

WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 12 April 2017, at the Town Hall, Royal Leamington Spa at 6.05pm.

PRESENT: Councillor Mrs Knight (Chair); Councillors Barrott, Bromley, Mrs Bunker, Cain, Mrs Cain, Coker, Cooke, Cross, D'Arcy, Davies, Day, Doody, Mrs Evetts, Mrs Falp, Gallagher, Gifford, Gill, Miss Grainger, Mrs Grainger, Harrington, Heath, Mrs Hill, Howe, Illingworth, Margrave, Mobbs, Murphy, Naimo, Noone, Parkins, Phillips, Quinney, Mrs Redford, Rhead, Shilton, Thompson, Weed and Whiting.

85. **Apologies for Absence**

Apologies for absence were received from Councillors Ashford, Boad, Butler, Davison, Edgington, Morris and Mrs Stevens.

86. **Declarations of Interest**

Minutes 94 and 96 - Europa Way – Strategic Opportunity Proposal

Councillors Bromley and D'Arcy informed Council that they were employees of Warwickshire College, who was mentioned in the report.

Councillor Mrs Falp informed Council that she had a personal interest because her son was a shareholder in Leamington Football Club.

Councillors Gifford and Shilton informed Council that they were Warwickshire County Councillors and therefore had a Disclosable Pecuniary Interest. They would leave the room when these items were considered.

Councillor Heath informed Council that he had a personal interest in this item because he was a shareholder in Leamington Football Club.

Councillor Margrave informed Council that he had a personal interest in this item because his wife was a shareholder in Leamington Football Club.

Councillor Thompson informed Council that he was employed by Warwick University, who was mentioned in the report.

Councillor Mrs Redford declared that she had a Disclosable Pecuniary Interest because her husband was a Warwickshire County Councillor. Therefore, she would leave the room when these items were considered.

87. **Minutes**

The minutes of the meeting of the Council held on 22 February 2017 were taken as read and duly signed by the Chair as a correct record.

88. **Communications & Announcements**

The Chair informed the Council that she would write to Councillor Ashford to wish him well.

The Chair presented the Chief Executive with a certificate for 20 years of service at Warwick District Council.

As it was her last main meeting before Annual Council, the Chair took the opportunity to thank the Council for its work, reminded them about the good work of the Parishes within Warwick District and the need to respect each other's views and opinions. At Annual Council, she would be putting forward her views on how the role of the Chair could be changed, whilst respecting its traditions and values.

The Chair informed Council that there was no business to be conducted under Item 5 Petitions, Item 6 Notices of Motion and Item 7 Public Submissions. In addition, the order of the agenda would be changed so that Council considered the report on the Community Infrastructure Levy after the report from Employment Committee.

89. Leader's and Portfolio Holders' Statements

The Leader, Councillor Mobbs, took the opportunity to thank the Chair for her enthusiasm and dedication to the role.

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

Councillor Miss Grainger asked the Leader if, in light of modifications to the Local Plan, including the removal of the proposed housing development north of Leamington, the proposed park and ride to the north of the District should be removed from the plans?

In response, the Leader, Councillor Mobbs, explained that the Council would undertake a feasibility study of the proposed North Park and Ride, but this was not a commitment to the scheme overall.

Councillor Naimo asked the Neighbourhood Services Portfolio Holder if he had seen the Government consultation on the proposed anti-littering strategy, and whether or not this Council would be responding to it?

In response, the Portfolio Holder, Councillor Shilton, explained that he recognised that littering was a problem that the whole of the Country was suffering from and it needed stamping out. The Council would be asking the Communities Minister to take this up so that the Council could penalise those people who littered. Therefore, our officers would join in with any proposed strategy.

In response to two follow up questions to this from Councillor Naimo, Councillor Shilton confirmed that the Council would be making a formal response to the consultation but he had not seen it personally, and the promised enforcement report would be brought to Councillors in June.

Councillor Barrott asked the Leader of the Council if he had seen the material from some Conservative County Council colleagues suggesting a unitary authority in Warwickshire, and if he would be progressing this suggestion?

In response, the Leader, Councillor Mobbs, explained that this was a debate to be had after the next election in 2019.

Councillor Parkins asked the Portfolio Holder for Housing & Property Services if he was aware of the issues a tenant in her ward had experienced where a contractor had replaced her kitchen and left it in a condition so poor that it was unusable. In addition, Councillor Parkins asked if he was aware of any other similar instances and what assurance he could provide that checks were in place to ensure that works undertaken were to an appropriate standard?

In response, the Portfolio Holder, Councillor Phillips, asked for the individual case details because he was not familiar with it. He assured the Council that there were clerks of works in place to check that works had been completed, and if there were wider issues appropriate action would be taken.

91. **Report of the Executive**

The excerpts of the minutes of the Executive meetings held on 8 March and 5 April 2017 were proposed and duly seconded.

Councillor Phillips proposed an amendment to recommendation (2) of minute 100 of the Executive on 5 April 2017 so that it read:

"subject to approval of (1), the Deputy Chief Executive (BH), in consultation with the Housing Portfolio Holder, be authorised to approve the appropriate procedures for handling these cases; but the procedures for cases defined as "officer led appeals process" include informing Ward Councillors (for a maximum of 12 months covering the transition period to the new arrangements) and that all Councillors be notified once the new arrangements come into place".

Resolved that the excerpts of the minutes of the Executive meetings of 8 March, along with its appendices, and 5 April 2017, subject to amendment above, and its appendices, be approved.

92. **Report of Employment Committee**

The excerpt of the minutes of the Employment Committee on 15 February 2017 was proposed, duly seconded and

Resolved that the excerpt of the minutes of the Employment Committee meeting on 15 February 2017, be approved.

93. **Community Infrastructure Levy**

This report requests approval of the Community Infrastructure Levy (CIL) Draft Charging Schedule following public consultation.

Councillors Cross, Mobbs, Gifford and Barrott spoke on this item.

Resolved that

- (1) the submission of the Community Infrastructure Levy Draft Charging Schedule and Regulation 123 List set out in Appendices 2 and 4 to the report be approved for submission to the Secretary of State for

independent examination, along with all other documents and information as required by the Town and Country Planning (Local Planning) (England) Regulations 2012, in accordance with section 20 of the Planning and Compulsory Purchase Act 2004;

- (2) the Head of Development Services, where necessary in consultation with the Development Services Portfolio Holder, be authorised to take any steps which she considers to be expedient for the purpose of implementing (1) or promoting the objectives and interests of the Council at the independent examination.

94. **Europa Way – Strategic Opportunity Proposal**

The Council considered a report that updated it on the progress made in implementing the decisions taken at the March 2015 Council and Executive in respect of the Strategic Opportunity Proposal (SOP) for land at Europa Way, Warwick and recommended that the Council purchased land from Warwickshire County Council (WCC) to develop a new community stadium and associated commercial enabling development.

It was proposed that Leamington Football Club (LFC) would relocate to the new community stadium and that the Council purchased LFC's current site for use as a Gypsy and Traveller site.

It was recommended that the Council undertook a development options appraisal to confirm the feasibility of the community stadium development and produced a project delivery plan, to be subject of a further report to the Executive by September 2018.

Council was mindful of the confidential information contained in Appendices 2, 3, 5, 6, 7, 12, 13, 14, 15 and 16, as set out in minute 96, when taking this decision.

Councillors Phillips, Mobbs, Barrott, Doody and Murphy spoke on this item.

Resolved that

- (1) the site at Europa Way indicatively identified edged blue on the plan attached at Appendix 1 to the report ("the Stadium site"), subject to the conditions set out in Appendix 2 to the report and at the price (with Stamp Duty Land Tax (SDLT)) set out in Appendix 3, be purchased;
- (2) authority is delegated to the Chief Executive, Monitoring Officer and the Section 151 Officer, in consultation with the Leader of the Council and the Portfolio Holders for Housing Services and Finance, to agree the detailed terms and conditions of the purchase and to complete the legal documents required to put this resolution into effect;

- (3) the purchase price and SDLT for the Stadium Site, as set out in Appendix 3 to the report, along with £60,000 to cover the planning applications, ground investigations and legal and professional advice required to complete the purchase, is initially funded from internal borrowing (utilising the cash backing the Council's reserves/balances),;
- (4) the Council enters into an agreement to conditionally purchase from LFC their existing LFC site at Harbury Lane shown on the Plan attached as Appendix 4 to the report (the "Harbury Lane Site"), based on the principles set out in Appendix 5 to the report;
- (5) authority be delegated to the Chief Executive, Monitoring Officer and Section 151 Officer, in consultation with the Leader of the Council and the Portfolio Holders for Housing Services and Finance, to agree detailed terms and conditions for the purchase and complete the legal documents required to put this resolution into effect;
- (6) the purchase price for the existing LFC Site, plus SDLT costs, as set out in Appendix 3 to the report, be funded from Right to Buy Capital Receipts;
- (7) until the negotiations on the detailed terms and conditions for both the Stadium site and the Harbury Lane site are completed, the financial aspects of these proposals will remain private and confidential, but once the purchase is completed a report on the purchase price will be presented publically to Council;
- (8) the outline Project Plan contained at Paragraph 3.33 of the report (the 'Project Plan') be noted, and that a further report be brought back to Council by the end of September 2018 on the results of the delivery option appraisal for the next stage of the project; and
- (9) the Risk Mitigation Strategy set out in paragraphs 3.38 to 3.42 of the report, be noted.

95. **Public and Press**

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

96. **Europa Way – Strategic Opportunity Proposal**

The Council considered confidential Appendices 2, 3, 5, 6, 7, 12, 13, 14, 15 and 16 to Minute 94 - Europa Way – Strategic Opportunity Proposal.

Resolved that the confidential appendices be noted.

97. **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 6.51 pm)

CHAIR
10 May 2017