

Cabinet

Minutes of the meeting held on Wednesday 20 April 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Day (Leader), Bartlett, Cooke, Falp, Hales, and Matecki.

Also Present: Councillors: Boad (Liberal Democrat Group Observer), Mangat (Labour Group Observer), Milton (Chair of Overview & Scrutiny Committee) and Dickson (Chair of Finance & Audit Scrutiny Committee)

118. Apologies for Absence

Apologies for absence were received from Councillor Grainger.

Councillor A Dearing was due to attend as the Green Group Observer but gave an apology for absence shortly before the meeting. With the agreement of the Leader, the Group's comments were included in the body of the minutes.

119. Declarations of Interest

There were no declarations of interest.

120. Minutes

The minutes of the meeting held on 10 March 2022 were taken as read and signed by the Chairman as a correct record.

Before the consideration of the Part 1 items, the Leader made a statement regarding the proposed merger with Stratford-on-Avon District Council:

"Following a meeting between Council Leaders and Chief Executive's on 14 April, Cllr Jefferson, Leader of Stratford on Avon District Council wrote seeking a delay in the Government's decision on the proposed merger with Warwick District Council to allow for due diligence to be completed. The letter was sent without the agreement of Cllr Day Leader of Warwick District Council, who had been invited to be a co-signatory. It was understood by Cllr Jefferson that in writing to the Government unilaterally seeking to extend the current period of uncertainty would end the Council merger process.

On 13 December 2021, both Councils formally agreed merger plans and submitted a proposal to Government requesting permission to form a new joint Council by May 2024. In advance of this key political step, Councillors received detailed advice including an independent Financial Impact assessment. This Local Government Association report recommended that a supplementary review was commissioned by Stratford on Avon District Council in relation to a company wholly owned by Warwick District Council.

Given that a response from Government was anticipated by the end of May in respect of the merger decision, Cllr Jefferson considered there to be a material risk that the further due diligence work would not be completed in time and if

the Minister was minded to support the merger, there would be limited opportunity for Stratford on Avon District Council to withdraw at that point. Cllr Day considered that the decision to merge had been made last December and that ongoing due diligence did not prevent the service integration progressing as planned. To ask Government to delay matters would create further uncertainty for all staff, especially those facing redundancy, and residents seeking assurances about local services. In Cllr Day's opinion, making a request for further delay would result in trust being undermined, making it untenable for the two authorities to further integrate services or merge.

The Leaders jointly concluded that the proposed merger cannot go ahead as anticipated. There is a significant difference between the approaches and ambitions of the two councils that have proved to be irreconcilable, and this means that a joint request, subject to Council approval, will now be made to the Government to stop the merger process. Recommendations will be made to an extraordinary meeting of Stratford on Avon District Council, and the AGM at Warwick District Council on 11 May 2022.

This is a disappointing outcome, but it should not mean the end for the positives that this process has generated; we have learned a lot and wish to carry on as good partners. It is anticipated that some of the joint working arrangements already put in place will continue, such as legal services and business rates collection. However, others including the Joint Management Team and the service integration programme will end. Each council will continue to keep residents, councillors, and staff engaged in the process of updating our working arrangements.

Thank you for the many contributions and the positive commitment made to supporting the future of both councils."

(Councillor Bartlett arrived at the meeting during this statement.)

Councillor Day then provided an opportunity for Members to make comments and ask questions.

Councillor Milton stated that the focus of the Overview & Scrutiny Committee had been the benefits of the merger particularly regarding the Climate Emergency and the ability to devolve to Town and Parish Councils, and enquired what the future of those would be.. He also highlighted that part of the rationale for the merger was savings, and what would be the future of service provision now.

Councillor Day stated that early indications showed that the Council had had financial benefits from shared working and the merger process in excess of £1m over the past year, and specific details would go to Scrutiny further down the line. He stressed that money had not been squandered in pursuit of this merger, and some of the gains being sought could still be achieved (i.e., the joint waste management contract and the savings made by the work done for the South Warwickshire Local Plan). Much of the joint work could in theory continue, but advice would need to be sought. He expressed disappointment that we had not been able progress as hoped, but that the two Councils had got to know each other better along the way and that might still present further positive opportunities.

Councillor Boad noted that the repercussions of this decision could be quite severe, with the possibility of a Unitary Authority now seeming likely, something that could potentially “move power away from local people”. He also highlighted the importance of providing certainty to staff, a sentiment that Councillor Day agreed with.

Councillor Rhead had worked closely with his Portfolio Holder counterpart in Stratford-on-Avon District Council as well as with the Director for Climate Change, and he hoped that this relationship would continue in the future. Councillor Day said that the Council would be seeking to take advantage of every opportunity possible to work together.

Councillor Mangat asked if things would simply revert to where we were before or whether there would be changes. She was also interested in viewing a detailed timeline of what happened and whether it had cost the taxpayer. Councillor Day assured Members that there would be thorough scrutiny and accountability taking place. He stated that senior officers had worked over Easter with the aim of getting arrangements in place to minimise disruption to the delivery of our services.

Councillor Matecki placed emphasis on the need to protect staff and residents of the district from any uncertainty. He required clarification on the LGA report advising that further due diligence was needed, as he thought that this had all happened before both Councils voted on the merger in December 2021. In response, Councillor Day explained that in November 2021, the LGA report was received as part of a scrutiny/due diligence package prior to the decision taken on 13 December 2021. One of the items in the LGA report stated that because Milverton Homes Ltd were a relatively new company, Stratford-on-Avon District Council might require a more detailed scrutiny to be undertaken. This would be a matter for SDC to progress themselves. Like WDC, SDC then voted in favour of the merger. Subsequently, WDC shared audited accounts, hosted Joint Informal Cabinet meetings, briefed SDC on projects, risks and opportunities, and also worked through the Joint Local Plan. Councillor Day admitted that it had been “something of a surprise” when Councillor Jefferson (Leader of SDC) decided to bring forward the due diligence question on Milverton Homes Ltd- a matter which this Council could do nothing other than endeavour to cooperate on. Members and officers worked to provide information to SDC and non-disclosure agreements would have been necessary to have protections in place. However, the challenge was around timing - Councillor Jefferson felt that even though WDC had given assurances that the programme of due diligence would be completed by the end of May 2022, there was still a risk that the Secretary of State would approve the merger in that time, removing the opportunity for SDC to “bail out” if they were not content with where the due diligence took them.

Councillor Bartlett requested that thanks to officers for their hard work be included in the minutes.

Councillor Falp stated that the staff were the most important asset and had had a lot of extra work as a result of the potential merger but had been willing to go the extra mile to get it done. In her role as Portfolio Holder, she had worked with SDC for many years and was sure that would continue, as the partnership had

worked well. She was pleased that the staff at least had some assurance as a result, even if they had concerns/questions moving forward.

Councillor Hales stated that we now needed to look at our priorities and reset them, if necessary, in order to ensure delivery. Thorough communication was needed as there was bound to be many questions from staff. In response to a question from Councillor Day, he advised that a fresh budget would not be needed and that we would continue with the current budget as planned. There would be work with officers in the coming weeks to ensure that the forecasts within the Medium-Term Financial Strategy were still accurate. This would then be fed back to Scrutiny and Programme Advisory Boards.

Part 1

(Items upon which a decision by the Council was required)

121. Joint Governance – Stratford-on-Avon and Warwick District Councils

This report from Democratic Services presented some further joint governance proposals in light of the merger request that Stratford-on-Avon District Council (SDC) and Warwick District Council (WDC) submitted in December 2021 and in anticipation of a decision by the Secretary of State to grant the request.

However, the Leader of the Council decided to withdraw this report on 19 April 2022.

The Overview & Scrutiny Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to this. There were concerns around this and the Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

The Finance & Audit Scrutiny Committee noted that these items had been withdrawn from the Cabinet agenda and thanked Councillor Hales for attending. They welcomed the fact that all Councillors and staff, who are our most important asset, would be informed why these items had been withdrawn.

122. Inter-Authority Agreement between Stratford-on-Avon and Warwick District Councils

This report from Democratic Services set out the reciprocal legal rights and responsibilities of Stratford-on-Avon (SDC) and Warwick District Council (WDC) arising directly from the status of their current working relationship and future ambitions.

However, the Leader of the Council decided to withdraw this report on 19 April 2022.

The Overview & Scrutiny Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to this. There were concerns around this and the

Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

The Finance & Audit Scrutiny Committee noted that these items had been withdrawn from the Cabinet agenda and thanked Councillor Hales for attending. They welcomed the fact that all Councillors and staff, who are our most important asset, would be informed why these items had been withdrawn.

123. **Amendments to the Constitution**

The Cabinet considered a report from Democratic Services, which brought forward proposals to increase the value set for Key Decisions and to create an Audit & Standards Committee.

The proposals provided greater alignment with SDC ahead of the merger and intended to make the transition to a new Council smoother through gradual change.

With the commitment from both Warwick and Stratford-on Avon District (SDC) Councils to merge as a single South Warwickshire District Council, each service area was looking to align process and policy across both Councils.

One decision in this area was in respect of the definition of a key decision. This was an important value to agree early on, as alignment of this provided a more consistent position in respect of the Joint Cabinet Committee.

Warwick District Council currently defined a key decision as a decision which had a significant impact or effect on two or more Wards and/or a budgetary effect of £50,000 or more.

The Warwick District Council defined value of £50,000 was in place since the introduction of the original Forward Plan requirement under the Local Government Act 2000. If the figure was indexed to inflation, 22 years later, it would now be greater than £78,000. Therefore, it was considered appropriate to review it at this time.

The proposed value of £150,000 was treble the current value set by Warwick but it would align with the current value set by SDC and that proposed as key decisions for the Joint Cabinet Committee. The wording also provided an improved clarification on a key decision, overall compared to the definition used by Warwick at present.

While this might be considered a significant change, operationally, at this time, little would change for Warwick District Council. This was because Warwick District Council would still list any report coming to Cabinet on its Forward Plan with publication 28 days in advance of the meeting.

The second part of the proposal brought forward was the creation of an Audit & Standards Committee ("the Committee"). This would align, more closely, with the SDC Committee structure.

The Committee would take in the responsibilities of the current Standards Committee, the Audit responsibilities from the Finance & Audit Scrutiny Committee and some responsibilities from the Licensing & Regulatory Committee.

In respect of the audit aspect the Committee would take all the responsibilities of the Audit Committee as currently defined within the Constitution, Part 3, Responsibility for Functions, sub heading G, Finance & Audit Scrutiny Committee.

In respect of the Licensing & Regulatory Committee, the Committee would take the responsibilities in respect of electoral matters and ward boundaries.

In addition a new responsibility is added to the remit of the Committee "*Power to make determinations at Code of Conduct Hearings: Arrangements for Dealing with complaints of Councillor misconduct*" to provide clarification of its role in determining Members' Code of Conduct matters.

It was proposed that the new Committee would have the remit as defined at Appendix 2 to the report. This was broadly the same as SDC with a few exceptions. These were:

- Review the Council's involvement on Outside Bodies;
- Monitor the content, quality and delivery of training for Councillors in connection with the planning and licensing processes and the attendance of Councillors at such training;
- Oversee compliance with Freedom of Information legislation;
- Grant and supervise exemptions from political restrictions;
- Monitor complaints handling and Ombudsman investigations including consideration of issues raised by the Ombudsman; and
- Overview the Council's Whistleblowing Policy and Procedure;

In respect of these variances to the remit of the Audit & Standards Committee at SDC, these were considered reasonable at this time for the following reasons:

- *Review the Council's involvement on Outside Bodies* – This was currently undertaken by Overview & Scrutiny Committee, in partnership with the Monitoring Officer as part of the annual feedback/scrutiny of the work undertaken by Outside appointments each year.
- *Monitor the content, quality and delivery of training for Councillors in connection with the planning and licensing processes and the attendance of Councillors at such training* – At present this work was undertaken by the Leadership Co-ordination Group and as officers were asked to consider alignment of member development at this stage it was considered appropriate not to change this at Warwick, as there might be a need for further changes later in the year.
- *To oversee compliance with Freedom of Information legislation* – This was undertaken through quarterly performance data being made available to all Councillors for review and to raise with scrutiny if there were concerns.

- *To grant and supervise exemptions from political restrictions* – This matter was delegated to the Chief Executive at Warwick as it was considered to be a staffing matter and appropriate for the Chief Executive to determine after taking the view of the Monitoring Officer.
- Monitor complaints handling and Local Government & Social Care Ombudsman (“LGSCO”) investigations including consideration of issues raised by the LGSCO; the LGSCO recommended that their annual report was presented to Overview & Scrutiny Committee for consideration. Quarterly data was presented to all Councillors through the performance management information. From April 2022, the Joint Management Team would also receive reports detailing enhanced monitoring information detailing outcomes and learning points from complaints. At present the Council’s complaint process was in the early stages of a review to produce an aligned policy (including monitoring) across both SDC and Warwick. Therefore, it was considered appropriate not to move this at present.
- Overview the Council's Whistleblowing Policy and Procedure – This was going to be reviewed further by Officers to understand the role in detail as the approval of the policy would be a Cabinet decision.

The proposal would see a reduction in number of formal decision-making Committees for the Council as well as a reduction in the number of Scrutiny Committees. Therefore, Council needed to be content that any revisions allow for appropriate decision making and robust scrutiny of the Cabinet.

It was recognised that the workload of the current Standards Committee at Warwick District was not significant. This proposed revision to its remit to include the additional responsibilities, would enable greater focus on this area work by Councillors.

At present the scrutiny workload was shared fairly evenly between Overview & Scrutiny Committee and Finance & Audit Scrutiny Committee, with them both focusing on specific core areas. This was developed by the two Committees through the use of a criteria on which Cabinet matters they would consider. This led to a greater focus on the strategic aspects rather than details which could lead to meetings becoming bogged down and not focussing on the community as a whole.

It was important that this good work was not undone and by overloading the Overview & Scrutiny Committee with the valuable pre-Cabinet work and its own scrutiny work of other matters such as performance of service delivery and monitoring the merger with SDC and how this impacted on service delivery/performance.

A key area where this might impact was the aspect of financial and project management scrutiny. Specifically, the setting of fees and charges and the budget. In these instances, it was proposed that Cabinet would remain on the Thursday to allow for either an additional (reserve) night for Overview & Scrutiny or a dedicated Member Group to publicly scrutinise the detail of the fees and charges and the budget. The proposals for these specific instances, to ensure good governance and public visibility, were to be developed by the Chairs of the Overview & Scrutiny Committee and the Audit & Standards Committees in the summer of 2022.

Some Pre-Scrutiny, to develop and advise on specific areas of work, was undertaken through the Programme Advisory Boards (PABs). This also helped to develop Councillor engagement and ownership of specific work streams. Officers were aware that not all matters considered by the Cabinet were passing through PABs, even as an outline and that some PABs were more active than others. The Leader would be discussing this with the individual PAB chairs within the next month.

To further enhance PABs the Leader would be making it clear to their Portfolio Holders that any significant changes in fees and charges and/or bids for growth must be considered by the relevant PAB before they came forward to Cabinet and Council. In addition, the views of the PAB should also be included within the report to the Cabinet.

The improved use of pre-scrutiny questions, over recent months, including the publication of these on-line for all parties to see, helped further enhance scrutiny across the Council and focus on core issues. Further development of this approach would continue over the coming months, including the potential for Scrutiny to comments on reports based on these questions without the need for specific officer representation of the report at their meeting. Overall, the measures above should leave the Overview & Scrutiny Committee with some additional work but not a significant increase.

It was noted that the Standards Committee, was at present, only scheduled to meet four times in the next Municipal year. The change in remit would require some changes to the adopted Calendar of meetings. These might need to be revised and would be considered in partnership with the Audit & Risk Manager for Warwick District Council to work out the most appropriate dates.

Overall though the proposal should see a reduction in the number of formal Committee meetings that took place, solely for Warwick District Council, which should help to offset any increase from any expansion in the number of Joint Committee meetings that may occur.

It should be noted that the Audit & Standards Committee at SDC included two co-opted Parish/Town Council representatives who provided the Committee with a view in respect of Code of Conduct matters relating to Town/Parish Councils. This was considered appropriate for Warwick District Council as well and proposals for this were being developed for consideration by the current Standards Committee in April.

The proposal would also mean the WDC Independent Persons were present when Audit matters were considered. At SDC the two Independent Persons were invited to all meetings of its Audit and Standards Committee and, subject to the Chairman's consent, were able to contribute to discussion of agenda items relating to standards.

Once the Committee was established and membership known there would be a programme of training identified for them. Equally, discussion would be held with the Chairman of the Overview & Scrutiny Committee as to specific support for their Committee and membership with their wider remit.

It should be noted that the removal of the Finance & Audit Scrutiny Committee enabled the Cabinet to meet on a Wednesday evening instead, thus reducing the number of consecutive nights Councillors would have for

meetings.

It was proposed that the Committee had a membership of 11 Councillors which would be politically proportionate to the Size of the Council. It would also be expected that the Leader, or their nominated deputy, attend each meeting.

There were a number of alternative options that could be considered, many of which focused around leaving the current arrangements in place, while the Council awaited the decision from the Department of Levelling Up Housing and Communities on the bid to merge with SDC.

The planned merger presented a number of opportunities for the Council to work more closely with SDC, a way of achieving this could be through joint scrutiny work of key strategic matters, rather than individual scrutiny. Therefore, either to replace this proposal and/or enhance it further Cabinet could include proposals for Joint Scrutiny arrangements with SDC. This was being considered as part of wider proposals but at present it was considered, even with the Joint Cabinet Committee, accountability to the respective District was the more appropriate form to provide assurance to the respective local communities.

The Overview & Scrutiny Committee noted the recommendations and provided the following observations:

1. The Committee felt the clarification on the reasons why a report is confidential should be explained within the report itself to show how the information related back to the legal reason for it being exempt. It would also be useful if the report could provide a timescale/event for when it may be possible for the information to become public;
2. the PABs need to improve the consistency in their minute format to facilitate Councillors' understanding;
3. consideration should be given if the PAB minutes could be public minutes; and
4. noted that the better description of items expected to go to PAB would be those items that propose significant change to a service.

The Finance & Audit Scrutiny Committee asked for all Councillors to be informed of how many Cabinet decisions, in the last 12 months, would have moved from being key decisions to no longer key decisions based on the change in the definition in the report.

The Finance & Audit Scrutiny Committee was content with the report with the exception of the following points:

That the wording of the remit of the new Audit and Standards Committee should be revised to highlight its role in reviewing risk for the Council.

That officers investigate the potential for the PAB agendas and minutes to be made public. That there should be a more consistent approach to the work of the PABs, and the format of their minutes.

The Committee welcomed the acknowledgment that the first year of

the Audit and Standards Committee would be a learning process.

Councillors felt that current reports created a perception that Warwick District Council is changing its structures and procedures to align with Stratford District Council and hoped that future reports will indicate where the reverse situation occurs.

The Green Group welcomed the change in the Constitution and welcomed the intention to make Programme Advisory Boards take a more active role in decision-making. They noted that, in order to improve the consistency of the way PABs are treated, Portfolio Holders should be provided with any documents prior to the Scrutiny Committees.

Councillor Matecki felt uncertain about the prospect of PAB meetings becoming public, as he felt that they would start to stray from their intended purpose and instead become "political statements". This sentiment was echoed by Councillor Falp who also expressed reluctance for PABs to become public and said that all necessary and important information eventually became public when it was shared at Cabinet meetings.

In response to a comment from Councillor Rhead about the numerous references to SDC in the report in lieu of the statement made by the Leader at the beginning of the meeting, Councillor Day advised that the recommendations still had validity and should be dealt with now to enable matters to be dealt with for the new municipal year. Regarding the PAB meetings, he acknowledged that it was difficult as we needed to be as transparent as possible but recognised that sometimes private informal discussions did need to take place in order to shape policy which would then be brought into the public domain. He stated that there would be meaningful work to do following these comments which would be brought back for Members' consideration.

Councillor Day proposed the following amendment to recommendation 1 to the report:

- (1) it approves the definition of a key decision ~~aligns with proposals for the Joint Cabinet Committee and the value set by Stratford-on-Avon District Council,~~ as set out at Appendix 1 to the report.

Councillor Day also accepted the recommendation from the Finance & Audit Scrutiny Committee regarding the role of the new Audit and Standards Committee. The Deputy Chief Executive clarified that the wording of the Committee as defined at Appendix 2 to the report would be revised to highlight the Committee's role in reviewing risk for the Council, so that officers could make sure the recommendation from the Finance & Audit Scrutiny Committee was then included.

Councillor Day then proposed the report as laid out, and subject to the recommendation from the Finance & Audit Scrutiny Committee, and the amendment to recommendation 1 in the report.

Recommended to Council that

- (1) the definition of a key decision as set out at Appendix 1 to the report, be approved;
- (2) for the new Municipal year, Council approves the creation of an Audit & Standards Committee, composed of 11 members, with the responsibilities as set out at Appendix 2 to the report;
- (3) for the new Municipal year, the Finance & Audit Scrutiny Committee ceases to exist and its scrutiny responsibility be passed to the Overview & Scrutiny Committee;
- (4) the Audit & Standards Committee meets at least quarterly, on the dates currently scheduled for Standards Committee, and the Cabinet meetings move to the day after Overview & Scrutiny Committee;
- (5) the Monitoring Officer is asked to consult with the Independent Remuneration Panel on the proposals and any adjustments they may recommend to the Special Responsibilities Allowances for the Committees; and
- (6) authority be delegated to the Monitoring Officer to update the Constitution to reflect the approved changes.

(The Portfolio Holder for this item was Councillor Day)
Forward Plan Reference 1,283

Part 2

(Items upon which a decision by the Council was not required)

124. Safeguarding Adults and Children Policy, Procedures and Information

The Cabinet considered a report from Health and Community Protection which sought approval from Stratford District Council (SDC) and Warwick District Council (WDC) Cabinets for joint Safeguarding Policy, Procedures, and Information documents.

It was recommended the joint Safeguarding Policy, Procedures and Information documents should be approved to progress service integration and alignment of safeguarding practice across both authorities.

In terms of alternative options, as the purpose of this report was to seek approval of joint safeguarding documents to progress service integration, there were none available.

In response to a question from the Labour Group Observer, the Councillor Falp clarified that unless a Councillor had direct contact with children on their own (which was strongly advised against), national guidance was that there was not a need for Members to be DBS checked, but this could be investigated further if necessary. Councillor Day suggested that the national policy guidelines could be looked at to make sure it was applicable to this Council and Members were comfortable with it, and Councillor Mangat agreed as the safeguarding policy was also for adults, not just children, so it was important to check the policy guidelines.

Councillor Falp then proposed the report as laid out.

Resolved that

- (1) the joint Safeguarding Policy, Procedures and Information documents, be approved; and
- (2) authority for future approval be delegated to the Strategic Lead Safeguarding Officer in consultation with the Member Champions for Safeguarding; and

(The Portfolio Holder for this item was Councillor Falp)
Forward Plan Reference 1,263

125. Significant Business Risk Register

The Cabinet considered a report from Finance which set out the latest version of the Council's Significant Business Risk Register for review by the Cabinet. It was drafted following review by the Council's Joint Management Team and by the Leader of the Council.

This report sought to assist Members fulfil their role in overseeing the organisation's risk management framework. A very useful source of guidance on the responsibilities of members and officers regarding risk management came from the Audit Commission in its management paper, "Worth the risk: improving risk management in local government":

"Members needed to determine within existing and new leadership structures how they would plan and monitor the Council's risk management arrangements. They needed to :

- decide on the structure through which risk management would be led and monitored;
- consider appointing a particular group or Committee, such as an audit Committee, to oversee risk management and to provide a focus for the process;
- agree an implementation strategy;
- approve the council's policy on risk (including the degree to which the council was willing to accept risk);
- agree the list of most significant risks;

- receive reports on risk management and internal control – officers should report at least annually, with possibly interim reporting on a quarterly basis;
- commission and review an annual assessment of effectiveness: and approve the public disclosure of the outcome of this annual assessment, including publishing it in an appropriate manner.

The role of senior officers was to implement the risk management policy agreed by Members.

It was important that the Chief Executive was the clear figurehead for implementing the risk management process by making a clear and public personal commitment to making it work. However, it was unlikely that the Chief Executive would have the time to lead in practice and, as part of the planning process, the person best placed to lead the risk management implementation and improvement process should be identified and appointed to carry out this task. Other people throughout the organisation should also be tasked with taking clear responsibility for appropriate aspects of risk management in their area of responsibility.”

Although the Audit Commission had since been abolished, the guidance remained relevant.

The report set out the latest version of the Council’s Significant Business Risk Register for review by the Cabinet. This would aid effective governance within, and of the Council.

In terms of alternative options, Members might take a differing view on the risks identified; on the ratings attributed; or the mitigations and might feel that they wish to indicate changes to be made.

The Finance & Audit Scrutiny Committee noted the risk register.

The Leader and Portfolio Holder for Transformation and Resources noted that the Risk Register was a live document and would be updated accordingly. After the announcement regarding the future of the merger, a lot of these risks would have to be revisited and reassessed. However, a lot of new risks had now emerged.

Councillor Hales thanked Mr Barr and his team for the thorough amount of work on this report, and then Councillor Day proposed the report as laid out.

Resolved that

- (1) the Significant Business Risk Register (SBRR), set out as Appendix 1 to the report and summarised as Appendix 2 to the report be, be noted. and
- (2) the content of section 1.3 of the report and emerging risks as identified in section 1.4 of the report be noted, together with additional risks in the SBRR.

(The Portfolio Holder for this item was Councillor Day)
Forward Plan Reference 1,209

126. **HEART Shared Service Partnership**

The Cabinet considered a report from Housing Services, which summarised the evaluation of the Home Environment Assessment and Response Team (HEART) service's delivery of Disabled Facilities Grants and related services and proposed that the District Council remain a partner in the service for the next 12 months with a view to establishing revised shared service arrangements, which addressed the performance concerns previously raised.

The HEART Board were making a number of recommendations for their respective governing bodies to consider including the substantive recommendation that we continue to work to improve the service offered by the existing HEART countywide shared service and, subject to ongoing good progress, in 12 months' time create a new five-year legal agreement to continue the HEART Partnership.

It was considered that given the limited and risky alternatives, current financial challenges within the Housing Service, early signs of improving HEART performance, clear plans for improvement, service resilience and breadth of the HEART offer that this was a viable option with more merits and fewer risks than the alternatives.

In terms of alternative options, there were three options available to Members:

- Option 1 – To support the recommendations of the HEART Board and treat the current (2022) year as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full-service integration could be achieved. Assuming this was achieved, follow this by becoming a party to a new legal agreement for a five-year Partnership from April 2023.
- Option 2 – To support the recommendations of the HEART Board and treat the current (2022) year as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full service integration could be achieved. Once progress against these aspirations could be measured revisit the question of whether to remain in the HEART Partnership by becoming a party to a new legal agreement for a five- year period from April 2023.
- Option 3 – To leave the HEART Partnership and create a new platform for the delivery of DFG's and aligned services.

An addendum circulated prior to the meeting advised that a very minor amendment had been made to the section of Appendix 1 to the report that referred to HEART Performance. All charts were amended to ensure that the unit of measurement was shown (days/£).

The Overview & Scrutiny Committee considered the report at length and had concerns about the cyclical nature of the concerning position set out in the report.

The Committee noted the recommendations in the report and agreed that a report be brought back to Scrutiny in six Months, unless a report is brought to Cabinet at that time on the progress/improvements made and if needed the options available to the Council to change the service.

The Committee thanked the Head of Housing and Portfolio Holder for their time in attending and engaging with the Committee on this report.

The Green Group Observer approved of bringing back the report in six months' time but hoped that a robust decision would be made by then.

Councillor Matecki noted that it was a disappointing situation that we found ourselves in, but the framework of the HEART service was right, and the model was something people wanted, it was more about the execution of that service. He supported the suggestion that Members should be on the HEART Board too, providing a fresh perspective and helping to relieve the pressure on Officers. He added that hopefully we would be in a more positive position in six months' time.

Councillor Day gave assurance to Group Leaders that there was an opportunity to keep informal updates coming through the Leadership Co-ordinating Group (LCG), and that Councillor Matecki would also provide updates to Members as things progressed.

Councillor Matecki then proposed the report as laid out.

Resolved that

- (1) the following recommendations proposed by the HEART Board, be approved:
 - a) the progress to provide one, consistent service to deliver Disabled Facilities Grants and a Home Improvement Service for the County, be noted;
 - b) there is agreement that 2022/23 be used as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full-service integration could be achieved;
 - c) the strategic objectives of the HEART Board, be confirmed (s2.1 Appendix 2 to the report);
 - d) the Board's intention to draw on the expertise of Foundations to support it to innovate and develop HEART, be welcomed;

- e) the implications of the White Paper for Social Care for arrangements to deliver Disabled Facilities Grants, be acknowledged; and
- f) the recommendation of the HEART Board to continue to build the partnership during 2022/23 with a view to creating a new legal agreement for a five-year Partnership from April 2023 be supported.

- (2) a further report will be submitted later in the year

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,275

127. **Masterplanning Framework for Land to the North and East of Kenilworth/South of Coventry**

The Cabinet considered a report from Policy and Projects which highlighted the committed developments and significant development pressures in the area to the north of the District and immediately to the south of Coventry.

The report proposed an approach by which the Council worked collaboratively with key partner organisations to better understand opportunities and challenges in the area and develop a masterplan framework. The Masterplanning, whilst not predetermining any decisions relating to the development strategy in the emerging South Warwickshire Local Plan, would provide useful evidence to inform the preparation of the Plan.

The report highlighted the committed developments and significant development pressures in the area to the north of the District and immediately to the south of Coventry. The report proposed that the Council worked collaboratively with key partner organisations to better understand opportunities and challenges in the area and develop a masterplan framework.

Officers had sought the input and views of key partners on the progression of this work, its possible scope, governance, and cost. All three partner organisations (Coventry City Council, Warwickshire County Council and University of Warwick) agreed in principle to take part in the masterplanning work and confirmed that the financial contributions sought were acceptable.

Officers requested that £56,000 was released from the Community Project Reserve to meet the Council's contribution to this work. It was also proposed that a Site Delivery Officer post within Place & Economy should be created, on a two-year fixed term contract, to lead on this work.

In terms of alternative options, there were four available to Members:

- Alternative Option 1 – No masterplanning of area - Cabinet could determine that they did not wish to support the masterplanning work as set out in the report and ask officers to 'do nothing' with regards to comprehensively considering the challenges and opportunities in this area. This, however, would potentially result in missed opportunities to better understand the potential of the area for connecting green and blue infrastructure, for biodiversity enhancements, for transport connectivity and infrastructure and for considering what development might be suitable, where and how it might relate to other development in the area. A masterplan framework for the area would provide a stronger case for infrastructure funding bids as it would demonstrate that the area had been positively planned. Without a masterplan, should preferred options for growth in the South Warwickshire Local Plan suggest that this might be a suitable area for growth, there would not have been any initial comprehensive work undertaken looking at whether, where and how this area might be suitable for further growth.
- Alternative Option 2 - Masterplanning without involvement of key partners - Cabinet could decide that they wished for officers to prepare a masterplan without the input and direct involvement of the three key partners. However, given the location of the study area and its relationship to the city of Coventry, the importance of transport infrastructure and connectivity and the presence of Warwick University, a major institution in the area, it was logical and sensible to undertake this work with the three partners identified. The involvement of each party also ensured buy in to the process and eventual outputs of the work. Furthermore, were the Council to undertake this work in isolation, then the financial resources that would need to be found by the Council would be significantly higher (roughly four times the amount currently requested).
- Alternative Option 3 - Masterplanning involving more partners - Cabinet could decide that a greater number of parties should be part of the Project Board and take a key role in the delivery of this work. As previously identified, it was likely that a wider stakeholder group would be involved at key stages in a consultative role. However, to bring more parties, with potentially disparate aims, into the core group, this would make governance of the project more challenging and most likely extend the timescales for delivery of the work. There would also be challenges around the extent of financial contributions each organisation would be prepared or able to contribute.
- Alternative Option 4 – Masterplanning only once spatial growth strategy of SWLP has been determined - Cabinet could conclude that to undertake the masterplanning work at this stage was premature and might unduly lead or prejudice work to determine the growth strategy of the SWLP. Officers were of the view that this work could be undertaken in tandem with progression of the SWLP and that the growth strategy for the local plan would be arrived

objectively based on various layers of evidence. This work did however have the benefit of helping identify the potential for development or challenges in bringing forward further development in this area, which would be useful evidence to inform the SWLP.

The Overview & Scrutiny Committee noted the report and proposals for providing the master planning framework to help recognise the constraints in the area and developing a collective vision. It welcomed the responses from officers and the reflection from this will be provided to the Cabinet.

The Committee suggested that the words Green Belt are set out within the document as this plan would have an impact on that.

The Committee welcomed the agreement to ensure that wider stakeholder groups will be involved in the consultative role. Whilst those to be involved will be agreed by the project board once it has been formed, it is expected that this will include local district councillors, local parish councils, residents groups, Stoneleigh Park, HS2, local major land owners along with Solihull MBC and Rugby BC.

The Overview & Scrutiny Committee recommended that at least one PAB should be involved for discussion and involvement in this area of work.

The Cabinet were required to vote on this as it formed a recommendation to them.

The Green Group Observer supported this report but had the following questions:

1. They welcomed a list of stakeholders. However, they asked for clarification on how the public's views would be incorporated into the masterplan.

In a subsequent response following the meeting, officers stated that the Cabinet report and subsequently agreed updated Paragraph 1.23 in the report indicated that there would be consultation at key stages with a range of stakeholders and suggested which groups might be engaged with. It would be a matter for the Project Board that would be set up to consider detailed matters about how to engage and communicate with stakeholders. This was not solely a WDC piece of work and therefore such decisions needed to be made with the other 3 main partners, rather than taken unilaterally by this Council.

2. In a subsequent response to the Green Group's question about PAB Chairs, officers answered that it was considered that the Place & Economy PAB would be the most suitable PAB to discuss any matters relating to this work. Officers had already indicated to the Chair of the Place & Economy PAB that we would happily include this work on the agenda of an upcoming PAB.
3. The Green Group also asked whether it would be possible to look at how transport problems could be dealt with in any way different

from roads, for example considering the option of active transport, light railway, rail, cycleways instead of prioritising roads and car use. In a subsequent response following the meeting, officers remarked that generally, in their experience the approach that was taken by officers at WDC, WCC and CCC was to consider what was the effect and impact of sustainable/active travel modes first before considering whether road infrastructure was also required. For reasons such as climate considerations and the significant cost often associated with road schemes, we would want to ensure that we continue to think about schemes in this way. However, sometimes a combination of travel modes was required to address all issues that might affect an area and schemes such as very light rail requires road space also. In this Council's response to Warwickshire County Council's Local Transport Plan Key Themes consultation that ran from 21st Jan – 18th March 2021 as part of WCC's process of updating its Local Transport Plan, we did clearly state that we were of the view that transport investment should be prioritised for zero carbon modes of transport (cycling and walking), particularly for shorter journeys and that cars should only be encouraged where other options were not possible. The Green Group also commented that as part of the Climate Emergency, they recommended integrated and careful consideration of low carbon infrastructure e.g., the light railway, a new station, cycle path infrastructure and group working over 4 authorities was the only way to achieve this and to avoid the power of non-joined up pet projects. In a subsequent response following the meeting, this sentiment was agreed with by officers, who stated that the "joined-up" collaborative approach would be beneficial.

Councillor Rhead stated that this was a good report which set out a clear idea of where the Council was going, and that this should be a route map for how to plan in the future.

Councillor Hales added that it was key that the Council engaged very early with Town and Parish Councils so that they had ample opportunity to voice their opinion.

Councillor Cooke proposed an amendment to paragraph 1.3 in the report, to read:

"Beyond the PB a wider stakeholder group(s) will be involved at key stages in a consultative role. Whilst the wider stakeholders to be involved will be agreed by the PB once it has been formed, it is expected that this will include local district councillors, local parish councils, residents' groups, Stoneleigh Park, HS2, local major landowners/developers and Solihull MBC and Rugby BC."

Councillor Cooke was happy to accept the recommendation from the Overview & Scrutiny Committee. He then proposed the report as laid out, subject to the amendment to the report above, and the additional recommendation from the Overview & Scrutiny Committee.

Resolved that

- (1) the progress to date in discussing the desirability and potential benefits of this work with partner organisations, be noted;
- (2) the Council progressing the masterplanning work with the three partner organisations stated in the report, be agreed and the agreement of the study area (broadly in accordance with the area shown in appendix 1 attached), detailed scope, and governance arrangements be delegated to the Head of Place & Economy in consultation with the Portfolio Holder and Council's Monitoring Officer, noting that there will need to be mutual agreement of these matters with the partner organisations through a Project Board that will be formed;
- (3) the release an initial £56,000 from the Community Project Reserve to meet the costs of the Council's contribution to this work, be agreed and that this will, in part, be used to create a Site Delivery Officer post within the Place & Economy service area on a 2-year fixed-term contract, be noted; and
- (4) at least one PAB be involved for discussion and involvement in the masterplanning framework.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,278

128. Exemption from Procurement / Contract Standing Orders – Housing First Support Service

The Cabinet considered a report from Housing Services which requested an exemption from the Warwick District Council Code of Procurement Practice and Financial Regulations to enable the swift appointment of a competent and experienced provider of 'Housing First' support services to a number of vulnerable former rough sleepers and to ensure that funding won from central government was spent in accordance with their delivery time frame expectations.

In summary, the Council had the opportunity to engage a trusted provider to deliver a Housing First service. If we received a tender exemption, we could progress this at pace, and start delivering improved outcomes for former rough sleepers later in Spring. If we had to pursue the tender process, we would incur a degree of delay and potentially run the risk of DLUHC requesting the return of funds allocated to Warwick DC to achieve this.

In terms of alternative options, Members could choose to run a low value tender exercise which would take approximately three months with no certain outcome. If a provider were appointed, additional time would be required to set up (mobilise) the new arrangements. This would incur delays and create risk of being unable to complete the work required by the grant funding within the designated timescales. Consequently, some or all of the funding may be at risk of clawback. Or they could stand down the proposed Housing First service and await a potential future award of RSI funding, although a future award was not assured at this stage.

Councillor Matecki assured Members that due diligence with Brighter Futures (who were proposed to engage with this contract) had been carried out through benchmarking exercises, and Brighter Futures had offered good value for money. The Council wanted to help some of the most vulnerable members of society, and he felt that going through a procurement process would delay this aim until the end of this year. He then proposed the report as laid out.

Resolved that an exemption from the Code of Procurement Practice be permitted to enable the rapid award of a contract to Brighter Futures to deliver a Housing First service to former rough sleepers in Warwick District for a period of 12 months.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,277

129. **Community Projects Reserve**

The Cabinet considered a report from the Chief Executive which set out a variety of proposals which took forward the Council's priorities in respect of its communities. The budget agreed in February included a provision of £300,000 for Community Project Reserves. There were two other reports on the agenda for the 20 April meeting which also sought to use part of this reserve.

The Council agreed as part of its budget for 2022/23 a Community Project Reserve of £300,000. This was to assist the Council and the wider community to deliver a range of the Council's community related projects.

At the same time, in February 2022, the Council agreed a one-off grant to Hill Close Gardens Trust of £25,000 funded from the Community Projects Reserve and that a longer-term grant (five years) would be considered separately in the context of the receipt of a Business Plan. Group Leaders also agreed as an emergency decision that the Chief Executive should seek to achieve the purchase of a small part of the open space at Villiers Street that a company was selling off (even though it was managed by the Council for 50 years or so). It was agreed that a local resident that had bid for the land and was accepted, would complete the purchase, and would then sell it to the Council for the same price and including legal fees so he was not out of pocket. This was estimated at £10k.

There were two other reports on the 20 April Cabinet agenda also proposing the use of the Community Projects Reserve - one for £56,000 for the preparation of a Strategic Planning and Infrastructure Network Masterplan, the other for £30,000 for masterplan work around Court Street/Althorpe Street/Canalside. Assuming that these proposals were agreed and noting the above commitment then a total of £121,000 of the £300,000 was committed before the consideration of the report.

Effectively Committed Items (assuming the latter two are agreed):

Hill Close Gardens	£25k
Purchase of Land at Villiers Street, Leamington	£10k
Strategic Planning and Infrastructure Network Masterplan	£56k
Masterplan for Court Street/Althorpe Street and canalside area, Leamington	£30k

Additional Items:

Feasibility Work for Leamington Town Centre	£10k
Community Masterplan work for Christchurch Gardens, Leamington	£5k
Feasibility work for Spencer Yard footbridge	£50k
St Marys Lands Next Steps £50k over 2 years/£25k each pa	£25k
St Mary's Church Tower Restoration £100k over 2 years/£50k each pa	£50k
Sustrans phase 2 £50k over 2 years/£25k each pa	£25k
Total for 22/23	£286k

Feasibility Work for Leamington Town Centre - £10k - WCC and WDC were expecting a formal announcement on some transport related funding shortly but had a level of confidence that the bid submitted would be successful. It was likely however that the allocated funding would not be sufficient to ensure that the feasibility study considers the wider aspirations of the emerging Leamington Town Centre Transformation Framework. Therefore, it was proposed that WDC and WCC each contribute £10k towards the feasibility study and that this Council's contribution came from the Community Projects Reserve.

This work was a key part of a wider Transformation Framework currently being developed under a Board consisting of all three levels of local authority at County, District and Town levels with an Advisory Group. Similar work had already been progressed in part by WCC Highways, funded by WDC Community Infrastructure Levy (CIL) in the south of the town centre around Bath Street.

The feasibility work would assist further funding bids to various sources including but not exclusively the Levelling Up Fund Round 2 bids which were to be submitted by 6 July.

Community Masterplan work for Christchurch Gardens, Leamington - £5k - A Friends Group developed around the Christchurch Gardens area of Leamington Town Centre. The group was formally affiliated to the Leamington Society and was raising funds to undertake various small-scale improvements to the Gardens. They wished to take this further and develop a community masterplan and asked the Council for some support to do this.

It was proposed that a grant of £5k be made which the Friends group would match with £1k which they would use to procure advice to help them undertake a process that would engage the community to work up an achievable plan for this valuable open space. It was an area that represented a significant opportunity to contribute to the transformation of the town centre.

Pump Rooms/Spencer Yard Bridge Feasibility - £50K - The proposal was to appoint a consultant team using open procurement (up to £50K) to prepare a feasibility report for a new pedestrian footbridge as a critical part of the movement network in the Creative Quarter project. The bridge would improve pedestrian connectivity between the Old Town (including the station) and New Town, traversing the River Leam from the Pump Rooms to Spencer Yard. This would be part of improved activation along the north and south banks of the River Leam in this area and would increase footfall to surrounding businesses and venues whilst delivering a visually striking and beautiful destination in its own right – it would be more than just a functional bridge/connection, maximising the visitor experience around the Spa water drinking fountain and enhancing Leamington's riverside heritage.

The span of the bridge would be approximately 30m and the width of the bridge approximately 3m to accommodate two-way pedestrian movement. A bespoke design was anticipated, not an off the shelf solution, with an approximate budget in the order of £2m inc. all fees and implementation. Upon receipt of the completed Feasibility Report, avenues of funding would be explored e.g., Government Funding Bids such as the Levelling Up Fund and there was the potential to procure via design competition (possibly with public involvement) which would be explored further. This would offer new opportunities for the town as part of the wider Transformation Framework as well as supporting the local regeneration via the Creative Quarter.

St Marys Lands Next Steps - Project Management and Design Work - It was proposed that to complete the next steps of the St Mary's Lands Masterplan that Plincke's commission be extended to undertake the following over the next two years at a cost of £25k per annum. This would include:

- a. A developed feasibility study for the golf course and golf centre pavilion. This was likely to include a preliminary design proposal for re-working the current golf course to achieve a reduced size but

enhanced quality to create a more commercially appealing entry level, turn-up and play facility. As part of the feasibility, the value of any eco-credits for 're-wilding' of the surplus area would be calculated alongside an assessment of community value. The proposals would link into the Council's climate change commitments and biodiversity gains. The cost of replacing the driving range would be assessed, linked to a market appraisal to review whether a 'competitor analysis' would support the investment needs. An outline design proposal would be drawn for the golf centre building, including its size, form, function, and materials for discussion with the Working Party members. Undertake pre-application discussion with the Planning Team. (Architectural and cost consultancy fees would be procured separately.)

- b. Prepare a play area proposal for the site next to the replacement golf centre / hub building, including a low-cost, temporary summer play scheme for 2022 to trial the locations popularity as a play destination. Following the outcome of the trial play project, develop a natural play scheme for further consultation. Liaise with the Council's play strategy team over design and maintenance. Develop the trial scheme to detailed proposal and the final scheme to RIBA Stage 3, outline proposals.
- c. Agree a maintenance specification for the cycle track and undertake 2-observational inspections throughout the year, one summer and one winter inspection. Agree with the Jockey Club / County Council the commissioning and installation of the additional signage.
- d. Assist with the commissioning and installation of the bird-nesting protected areas, including commissioning of ecological supervision.
- e. Undertake a wider public consultation process via the Council's website and a virtual Q&A session. The purpose of the consultation would be to feedback on outcomes to date and set out the next stages of the project development. Assist the Council with other awareness raising opportunities such as newsletter content and press releases.
- f. Provide project liaison and coordination services including 2 - working party meetings and general advice in response to stakeholder engagement / FoSML.

St Mary's Church Tower Restoration - The Church Tower of St Marys Church in Warwick was a significant and place defining landmark. Sadly, the fabric of the tower deteriorated significantly and now needed £1.8m of work to restore it. The Council was asked to contribute, as had the Town and County Council. The Town Council was to contribute of £15k but the County Council would not contribute. The contribution was only toward the heritage of the church and not to the running of it as a religious facility. There was no legal impediment to the Council in this respect. A business plan was prepared by volunteers to help raise funds for the works. A copy of that business plan was attached at Appendix 1 to the report. The plan was assessed as was usual for community projects that

the Council considered and was rigorous. Clearly construction costs were a challenge for all projects, but the Council's exposure could be limited to the sum it was prepared to contribute only. It was suggested that a contribution of £100k over two years was meaningful and was of a similar scale as the contribution made towards the successful Lottery bid for the Lord Leicester Hospital.

Sustrans phase 2 - The Council had previously given support to Sustrans bid to the Department of Transport (DfT) to improve the Lias Line – the old Leamington to Rugby railway line as a footpath and cycleway connecting the existing greenway at Radford Semele to Long Itchington via a new bridge over the Fosse Way and a tunnel under the Offchurch Road that HS2 was to implement in 2023. The support – advice and £50k helped to lever in almost £3m. Sustrans were bidding for an additional £800,000 or so to improve the old railway line spur to Draycote Water. This proposal would also include acquiring a short but important section of the old line. If successful it would enable residents to cycle off road all the way from Leamington to Draycote Water. When connected to the cycling facilities planned elsewhere in Leamington and Warwick this would represent a significant leisure facility for local people.

In terms of alternative options, Members could decide to vary or to not agree the proposals, but the proposals put forward were a reasonable cost if the items were to be undertaken and the items support the Council's ambitions.

Councillor Cooke proposed the report as laid out.

Resolved that

- (1) the existing commitment to contribute toward Hill Close Gardens as agreed in February 2022 and the use of the Chief Executive's Emergency powers to acquire land at Villiers Street, Leamington, and the proposals on other agenda items in respect of the Strategic Planning Infrastructure Network Masterplan and Creative Quarter, be noted;
- (2) the schedule of allocations to community projects as set out in paragraph 1.3 of the report and as subsequently detailed in paragraph 1.4 of the report, be approved; and
- (3) additional provision for one off items totalling £100,000 will need to be made for 2023/24 adding to the additional savings/income total, be agreed.

(The Portfolio Holder for this item was Councillor Cooke)

130. Creative Quarter / Future High Street

The Cabinet considered a confidential report from Policy and Projects. A report was presented to a meeting of Full Council on 5th August 2020 outlining the Final Business Case submission for the Future High Streets Fund (FHSF). The Council was seeking funding of £14million from the fund to facilitate the delivery of a number of projects.

Full Council approved the list of projects to be included as part of the bid as follows:

- Spencer Yard.
- Town Hall.
- Royal Mail Old Post Office.
- One further confidential site which was not subject to any of the recommendations in the report.

Since the successful award of £10million to Warwick District Council from the FHSF, significant efforts had been made to secure a lease on the former Old Post Office in Leamington Spa for use as part of the Creative Quarter. Royal Mail Group were however, now not in a position to release this lease and so an alternative building within WDC ownership which could be redeveloped to deliver the same outputs was proposed in the form of the former Stoneleigh Arms public house on Clemens Street.

As such, the report sought approval to:

- confirm a project adjustment to the FHSF and Creative Quarter; and
- agree, in principal and subject to appropriate permissions, the intended change of use for the former Stoneleigh Arms public house asset.

This was a practical change which utilised one of WDC's derelict and unused assets to ensure delivery of outputs for both the Future High Street Fund and the Creative Quarter.

In terms of alternative options, there were no other suitable WDC assets within the town centre and within the Creative Quarter area that were available to deliver this output.

The Overview & Scrutiny Committee recommended a briefing update to all councillors regarding the project.

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

Councillor Cooke noted that the recommendations in the report allowed for delegated authority should any potential changes occur.

Councillor Day stated that it was important to have the Leamington Transformation Board, adding that their previous meeting enabled engagement with three different levels of local government. He then proposed the report as laid out.

Resolved that

- (1) the significant efforts that have been made to secure a lease on the Old Post Office from Royal Mail Group, and that this building is now not available to the Creative Quarter as set out in paragraphs 1.2.1 and 1.2.2 below, be noted;
- (2) the reallocation of FHSF funds amounting to £1.887million, as well as the Warwick District Council co-funding of £1.123million (therefore a total of £3.01million) to the former Stoneleigh Arms public house in place of the now unavailable Old Post Office as set out in paragraphs 1.3.1 to 1.3.3 of the report, be approved;
- (3) authority be delegated to the Head of Service for Place and Economy in consultation with the Place and Economy Portfolio Holder to oversee the intended change of use of the former Stoneleigh Arms public house asset and to obtain the appropriate permissions as set out in paragraphs 1.4.1 and 1.4.2 of the report;
- (4) authority be delegated to the Chief Executive in consultation with the Head of Place and Economy, the Leader of the Council and the Place and Economy Portfolio Holder, to make any future decisions regarding the potential re-profiling of Future High Streets funding. Any such changes will also be subject to formal approval from the Section 151 Officer and the Department for Levelling Up Housing and Communities that administers and monitors the fund including formal change requests.
- (5) authority be delegated to the Head of Assets to agree appropriate terms with the Council's Creative Quarter Development Partner, Complex Development Projects (CDP), with regards to the freehold or leasehold transfer of the Stoneleigh Arms public house; and
- (6) the release of £30,000 from the Community Projects Reserve be approved in order to commission a master plan study of the potential for wider development opportunities for the area around the Stoneleigh Arms including the Court Street Car Park area, the Althorpe Street industrial area and the canalside.

(The Portfolio Holder for this item was Councillor Cooke)

Forward Plan Reference 1,279

131. Urgent Item – Election of Chairman of the Council 2022/23

The Leader of the Council decided to bring forward this urgent item in respect of the nomination for the appointment of Chairman of the Council for 2022/23.

This item was brought forward because the next scheduled meeting of the Cabinet was not until 11 May 2022, which was the same day as Annual Council.

In February, the Council nominated Councillor Jonathan Nicholls to be the Chairman of the Council for 2022/23. Sadly, Councillor Nicholls passed away in March, so after reflection and discussions with colleagues, the Leader chose to nominate Councillor Mangat to become the next Chairman of the District Council.

In accordance with Procedure Rules, Councillor Mangat was then nominated to be elected as the Chair of the Council for 2022/23.

The Cabinet, therefore

Recommended to Council on 11 May 2022
that Councillor Mangat be elected as the
Chairman of the Council for 2022/23.

(The Portfolio Holder for this item was Councillor Day)

(The meeting ended at 7.20pm)

CHAIRMAN
25 May 2022