

EXECUTIVE

Minutes of the meeting held on Monday 22 October 2007 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Coker (Chairman); Councillors Mrs Bunker, Doody, Hammon, Kinson, Kirton, Pratt and White.

ALSO PRESENT: Councillor Boad (Chair of Executive Overview and Scrutiny Committee);
Councillor Caborn (Chairman of the Council)
Councillor Crowther (Labour Group Observer)
Councillor Ms De-Lara-Bond (Liberal Democrat Group Observer); and
Councillor Mrs Knight (Chair of Audit and Resources Overview and Scrutiny Committee);

550. DECLARATIONS OF INTEREST

Minute number 562 – Waste Management Resources

Councillors Caborn, Doody and Kirton declared a personal interest because they were County Councillors.

Minute number 563 – Sale of Oakley Wood

Councillor Crowther declared a personal interest because he was friends with a neighbouring land owner.

Councillor Caborn declared a personal interest because he was a County Councillor.

551. MINUTES

The minutes of the meetings held on 10 and 18 September 2007 were taken as read and signed by the Chairman as a correct record.

552. CORE STRATEGY

The Executive considered a report from Planning and Engineering on the Core Strategy.

On 21 September 2007, the Council adopted the Warwick District Local Plan. This provided a planning policy framework up to 2011.

The Council was now required to commence work on a series of documents that would, eventually, replace the Local Plan under the requirements of the 2004 Planning & Compulsory Purchase Act. These would be known as “Development Plan Documents” (DPDs) and would form part of the Council’s Local Development Framework (LDF). Work on the LDF was already underway, and several documents had already been prepared.

EXECUTIVE MINUTES (Continued)

With the Local Plan adopted, the Council was now required to commence work on its Core Strategy. The Core Strategy would set the broad framework of planning policies that would shape development in the District beyond the period of the Local Plan. The timeframe for the Core Strategy had been set to 2026. This date was important in that it was the same as the Regional Spatial Strategy (RSS) which was currently under review. The policies in the RSS Review, when they were finally approved by the Secretary of State, would provide a clear framework to 2026 against which Warwick District would need to plan for the future and allocate land for development.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) public consultation on the key issues which will inform the Core Strategy, be approved;
- (2) the questionnaire, as detailed in appendix 2 to the report, be approved, to form the basis of the questions that the Council will ask as part of this consultation; and
- (3) an “Issues Paper” be prepared to explain the key issues, and the Head of Planning & Engineering, in conjunction with the Development Portfolio Holder, be given delegated authority to approve the text of this report (and any minor commensurate amendments to the questionnaire as may be required) prior to consultation.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward plan ref 40)

553. WARWICK DISTRICT COUNCIL STAFF MEMBERSHIP SCHEME FOR LEISURE CENTRES

The Executive considered a report from Leisure and Amenities on proposals to update the staff membership scheme to encourage more members of Warwick District Council (WDC) staff to participate in physical activity.

For some years WDC employees had been able to join the Corporate Scheme for membership of the Council’s leisure facilities and receive the benefits of reduced charges for use of these facilities. There were approximately 35 employees currently on the scheme.

The scheme had been in place in its current form for approximately 10 years and it was considered that now was a good time to review the content of the scheme and relaunch it to attract more employees. The objective of the “Get Active” initiative being promoted by Leisure and Amenities at present, was focussed on increasing the levels of physical activity of local residents.

EXECUTIVE MINUTES (Continued)

There had also been recent approaches from Warwickshire County Council (WCC) and the Primary Care Trust (PCT) to work in partnership with Warwick District Council to encourage their employees to take more exercise. This would be a benefit to WCC and the PCT in promoting healthy lifestyles, and would also be a commercial benefit to WDC in increasing attendances at our facilities. It was felt however, that until the scheme had been reviewed for WDC employees, it was not appropriate to enter into a partnership with either of these organisations.

A further related project had been identified in the “Get Active” action plan; local businesses were considered to be a source of potential new customers for the leisure centres. Many employers were now keen to promote “healthy workplaces” and encourage their employees to lead active lives. Leisure and Amenities were keen to create a package that could be promoted to these local employers, however, it was again felt essential that the Council revised the WDC scheme before this was pursued further.

The Executive Overview and Scrutiny Committee supported the recommendation in the report and made the following suggestions:

- 1) that Councillors be excluded from the scheme; and
- 2) that the Council extend the scheme to employees’ immediate family for a six month period (December to May) and the take up be monitored.

RESOLVED that Corporate Membership Scheme be approved, as follows:

- (1) the scheme be open to all Warwick District Council employees (except those on casual contracts) and Councillors;
- (2) the following two options for membership be approved:
 - (a) Option 1 - an annual fee of £25 per person (including Unison subsidising any of their members joining the scheme by contributing £10 to the annual fee);

The scheme would include:

Swimming: Junior swim rates at all times in public sessions (£1.55 Abbey Fields, £1.75 Newbold Comyn, £1.55, St Nicholas Park)

Pyramids gyms: Free induction, training programme and 12 months membership (worth approx £35.00)

Concessionary rates at all times, payable on each visit (£1.85 Newbold and Castle Farm, £1.80 St Nicholas Park).

EXECUTIVE MINUTES (Continued)

Golf: Under 18's rate at all times – 18 holes £8.00 weekdays, £5.00 weekends and bank holidays; 9 holes weekdays £4.30, weekends and bank holidays £5.20.

Discount vouchers would also be included for those joining the scheme for selected activities including sports hall activities, fitness classes, fitness tests, childrens swimming; and

- (b) Option 2 - a 30% discount on the existing Direct Debit options for swimming and gym memberships, as follows:

Type of membership	Standard monthly payment	WDC staff monthly payment
Spa (swimming) during all public sessions	£25.00	£17.50
Off Peak gym membership	£22.50	£15.75
Peak gym membership	£32.50	£22.75
Royal membership (swimming, gym and selected exercise classes)	£42.50	£29.75

- (3) the scheme be extended to include Warwickshire County Council staff and the Primary Care Trust at an annual membership fee of £50 per annum for the first year, but numbers be limited to 100 memberships per organisation;
- (4) the Head of Culture be given delegated authority to complete a review of (3) above in 12 months time and continue the scheme should the pilot scheme show that there is no detrimental effect on capacity for full paying members to use the facilities;
- (5) the following two versions of the scheme be offered to local commercial businesses:

EXECUTIVE MINUTES (Continued)

- (a) an annual membership fee of £50 per annum with authority for a review in 12 months time, be delegated to the Head of Culture to continue the scheme, should the pilot scheme show that there is no detrimental effect on capacity for full paying members to use the facilities; and
- (b) a direct debit membership with unlimited use of swimming and gym facilities for a monthly fee, and the Head of Culture be given delegated authority to offer local businesses discounts of up to 30% on the standard direct debit packages.

(The Portfolio Holder for this item was Councillor White)
(Forward plan ref 34)

554. LOCAL AIR QUALITY MANAGEMENT AREAS

The Executive considered a report from Environmental Health on the Air Quality monitoring and assessment process which the Council was required to undertake.

The Environment Act 1995 Part IV required that local authorities monitored and assessed air quality in their areas, within laid down procedures. Where pollution levels exceed, or were likely to exceed, Air Quality Regulation standards then Air Quality Management Areas (AQMA's) must be declared. In this district there were three AQMA's. There was then a duty to devise an action plan to improve air quality within these areas.

Having declared AQMA's in Barford, Warwick and Leamington in 2004, more detailed air pollution monitoring and computer modelling work had been conducted. This had led to the conclusion that the area included within the Warwick AQMA needed to be extended. The Barford AQMA was expected to be resolved by the construction of the new bypass. Air quality monitoring had continued since its construction and a report would be prepared within the next 6 months, which was expected to show that the area designation could be withdrawn. The Leamington AQMA would remain the same.

Monitoring and assessment work in Kenilworth had also been carried out and this had indicated that an AQMA might need to be declared there.

It was necessary to consult widely on both the draft Air Quality Action Plan and the creation and modification of Air Quality Management Areas. A range of proposals had been set out at this time and these related to measures either planned or proposed by the County Council in relation to the Local Transport Plan. They were largely general in nature at this stage. The purpose of the consultation process was to give consultees a chance to influence the specific measures which would be incorporated in the finalised action plan.

EXECUTIVE MINUTES (Continued)

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the proposed consultation process in relation to the Air Quality Action Plan be approved;
- (2) the proposed consultation process in relation to the extension of the Warwick Air Quality Management Area be approved;
- (3) the proposed consultation process in relation to the creation of an Air Quality Management Area in Kenilworth be approved; and
- (4) the results of the consultation, with finalised Action Plan and Air Quality Management Areas be reported back to Executive in March 2008.

(The Portfolio Holder for this item was Councillor Kinson)
(Forward plan ref 38)

555. CLIMATE CHANGE STRATEGY

The Executive considered a report from the Strategic Director for Environment which reaffirmed a Corporate Commitment to the Nottingham Declaration on Climate Change and proposed consultation on proposals for Carbon Emissions Reduction Plans.

The Council had signed a commitment to the Nottingham Declaration in November 2002. The origins of this went back to the Kyoto Climate Change Treaty whereby the UK Government signed up to reducing British CO2 emissions by 12.5% by 2008-2012. To achieve this target the Government prepared a Climate Change Strategy which included an expectation that all public sector organisations would work progressively to reduce CO2 emissions.

The Community Plan at that time, included an action to encourage large organisations in the District to commit to reducing their CO2 emissions. To support this, the District Council undertook to lead by example by making a commitment itself.

The Council had previously agreed a number of key environmental priorities through an assessment scheme called EMAS. One of these included a target to reduce CO2 emissions from Council buildings. However no target was set at the time, as data resulting from the move to Riverside House had not been collated. However, with the subsequent move, it became possible to establish a well-founded baseline and enabled a clear target to be set.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the Council's commitment to reducing CO2 emissions from Council buildings by continuing to implement the provisions of the Nottingham Declaration on Climate Change as the Council's Climate Change Strategy, as detailed at Appendix 1 to the report, be reaffirmed;
- (2) for consultation purposes, the appendix to the report, which details the Baseline Carbon Footprint for the District and draft proposals for Emissions Reduction Plans, be approved;
- (3) the Climate Change Officer Group (CCOG), chaired by the Strategic Director for Environment, continue to monitor these issues and report any results of the consultation on the draft proposals back to Executive; and
- (4) the CCOG consult with the Environment Theme Group of the Local Strategic Partnership and thereafter make recommendations on a Warwick District Carbon Reduction Action Plan as part of the Sustainable Communities Strategy, to guide the actions of each organisation.

(The Portfolio Holder for this item was Councillor Kinson)
(Forward plan ref 39)

556. WARWICKSHIRE STRATEGY ON QUALITY OF LIFE FOR AN AGEING POPULATION

The Executive considered a report from Housing Services on the draft quality of life for an ageing population strategy produced by Warwickshire County Council which focused on improving the services provided to older people in the medium to long term.

The need for a co-ordinated strategy to develop new or improved services for older people was identified by the strategic review of the older people's services delivered by Warwickshire County Council (WCC) during 2004/05.

Following the review, WCC established the Older People's Services Partnership Board (OPSPB), a multi-agency forum consisting of those agencies responsible for service delivery to older people, including the 5 district and borough council's and an older people's representative from each district. The OPSPB had overseen the development of the strategy which had included a wide consultation exercise. The results of this were contained within the appendix to the report.

EXECUTIVE MINUTES (Continued)

The strategy was intended to be a co-ordinating document that brought together the various activities of service delivery agencies into a clearly defined action plan to improve the health and wellbeing of older people throughout the county.

The amended version of the strategy had been approved at the OPSPB on 28 September. The OPSPB was now setting up a sub-committee to begin populating the action plan to ensure that it linked to and complemented the LAA and other strategies. Each member organisation would subsequently be asked to identify their proposed contribution(s) to the action plan to ensure locality based flexibility. The aim was for the action plan to be 'signed off' at the November OPSPB prior to an official launch of the strategy by WCC before Christmas.

The Executive Overview and Scrutiny Committee supported the recommendations and suggested that a working group be set up and led by the Older Persons Champion, Councillor Mrs Bunker, to investigate the challenges encountered by the older people in Warwick District.

The Culture and Social Policy Committee supported the recommendations in the report, but had the following concerns:

- i) that the use of 50 years as the lower limit for a definition for older people was too low and could have unforeseen and adverse financial implications for funding services to older people;
- ii) WDC should, in addition to WCC, monitor the action plan; and
- iii) the lack of transport in rural areas for older people should be highlighted;

RESOLVED that

- (1) the draft Warwickshire Strategy on Quality of Life for an Ageing Population be noted and confirmed that this Council will become an active partner in the delivery of the Strategy's Action Plan;
- (2) delegated authority be given to the Head of Housing Services, as this Council's representative on the Older People's Services Partnership Board, to agree any amendments to the draft strategy or action plan;
- (3) all commitments made to assist with the delivery of the Action Plan are contained within current resources;
- (4) responsibility for scrutinising progress in delivery of the Action Plan and for proposing any future adjustments to the Strategy be delegated to the Culture and Social Policy Committee; and

EXECUTIVE MINUTES (Continued)

- (5) Councillor Mrs Bunker, as Older People's Champion, be appointed to assess the need for a cross party working party to be established to investigate the challenges faced by older people in Warwick district.

(The Portfolio Holder for this item was Councillor Mrs Bunker)

(Forward plan ref 44)

557. GENERAL REPORT

(A) RURAL CONSERVATION AREAS

The Executive considered a report from Planning and Engineering on the findings of a public consultation exercise carried out on the designation of rural Conservation Areas and the proposed Conservation Area designations.

A report was presented to the Executive on 26 March 2007 recommending a process of public consultation for new Conservation Area designations following the review of villages in the District which did not have Conservation Area status.

As part of a local authority's function it was required under the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the recommendations of the Planning Policy Guidance Notes 15 (Historic Areas) to review areas with a view to designating new Conservation Areas from time to time. As part of this process, local authorities were also required to carry out public consultation to all parties that may be affected by the proposed new Conservation Areas.

The process of Conservation Area Reviews had been ongoing since 2002 and the review of villages without Conservation Area status in the rural areas of the District was the final part of the review process.

The plans showing the recommended areas for Conservation Area designation at Baginton, Eathorpe and Wappenbury were detailed in Appendix B to the report, together with the supporting character statements for these villages.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) the Conservation Areas at Baginton, Eathorpe and Wappenbury as detailed in Appendix B to the report, be approved; and
- (2) the appropriate notifications be carried out to all parties affected by the new Conservation Area designations.

EXECUTIVE MINUTES (Continued)

(The Portfolio Holder for this item was Councillor Hammon)
(Forward plan ref 8)

(B) RURAL INITIATIVES GRANT

The Executive considered a report from Finance on an application for a Rural Initiatives Grant from Bubbenhall Spring and Village Green Restoration Project Committee.

The Committee was a village inspired voluntary group who were restoring various features of Bubbenhall including the village spring, pond, green and bus shelter in order to put some additional “heart” into their village. This followed a long period of decline where much of the village amenities such as the shop, reading room and school had disappeared. It was felt that the re-creation of an attractive and community based centre to the village would be of real benefit to villagers and visitors alike.

The project was estimated to cost £36,300 of which £25,000 was already in place through grants from Smiths Concrete and Veolia Environmental Trust. £3,300 had been granted by the Parish Council toward the new bus shelter and £5,000 had been requested from Awards For All, leaving £3,000 which was being requested from this Council.

The Executive Overview and Scrutiny Committee supported the recommendation in the report and suggested that the Executive considered setting time limits for individual schemes, as the grant could be re-allocated if not being used.

RESOLVED that

- (1) a rural initiatives grant of £3000 be approved; and
- (2) a report be submitted back to the Executive detailing all grants which have been approved, but not yet spent by the applicants, with a recommendation as to an informal time limit by which the money should be spent.

(The Portfolio Holder for this item was Councillor Mrs Bunker)

(C) SUPPLEMENTARY PLANNING DOCUMENT (SPD) ON VEHICLE PARKING STANDARDS

The Executive considered a report from Planning and Engineering on the supplementary planning document on vehicle parking standards.

This Supplementary Planning Document was one of five identified in the Council's Local Development Scheme. Its purpose was to set out the Council's detailed planning policy requirements for vehicle parking across the District based on Policy DP8 of the Warwick District Local Plan 1996 - 2011.

EXECUTIVE MINUTES (Continued)

The Draft Vehicle Parking Standards SPD and background documents had been approved by the Executive on the 26 March 2007 for public consultation. A six week period of public consultation had been carried out between the 10 April 2007 and 21 May 2007.

A total of 23 objection forms/letters had been received over the six week period. The revised version of the SPD which included the changes made as a result of the consultation exercise was detailed in Appendix 1 to the report. A summary of the representations, together with the Council's response and proposed changes were detailed in Appendix 2, to the report. In addition, a number of other minor changes had been made to the SPD to reflect internal consultation, updated guidance and to address any typographical errors.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that the Vehicle Parking Standards Supplementary Planning Document, as detailed in Appendix 1 to the report, be approved.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward plan ref 17)

(D) VARIATION OF CLOSING ORDER – BASEMENT 57 LANSDOWNE CRESCENT, LEAMINGTON SPA

The Executive considered a report from Private Sector Housing on the variation of a Closing Order for three Basement Rooms, 57 Lansdowne Crescent, Leamington Spa.

A Closing Order had been made on 30 June 1964 in respect of the three basement rooms at 57 Lansdowne Crescent, Leamington Spa prohibiting the use of the basement for any purpose. The Order was made on the grounds of dampness and insufficient natural lighting and ventilation.

Sometime before August 2007, works had been carried out to the basement which would enable the Order to be lifted in respect of the middle basement room. However, although repairs and some damp-proofing had been carried out, it proved impossible to improve the lighting and ventilation to a sufficient standard in the front basement room, and the rear basement room was still very damp. Due to the construction of the building, there was no real prospect of the front room ever being made suitable for human habitation, i.e. as living accommodation, and the rear room required much more work before it could be considered as such.

EXECUTIVE MINUTES (Continued)

The present owners of the building were trying to sell the property and felt that the existence of an Order prohibiting the use of these rooms was hindering the sale. Consequently, they were seeking a variation of the Closing Order and permission to use the rooms for non-habitable purposes, i.e. as a home office/study and laundry, not as a living room, bedroom or dining room.

There was no objection to these proposed uses, and the restrictions imposed by the Closing Order would still be in place and declared on a Local Land Search.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

RESOLVED that

- (1) the variation to the Closing Order which affects the front and rear basement rooms of 57 Lansdowne Crescent, Leamington Spa, be approved, to allow the rooms to be used for non habitable purposes such as a home office or laundry; and
- (2) it be noted that, the Closing Order in respect of the middle basement room has been Determined (lifted) under Delegated Powers.

(The Portfolio Holder for this item was Councillor Doody)

558. MINUTES OF THE OVERVIEW & SCRUTINY AND POLICY COMMITTEES

RESOLVED that the minutes of the meetings of the Audit & Resources and Executive Overview and Scrutiny Committees held on 4 September 2007, the Environment & Economic and Culture & Social Policy Committees held on 5 September 2007 and the minutes of the Joint meeting of the Audit & Resources and Executive Overview & Scrutiny Committee held on 17 September 2007, not be noted as the Executive did not receive them in good time to be able to consider them, and they be considered at the next meeting of the Executive.

559. PUBLIC AND PRESS

RESOLVED that under Section 100(a) of the Local Government Act 1972 the public and press be excluded from the meeting for the following four items, by reason of a likely disclosure of exempt information within the paragraphs of Schedule 12(a) 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
560, 561, 562 & 563	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

560. LAND AT REAR OF DUN COW PUB, WARWICK

The Executive considered a report from Property Services on the sale of Land at the rear of the Dunn Cow Pub, Birmingham Road, Warwick.

The Council had leased the area, as detailed on the plan attached to the report, to Enterprise Inns PLC, the owners of the Dun Cow Public House, for over 30 years for car parking purposes. A small footpath that ran alongside the building, however, had been retained to provide pedestrian access to Birmingham Road from Saltisford Gardens, and vice versa.

The current lease of the land shaded green on the plan attached to the report, commenced on 25 March 2004, for a term of 5 years, and was due to expire on 24 March 2009. The tenants would have a right to renew this Lease unless this Council had grounds to refuse it.

This sale would normally be permitted under delegated authority DS (7) for the Head of Property Services in consultation with Ward Councillors. However, the Head of Property Services post had not been replaced following the retirement of the previous postholder and as the new organisational structure would not come into operation until January 2008, Executive approval was required.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that the land at the rear of Dunn Cow Public House, edged in black as shown in the appendix to the report, covering an area of approximately 248 square metres be sold to Enterprise Inns PLC.

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

561. INTEGRATED WASTE SERVICES CONTRACT – APPOINTMENT OF SUCCESSFUL CONTRACTOR

The Executive considered a report from Waste Management Services on the acceptance of a tender for Integrated Waste Contract due to start on 1 April 2008.

Nine Contractors had been invited to tender for the Integrated Waste Services Contract, but only six tenders had been received by the deadline date of 9 July 2007. The details of these tenders were supplied in the report.

EXECUTIVE MINUTES (Continued)

Tenderers had been asked to submit bids based on both a 5 year and 7 year term contract. As shown in Paragraph 2.1 of the report, there was no advantage in price from the three most favourable tenderers, in terms of the evaluation criteria, for the longer contract length. However a 5 year contract term ending in 2013 would enable the integration of the grounds maintenance service which was due for renewal on 1 April 2013.

All tenderers had been invited to discuss their bids in more detail and to provide clarification on operational issues and resources to be utilised contained within their method statements, quality, experience, flexibility, innovative working and working in partnership. Health and Safety policies, Employment terms and conditions, Equality policies and Environmental policies were also considered.

As a consequence of these meetings together with a detailed analysis of the tender bids and consultation with other local authority referees, the Officers Project Team recommend the acceptance of the tender submitted by Tenderer A in the sum of £4,280,581.39.

The Evaluation Process and methodology which had been used was detailed in appendix A to the report. A brief resume of the findings of the Project Group with regard to the three most favourable tenders was detailed in appendix B to the report.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendation in the report, except one Councillor. The communications plan, dated 2006, needed to be updated as there were some factual inaccuracies based on the original contract concept.

RESOLVED that that the tender submitted by Tenderer A in the sum of £4,280,581.39 be accepted for a contractual term of 5 years.

(The Portfolio Holder for this item was Councillor Kinson)
(Forward plan ref 47)

562. WASTE MANAGEMENT RESOURCES

The Executive considered a report from Waste Management Services on the identification and agreement of the resources required to implement and manage the new Integrated Waste Contract.

Waste Management Services had seen significant change over the last five years which had impacted both operationally and on the way that the services were managed. The main drivers behind this change had been Government legislation and the requirements of customers. The structure of the Service Area had not kept pace with this change.

EXECUTIVE MINUTES (Continued)

The Integrated Waste Contract due to commence on 1 April 2008 had highlighted further the need for sufficient resources to ensure that the contract was properly managed with sufficient resources to respond effectively and efficiently to customers' needs. Equally important was the need to ensure that residents and other stakeholders understood the new services and how they will be affected them. Residents would need encouragement to participate in recycling schemes and to reduce their waste for collection and disposal. This would be an ongoing need through the life of the contract and beyond if targets were to be met and aims and objectives achieved.

In addition, the continuing raft of legislation with regard to issues such as waste minimisation and recycling targets, cleanliness standards on public highways and open spaces and adjoining land including car parks, housing land, public conveniences and cigarette litter and graffiti continued to require an adequate level of resource both to meet performance standards and customer expectations.

The recently agreed 'Building on Excellence' proposals for combining the current operational service areas of Waste, CCTV, Car Parks, Public Conveniences and Grounds Maintenance under the umbrella of Neighbourhood Services would impact by the addition of further operational duties not currently resourced such as contractual inspections of car parks, public conveniences, housing land and open spaces for cleanliness and the adherence to contractual requirements together with the consequential administrative and contractual technical support which would require to be adequately resourced if it was to be efficient and effective. The proposals recognised the need to renew the structure and resources for this area.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendation in the report. However there were concerns from some members of the Committee about the level of staff required but they also recognised that there was a need to increase the staff level within the section to ensure that the contract was a success.

The Audit & Resources Overview and Scrutiny Committee also agreed to include this service within its base budget review programme for 2009/10.

RESOLVED that

- (1) the proposals and resources detailed in Section 6 of the report, and in appendix A to the report, be approved;
- (2) waste management resources be included within the Audit & Resources O&S Committee base budget review programme for 2009/2010; and

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- (3) Jackie Webb, her team and the Portfolio Holder be thanked for all their hard work and effort which was put into this project.

(The Portfolio Holder for this item was Councillor Kinson)

563. SALE OF OAKLEY WOOD

The Executive considered a report from Leisure and Amenities on the sale of Oakley Wood.

Oakley Wood was for sale by Private Treaty based on offers over £260,000. The woodland covered 116.8 acres (47.2 ha). The purpose of purchasing the wood would be to:

- protect it for future generations;
- secure its use as a public open space, conservation and wildlife habitat; and,
- use it as a biomass fuel source for the Council.

Warwick District Council already owned 21 acres of the woodland at Oakley Wood that formed part of the Crematorium and grounds. This included the woodland burial site. The area was an Ancient Woodland and this was a unique opportunity to purchase the remainder of Oakley Wood.

Discussions had taken place with the Forestry Commission, which had indicated a desire to see the wood used as public open space. The creation of public access to the wood would not require planning permission but there may be a need for planning permission for any additional car parking provision/visitor facilities required to support such access. Provided such provision was modest in scale and appropriate to an informal woodland environment, there was unlikely to be any planning policy issue of concern.

The Executive Overview and Scrutiny Committee strongly supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee strongly supported the recommendations in the report. However concern was expressed over the purchase price and the possibility of being greater than the £100,000 figure stated in the report especially considering the limited capital expenditure available to the Council.

RESOLVED that

- (1) in order to establish a fixed price and return on any investment, a forestry consultant be employed to survey the site and report back the findings and an estimated cost;
- (2) the Chief Executive and Chief Financial Officer, in consultation with the Portfolio Holders for Culture and Corporate Strategic Leadership, be given

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delegated authority to purchase the wood at an estimated maximum net cost to the Council, before the assumptions regarding the value of the wood/fuel of £100,000, subject to the development of a business case, considering capital and revenue implications; and

- (3) should the Oakley Wood be purchased, a business case be developed setting out the case for further wood burning boilers from this, and other Council owned locations, including an assessment of the benefits of involving a partner organisation.

(The Portfolio Holder for this item were Councillors Coker and White)

(The Chairman agreed to consider this item as a matter of urgency because of the need to be able to submit a bid)

564. WARWICKSHIRE WASTE MINIMISATION STRATEGY

The Executive considered a report from Waste Management Services on the adoption of the Warwickshire Waste Minimisation Strategy and action plan as agreed by the Warwickshire Waste Partnership.

Over the past 12 months, the Warwickshire Waste Partnership had worked on developing a Waste Minimisation Strategy and Action Plan to support Warwickshire's Municipal Waste Strategy which had been agreed by all partners of the Waste Partnership in 2005.

The Waste Minimisation Strategy and the Action Plan was agreed by all partners at their meeting on 25 September 2007, when they agreed to seek formal approval to the adoption of the Strategy and the Action Plan by all of the individual member Authorities of the Partnership. The Action Plan was a generic plan supporting the Strategy's overall objectives and contained items which were also subject to consideration within the LAA.

Best Practices had been adopted for inclusion in both the Strategy and the action plan to achieve the maximum gain with regard to waste reduction and the ensuing targets. Public consultation on the Strategy had been carried out by Warwickshire County Council on behalf of the Waste Partnership seeking the views of over 107 organisations covering key stakeholders, minority groups, local residents and the general public. Their views had all been included within the body of the Strategy.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that the Warwickshire Waste Minimisation Strategy and Action Plan, as detailed in an appendix to the report, be approved.

(The Portfolio Holder for this item was Councillor Kinson)

(Forward plan ref 46)

EXECUTIVE MINUTES (Continued)

565. PROPOSED FEES AND CHARGES FOR 2008/09

The Executive considered a report from Finance on the proposed fees and charges for 2008/2009.

In implementing the Council's Financial Strategy guidelines it was appropriate to consider certain other factors when deciding what the Council's fees and charges should be:

- (a) the impact of the fees and charges levels on the implementation of the Council's overall Corporate Strategy, including the Community Plan, and the requirements of business unit's individual service plans;
- (b) the level of prices the market can bear including comparisons with neighbouring and other local authorities; and
- (c) the level of prices to be sufficient to recover the cost of the service.

The Financial Strategy also required that in setting fees and charges, the higher of the following should be used – 3% or an increase of up to 10% where the Council's charges were below appropriate comparators. The Car Parks Strategy aimed to increase income by 10% per annum over a five year period.

The Executive Overview and Scrutiny Committee supported the recommendations in the report, but were concerned that the Executive should look at the impact on community groups' usage of the spa centre facilities.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

Concern was expressed why the services detailed in paragraph 7.2.1 of the report, were no longer to be provided as there was no detailed explanation for the reason to stop providing these services.

In future, explanations for changes in service should be given in full rather than brief statements.

RECOMMENDED that

- (1) the Fees and Charges identified in Appendix 'A' to the report, to operate during 2008/09, be approved;
- (2) Local Land Charge fees be submitted to the Executive when estimates have been finalised;
- (3) Building Control Fees be reviewed in line with guidance from the LGA / CLG later in the year; and
- (4) investigations be made into the impact on community groups usage of the spa centre facilities following the increase in their fees.

EXECUTIVE MINUTES (Continued)

(The Portfolio Holders for this item were Councillors Coker, Doody, Hammon, Kinson and White)
(Forward plan ref 18)

566. FINANCIAL MONITORING 2007/08 TO 31 AUGUST 2007

The Executive considered a report from Finance on the latest forecast of financial outturn for 2007/08, identifying any projected variances from agreed budgets.

The current monitoring system required quarterly reports to be submitted to the Executive. This arrangement complemented the monthly monitoring reports prepared for the Corporate Management Team, and provided the control structure for management of the Council's budgets.

95% of business units completed their Budget Monitoring return for August in time to be incorporated into this report, although only 71% had reported by the requested deadline. Only one business unit, Legal Services, had failed to complete consecutive returns during 2007/08, but it was recognised that this service area had been experiencing particular issues which were resolving themselves and budget monitoring was now being reported upon.

This was the second report to the Executive for 2007/08 and detailed the position up to the end of August 2007.

The report covered revenue activities for the General Fund and Housing Revenue Account, and the Capital Programme. It included the effects of the use of the Council's reserves and any known changes to income received for interest on balances.

The Executive Overview and Scrutiny Committee supported the recommendations in the report, but suggested that the Portfolio Holder look at the issue of some departments failing to make reporting deadlines.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

At paragraph 6.2 of the report, the Committee were of the opinion that 29% of managers who did not submit the information on time was unacceptable and there should be an explanation as to why these managers could not achieve the deadline.

The Committee also expressed concern at slippage about the document management project and would like to see a report from the Audit & Resources Working Party on how the project would continue and how the finances would be profiled.

RESOLVED that

- (1) the following items within the August financial monitoring report for 2007/08 be noted:

EXECUTIVE MINUTES (Continued)

- A projected General Fund overspend of £216,900. This can be met from a projected increase in investment interest and the unallocated balance of the One Off Contingency Budget;
 - A projected HRA surplus £579,900 above budget, which will increase HRA balances; and
 - A projected underspend of £3,103,600 against the latest agreed 2007/08 capital programme; and
- (2) the following amendments to the Capital Programme be approved:
- transferring the unspent £12,600 Remote Access and Firewall Upgrade Budget to IEG; and
 - removing the remaining £213,400 from the Covent Garden Multi Storey Project; and
- (3) it was unacceptable that 29% of returns were not completed by the requested deadline and this figure should be improved upon.

(The Portfolio Holder for this item was Councillor Coker)

567. CONCESSIONARY FARES SCHEME FROM 1 APRIL 2008

The Executive considered a report from Finance on Concessionary Fares Scheme from 1 April 2008, detailing the progress of the existing concessionary fare scheme and the new national concessionary scheme which would require new passes to be issued prior to 2008/09.

The Transport Secretary had announced that the free off peak travel scheme would be extended to cover bus travel throughout England from April 2008 (the 2008 Scheme).

The current national scheme (2006 scheme) allowed for persons over the age of 60, and specifically defined disabled persons to be able to travel free of charge on off-peak local bus services within their travel concession authority (local borough/district council area for Warwickshire) on production of a valid pass. Travel could be made between 9.30am (9.00am in Warwick District) and 11.00pm (midnight in Warwick District) weekdays, and at anytime on weekends and bank holidays. The pass had to be issued free of charge by the local Travel Concession Authority (TCA) which was usually the local authority (borough/district, unitary or Passenger Transport Authority (PTA)).

TCAs were able to make reciprocal arrangements with other TCAs to offer wider schemes of travel e.g. county wide schemes. Appendix A to the report, provided further details about discretionary concessions.

EXECUTIVE MINUTES (Continued)

TCAs could charge for any enhancement to the national scheme – e.g. for countywide travel (pre-2006 the Council charged £10 for countywide pass). There could also be a charge for replacement passes, currently £10.

Reimbursement to operators was based on the principle that they should be 'no worse and no better off' from participating in the scheme, based on 'revenue forgone' evidenced by the operators, but with adjustments for generated journeys and additional costs incurred by the operator. The administration and audit of the reimbursement was undertaken by MCL acting on behalf of all of the TCAs in Warwickshire.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the report be noted;
- (2) the concessionary fares scheme be approved, and the discretionary elements of the 2008 scheme be maintained the same as the 2006 scheme:
 - a) the Council to continue to be part of the County Scheme;
 - b) time of the scheme to continue to commence at 9.00am and end at midnight and
 - c) companion passes continue to be issued;
- (3) a supplementary estimate of £68,000 be approved in respect of additional expenditure in 2007/08 to fund the new bus passes. This will be matched by additional grant of £68,000 from the Department of Transport;
- (4) an increase in the budget of £104,000 be built into the revised estimate process for 2007/08 in respect of operator reimbursement;
- (5) the demand for the scheme by disabled passholders before 9.00am on weekdays be investigated further, and discussions be held with Racing Club Warwick about the possible provision of a service before 9.00am; and
- (6) a report be submitted back to the Executive in December 2007 giving details of:

EXECUTIVE MINUTES (Continued)

- (i) the costs of a provision for disabled people to travel before 9.00am;
- (ii) the reintroduction of the taxi scheme or a suitable alternative; and
- (iii) the publicity undertaken of the new scheme.

(The Portfolio Holder for this item was Councillor Pratt)
(Forward plan ref 33)

568. ANTI FRAUD AND CORRUPTION

The Executive considered a report from Revenue and Customer Services on the annual review of the Anti Fraud and Corruption Strategy, the progress made against the action plan and the submission of a revised action plan.

The Anti Fraud and Corruption Strategy had been approved by Executive in September 2005 with the intention that it was reviewed annually and that an action plan was formulated to help deliver its objectives.

The strategy had been reviewed to ensure that it remained current and appropriate and no changes were considered necessary.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

The Committee asked for a copy of the anti fraud and corruption leaflet and statement would be passed to Audit & Resources O&S for inspection when produced.

RESOLVED that

- (1) the report and its contents, in particular the progress being made in implementing actions for 2006/07, be noted; and
- (2) the updated action plan, be approved.

(The Portfolio Holder for this item was Councillor Coker)

569. PLANNING DEVELOPMENT GRANT ALLOCATION

The Executive considered a report from Planning and Engineering on the award of Planning Development Grant for this year and the manner in which it could be allocated to support the Planning Service

EXECUTIVE MINUTES (Continued)

The Planning Development Grant (PDG) awarded to Warwick District Council for 2006/07 was £262,606. The award was a very good one, being the highest of all Warwickshire districts and the third highest of all Shire Districts in the West Midlands Region. This reflected the very high levels of performance achieved by the Unit over the last year, within both Development Control and Policy teams. The achievement of this performance was, of course, in large part enabled by the careful utilisation of the PDG awards from previous years to support the Planning Service, primarily through provision of staff resource. It was proposed that this approach should continue with the present year's award. The total sum was not as high as the award of £326,494 awarded last year. However, this was not any adverse reflection on the performance of Warwick, as it was a result of the significantly reduced national sum available for distribution to local authorities overall. As in the case of last year, 25% of the funding must be allocated for capital expenditure. The remainder (£196,954) could be used for revenue purposes. Taking into account the roll over from last year, a total of £213,754 revenue funding was available for allocation this year.

The Executive Overview and Scrutiny Committee supported the recommendations in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report and congratulated the department for their work in achieving the level of grant.

RESOLVED that the allocation of Planning Development Grant, be approved.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward plan ref 13)

570. CORPORATE GOVERNANCE

The Executive considered a report from Audit and Resources Overview and Scrutiny Committee on actions needed to comply with the Councils Code of Corporate Governance.

At its meeting on 4 September 2007, Audit and Resources Overview and Scrutiny Committee reviewed the actions in the Corporate Governance action plan that aimed to ensure the Council had practices in place that enabled us to implement our Code of Corporate Governance.

When the Executive agreed the Code of Corporate Governance and accompanying action plan in June 2006 it asked the Audit and Resources Committee to review the action plan. The two matters that the Overview and Scrutiny Committee would like to draw to the Executive's attention related to the engagement with the Community and the Code of Conduct. Details were set out in the report, together with further comments from CMT

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

EXECUTIVE MINUTES (Continued)

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that

- (1) the report be noted; and
- (2) it be noted that that a section on the relationships between officers and members would be included within the Constitution when it was rewritten.

(The Portfolio Holder for this item was Councillor Coker)

571. GENERAL REPORT

(A) RISK MANAGEMENT SCORING SYSTEM

The Executive considered a report from Internal Audit on the system that was used to score the risks identified in both the service risk registers and the corporate and strategic risk register.

The appendix to the report, set out the scoring system applied to risks set out in the Council's risk registers. This was based on best practice gleaned from the practices at other local authorities, the advice of CIPFA's risk management advisor and publications on risk management produced by ALARM, CIPFA and the Audit Commission.

The Executive Overview and Scrutiny Committee supported the recommendation in the report.

The Audit & Resources Overview and Scrutiny Committee supported the recommendations in the report.

RESOLVED that the report be noted.

(The Portfolio Holder for this item was Councillor Coker)

572. PUBLIC AND PRESS

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

EXECUTIVE MINUTES (Continued)

Minute Nos.	Para Nos.	Reason
24 & 25	1	Information relating to any individual
24 & 25	2	Information which is likely to reveal the identity of an individual

573. SENIOR MANAGERS PERFORMANCE ASSESSMENT

The Executive considered a report from the Chief Executive on senior managers performance assessments.

RESOLVED that

- (1) Employment Committee be asked to consider a local scheme, following appropriate consultation, for the assessment of performance of Senior Managers employed on JNC Terms and Conditions for Chief Officers to supplement those set out in the national scheme; and
- (2) following receipt of legal advice, the Chief Executive and s151 Officer, in consultation with the Executive, be authorised to negotiate terms to secure a successful outcome, within the funding available within existing salary budgets and the Early Retirement Reserve.

(The Portfolio Holder for this item was Councillor Coker)

(The Chairman agreed to consider this item as a matter of urgency because of the need to be able to conclude negotiations as soon as possible)

574. EXECUTIVE WORKING PARTY INTERIM REPORT

The Executive considered a report from the Head of Legal Services on the Executive Working Party.

RESOLVED that

- (1) an external investigator be appointed to examine and report to the Executive and the Chief Executive upon matters arising from the Working Party consideration on the problems within Legal Services, and that the selection and appointment be made by the Working Party in consultation with the Chief Executive and the Monitoring Officer; and
- (2) the Chief Executive and the s151 Officer be asked to report to the next Full Council upon the most appropriate source of funding for such work up to a maximum of £25,000.

EXECUTIVE MINUTES (Continued)

(The Portfolio Holder for this item was Councillor Coker)

(The Chairman agreed to consider this item as a matter of urgency to enable the Council to satisfy the external auditor that progress to address the causes of the problem had been made before their next annual review)

(The meetings ended at 10.00 pm)