

Councillor Mrs Falp asked the Portfolio Holder for Neighbourhood Services, as the parks on the Heathcote were used by residents of Whitnash, Bishop's Tachbrook and Myton & Heathcote Ward, her officers would be liaising with all the relevant Ward Councillors?

In response, Councillor Grainger assured Councillor Mrs Falp they would be.

Councillor Mrs Gallagher asked the Portfolio Holder for Housing if he was aware that one of her constituents had suffered a massive flood for the second time in three years - was he aware of the responses to such incidents and how these responses could be improved?

In response, Councillor Phillips explained he could not discuss the specific circumstances but would be willing to meet with Councillor Mrs Gallagher on a one to one basis to discuss them. There was an out of hours line, which would coordinate the response. The Council was looking at the process and continued improvement could be made.

In response, Councillor Mrs Gallagher agreed to meet with Councillor Phillips to discuss the matter.

Councillor Mrs Gallagher asked the Portfolio Holder for Housing if he was aware that eight years ago the Council installed biomass boilers in two Council properties in Beausale. These had now been removed and would it be possible to share the cost of this work with Councillors?

In response, Councillor Phillips explained that he did not have the figures available but there had been a general issue of securing a supply of wood pellets for the boilers. As a result of this, some boilers were having to be replaced and the costs of the energy consumption was being monitored.

Councillor D'Arcy asked if it was a possible to have an update on the number of homeless people in the District and on the St. Mary's Lands Centenary Fields application?

In response, Councillor Phillips explained that the rough sleepers count was due this month and Councillor Butler explained that there was no update available on the application at this time but he would update the Working Party next week.

Councillor Mrs Redford, asked the Portfolio Holder for Neighbourhood Services to confirm that the Sabin Drive play area in Weston-under-Wetherley was the one she had referred to earlier.

In response, Councillor Mrs Grainger confirmed it was.

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Councillor Parkins asked the Leader if he would continue his support for residents of Back Lane in providing them a recycling bin in the area for cans and a replacement general waste bin?

In response, the Leader explained that he wanted to continue to support the residents and would talk to colleagues about this.

Councillor Parkins asked the Portfolio Holder for Housing if he could thank officers for the work they were undertaking in Lillington to clear alley ways and maintain them generally along with the plans for including gates were appropriate?

Councillor Phillips explained that he was not aware of the details of the work but if this could be provided he would pass on his thanks and would monitor progress.

Councillor Quinney asked the Portfolio Holder for Housing if could update Council on the transition funds to ease the challenges of new claimants moving to Universal Credit?

In response, Councillor Phillips explained that Councillors would be receiving details of these in the near future.

Councillor Naimo asked the Portfolio Holder for Housing because the Council now owned a large parcel of land in the Court Street Area would it be looking for building social housing in this area?

In response, Councillor Phillips explained that the Council was looking at building social houses across the District.

Councillor Boad asked the Leader if he considered the public meeting on Monday 12 November 2018 a success and had he been able to inform the public of all the facts of the project?

Councillor Mobbs explained that there had been some people present who did not want to listen to the facts and equally some supporters were present who did not get to speak.

Councillor Boad, asked the Leader if he would agree that he had closed the One Stop Shop in Whitnash and Lillington and that these were cuts in service?

Councillor Mobbs explained that this was part of the digital transformation strategy and that if people were struggling to access services to contact him.

58. **Executive Report**

The Leader proposed the report of the Executive meetings of 25 July, 30 August (excluding minute 49, 52, 56 that were considered by Council on 19 September 2019), 26 September and an excerpt of 31 October 2018, along with the addendums for Executive on 26 September Minute 67 fees and Charges and Executive 31 October 2018 minute 78 Code of Procurement Practice.

Councillor Quinney proposed an amendment to the Executive Minutes of 26 September 2018, Minute 67 Fees and Charges that



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(1) Add the following bullet points " subject to the inclusion of • The commuter tariff (£8) will also apply to Station Approach (App A page 48 of the report) on the same terms as set out for Archery Road • Parking charges on Abbey End & Square West carparks will increase to 40p minimum charge for 30mins with a new linear charge of 8 minutes for 10p • No increase in the tariffs set out for Senior Citizens/Persons in Receipt of Income Support or addition to State Pension and Registered Disabled Persons for Bulky Refuse items (App A page 54 of the report) • No increase in the tariffs set for Under 18's/Disabled/Unemployed for o Tennis (app A page 7 of report) o Bowls (" " " ")

(2) Amend to read "Council approves no increase in 'Core' Fees and charges in the 2019 Calendar year". This was seconded by Councillor Naimo.

Councillors Whiting, Day, Mrs Cain, Naimo, Quinney and Cross spoke on this item.

On being put to the vote the amendment was lost.

Resolved that the Executive meetings of 25 July, 30 August (excluding minute 49, 52, 56 that were considered by Council on 19 September 2019), 26 September and an excerpt of 31 October 2018, along with the addendums for Executive on 26 September 2018, Minute 67 Fees and Charges and Executive 31 October 2018, Minute 78 Code of Procurement Practice, be approved.

(Councillors Barrott and Butler left the meeting at the end of this item)

59. **Statutory Review of the WDC Gambling Policy (Statement of Gambling Principles)**

The Council considered the revised Gambling Policy (Statement of Gambling Principles) which was applicable to all Licensed Premises. The Licensing Authority was required, by the Gambling Act 2005, to review these Principles every three years.

Changes to the Policy were minimal and were designed to reflect the authority's current approach to the gambling regime in terms of the unique character of the District and the application of generic legislation.

The revised policy was proposed by Councillor Thompson, duly seconded and

Resolved that the revised Gambling Policy (Statement of Gambling Principles, as set out at Appendix 1 to the report, be approved.

60. **Public & 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.

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Minute Nos.	Para Nos.	Reason
48	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

61. **Confidential Executive Report**

The confidential reports of the Executive meetings held on 26 September and 31 October 2018 were proposed and duly seconded.

Resolved that the reports be approved.

The 31 October 2018 confidential report from Executive had been taken by the Chairman as an urgent item because it included a report in respect of Kenilworth School in parallel to the matter in the public agenda.

62. **Common Seal**

It was

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

(The meeting ended at 8.55 pm)

Chairman
23 January 2019

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