

EXECUTIVE

Minutes of the meeting held on Thursday 22 May 2008 at the Town Hall, Royal Leamington Spa at 6.30 pm.

PRESENT: Councillor Caborn (Chairman); Councillors Mrs Bunker, Hammon, Kinson, Kirton, Shilton and White.

ALSO PRESENT: Councillor Gifford (Chair of Overview and Scrutiny Committee);
Councillor Crowther (Labour Group Observer);
Councillor Ms De-Lara-Bond (Liberal Democrat Group Observer); and
Councillor Mrs Knight (Chair of Audit and Resources Scrutiny Committee).

Apologies for absence were received from Councillor Michael Doody and Councillor Mrs Grainger.

103. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

104. **DRAFT STATION AREA PLANNING BRIEF**

The Executive considered a report and presentation from Policy, Projects and Conservation and GVA Grimley which summarised the work undertaken by consultants GVA Grimley who had developed a draft planning and development brief for the Station Area in Leamington Spa. It was recommended that the draft brief be published for public consultation.

At the meeting of the Executive in February 2008, approval was granted for the appointment of GVA Grimley to prepare a planning brief for the station area. Following the closure of the Ford Foundry plant in July 2007 and the Council's commitment to work with partners to ensure that a proper planning framework be prepared for the site. Warwick District Council had been successful in winning a bid from Advantage West Midlands for £100,000 to fund the work and appointed GVA Grimley following a competitive tendering process.

GVA Grimley had been working on preparing a draft brief since that time. The work had involved the following:-

- gathering technical information to identify opportunities and constraints on the site.
- engaging with a range of local stakeholders. GVA Grimley ran a workshop in early March to which a range of local groups (including Leamington Town Council, the Leamington Society, CLARA, and Leamington Business groups) were invited. The workshop explored some of the community's views on the brief and their ideas on the site.

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- Meeting with landowners to discuss their views and aspirations for the Station Area.
- Consulting with statutory consultees, such as the Environment Agency, in order to carry out technical and environmental work soundly.

A steering group had been set up to monitor progress and discuss matters arising from their work. The steering group involved various officers within the Council with different expertise and responsibilities. It also regularly involved officers from Planning and Regeneration at Warwickshire County Council.

The draft brief was attached at Appendix 1 to the report and outlined the background to development of the brief, constraints and opportunities, the planning policy context, the vision for the area, development principles and sustainable principles that had been adhered to through the process. Technical work had also resulted in various background reports that had informed the draft brief and would be available to the public for the consultation.

The general development principles for the whole of the Station Area focused upon ensuring compatibility with the overall planning framework; sustainable development, particularly how the site area would contribute to the use of on site renewable and low/zero carbon energy; minimising the impact on the road network; high quality design and creating an attractive environment in which to live and work.

The adopted Warwick District Local Plan 1996 – 2011 was used as a starting point. The recommendations therefore were broadly in accordance with the policies set out in that development plan. However, the development principles recommended one option for the Land to the North of the Railway that was contrary to the Local Plan. The former goods yard was currently an employment allocation in the local plan because it was felt a residential use would be unsuitable given the proximity to the then operational Ford Foundry. The area of land has outline planning approval (subject to a Section 106 agreement being granted) for a B1 office development. Research undertaken by GVA Grimley into the likelihood of the site coming forward for a commercial development had shown that it may not be feasible or viable. Therefore, it was felt useful to explore for consultation purposes the northern area of the brief site for an all residential allocation.

The site area included existing businesses, Travis Perkins and Jewsons on the frontage along Old Warwick Road. GVA Grimley had used the opportunity of the brief to explore other uses that may encourage more complementary development in the long term given the development principles recommended for the former Ford Foundry.

There had been a large amount of interest around the railway station, particularly from local amenity groups. Chiltern Rail had expressed a desire to improve parking for the station to better serve its customers, which would alleviate unrestricted parking on nearby roads.

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Plans mentioned in the brief would be available for consultation in the fully formatted version of the brief. It was important to focus on the key development principles at the stage of the plan process. The following plans were appended to the draft brief in the report:

- Plan 01 - Development Brief Area
- Plan 02 - Land Use Plan
- Plan 03 - Preferred Land Uses

The plans showed the brief area, current land uses and gave an indication of the broad preferred land uses rather than focus on the specific detail. Sections of indicative plan layout would be utilised in the published version of the draft brief for consultation purposes.

If the draft brief be approved, public consultation would follow starting from early to mid June 2008 and run for a period of six weeks. The consultation would include a published version of the draft brief, as well as an exhibition, leaflet and information on the Council's website. Management and assessment of comments would be undertaken by GVA Grimley, which would then inform the preparation of the final version of the brief to be published and put forward for adoption by the Executive in September 2008 or early October 2008 as Supplementary Planning Guidance.

The Overview and Scrutiny Committee noted the recommendations in the report and suggested the following comments to the Executive;

1. start to investigate the formation of a consortium of the freeholders or some other method to encourage the early development of the site as a whole;
2. also investigate the possibility of grants from AWM and EU for the redevelopment of the area as a whole; and
3. early consultation to take place in relation to the infrastructure with Warwickshire County Council.

RESOLVED that

- (1) the draft Planning and Development Brief for the Station Area (attached at Appendix 1 to the report) be approved, for the purposes of a full public consultation. Consultation to run for a period of six weeks in the months of June and July 2008; and
- (2) points 1-3 as stated above by the Overview and Scrutiny Committee, be agreed and put forward.

(The Portfolio Holder for this item was Councillor Hammon)
(Forward Plan ref 100)

EXECUTIVE MINUTES (Continued)

105. COURT STREET CREATIVE ARCHES

The Executive considered a report from Economic Development and Regeneration to provide members with a brief update on progress with the project.

In September 2007, Advantage West Midlands (AWM) approved funding for the Court Street Creative Arches Project, one of the three Creating Uplift Provision (CUP) funding bids which the Council were pursuing as part of its Economic Development strategy. The funding allowed for the refurbishment of 13 railway arches in Court Street, Leamington Spa and the creation of affordable business premises targeted at creative industries.

In order to keep the Council's contribution by way of prudential borrowing to a minimum, the scheme specification was reviewed and re-costed late in 2007 resulting in reducing the overall Project Cost to £903,754.

Since then the Project Team and Legal Services had been negotiating the Funding Agreement with AWM which was ready for signing. A new lease of all 13 arches in line with agreed Heads of Terms with Network Rail would be ready for signature by the end of May 2008. The agreements with two existing tenants to vacate were in the final stages of negotiation.

Subject to finalisation of the legal agreements outlined above, it was expected that work on site would start in June 2008 on a 'pilot' arch with completion August/September 2008 with the remaining arches all finished by January/February 2009.

Interest in these units was strong, although marketing of the arches had not commenced. The scheme was promoted in Enterprise News in February 2008 and the Council had a list of 31 potential tenants, the majority of whom had registered their interest within the last 6 months.

The Overview and Scrutiny Committee noted the recommendations in the report.

RESOLVED that the updated position be noted.

(The Portfolio Holder for this item was Councillor Hammon)

106. BRUNSWICK ENTERPRISE HUB

The Executive considered a report from Economic Development and Regeneration to provide members with a brief update on progress with the project.

The Council had been successful in obtaining a 100% Capital Grant of £319,562 and a Revenue Grant of £55,000 from Advantage West Midlands (AWM) to extend the Brunswick Healthy Living Centre (BHLC) in order to provide a Community Enterprise Centre and fund a part time Community Enterprise Officer. Warwickshire Police were also contributing £5,500 in capital to enable the Brunswick Neighbourhood Police team to be located within the Centre.

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A Funding Agreement with AWM was signed on 11 March 2008 and the project was now underway following the appointment of the Design Team.

Work on site should start in August/September 2008 and the Brunswick Healthy Living Centre would partly close down whilst the works are carried out. The extended and refurbished Brunswick Healthy Living Centre was expected to re-open in January 2009. The part of the building occupied by Warwickshire Primary Care Trust would remain open for business as usual during that period.

The Brunswick Enterprise Hub would be located in the new extension and would provide meeting rooms, training facilities, hot desks and internet access for new businesses.

As well as main stream Business Link services, other business service delivery partners include Women's Business Development Agency and the Coventry & Warwickshire Co-operative Development Agency. Activity would be co-ordinated by the Community Enterprise Officer (CEO) to be recruited later in the year.

The CEO would be part of the Warwick District Council Enterprise Team who manage and run the Althorpe Innovation & Enterprise Centre (AIEC) and the Court Street Creative Arches projects.

The Overview and Scrutiny Committee noted the recommendations in the report.

RESOLVED that the present position be noted.

(The Portfolio Holder for this item was Councillor Hammon)

107. 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 three items by reason of the likely disclosure of exempt information within the paragraph of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Item No.	Para. Nos.	Reason
108	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

108. SPENCER YARD PHASE II

The Executive considered a report from the Chief Executive on the progress relating to the future of the Spencer Yard Phase II Project.

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Since the February 2008 meeting of the Executive, the Council had received useful advice from KPMG setting out the VAT implications on the property transactions which were proposed in the project.

Heads of terms between the parties to the project had been agreed and signed, as has a Memorandum of Understanding between Warwick District Council, City Spirit Developments and Business Link West Midlands for the delivery of the enterprise outputs which the project was to deliver. A revised full application had been submitted to Advantage West Midlands (AWM) on 30 April 2008.

After consideration of the recommendations the partners to the project agreed to proceed on the basis that the transactions would take place at nominal consideration, after purchase of the United Reform Church by Warwick District Council at the agreed price.

The project timescales had been redrawn since the previous application. The funding application would undergo a full 8 week appraisal process, at the end of which a response from the Advantage West Midlands (AWM) Investment Decision Group would be expected mid-July. Project officers and partners were working to a deadline of the end of December for the approval of funding contracts, with an anticipated project start date of 1 January 2009, and an on-site start date of 1 April 2009.

A further report would be brought to the Executive following the AWM decision on the application.

Shortly before the submission of the funding Bid at the end of April the Loft Theatre reconsidered their earlier decision to allow City Spirit Developments to manage the theatre bar, and decided to retain it as owned and managed by the Loft members, as it is at present.

The Overview and Scrutiny Committee noted the impact of the last change in position concerning the bar income. The Committee also expressed concern regarding the potential impact of a further change in position by the Loft Theatre. It was noted that further revisions of this nature were unrealistic.

RESOLVED that

- (1) the resubmission of the Spencer Yard Phase II funding Bid and the revised project timescale, be noted; and
- (2) the use of consultants on the CUP projects and also their continued use in project development be retrospectively approved; and
- (3) the Executive to receive a report on the effects of the change of position by the Loft Theatre when negotiations are complete;

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- (4) the impact of the last change in position concerning the bar income be noted, concern was expressed regarding the potential impact of a further change in position by the Loft Theatre and it was noted that further revisions of this nature were unrealistic; and
- (5) advice be submitted from the Head of Legal Services as to the potential for, and implications of, further claims from of the Loft Theatre in the future.

(The Portfolio Holder for this item was Councillor Doody and Councillor Hammon)

(The meeting ended at 8.20pm)