

Cabinet

Minutes of the meeting held on Thursday 8 July 2021 in the Town Hall, Royal Leamington Spa at 6.00 pm.

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

Apologies: Councillors Matecki and Noone.

Also Present: Councillors: Boad (Liberal Democrat Group Observer), Davison (Green Group Observer), Mangat (Labour Group Observer), Kohler (Representing the Overview & Scrutiny Committee) and Nicholls (Chair of Finance & Audit Scrutiny Committee).

10. **Apologies for Absence**

Apologies for absence were received from Councillors Matecki and Noone.

11. **Declarations of Interest**

Minute Number 13 – A46 Link Road – Next Steps

Councillors Cooke and Falp declared an interest as they were Warwick County Councillors, but they had nothing to do with the formulation of the scheme.

12. **Minutes**

The minutes of the meeting held on 27 May 2021 were taken as read and signed by the Chairman as a correct record.

Part 2

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

13. **A46 Link Road – Next Steps**

The Cabinet considered a report from Development Services which sought to update Members on the progress on the A46 Link Road project that was being led by Warwickshire County Council. It also sought approval for this Council's continued involvement in supporting the progression of the project and responded to the Notice of Motion at Full Council on 24 February 2021 relating to this proposed development.

The proposed Strategic A46 Link Road was a project that had been under consideration for several years and had been led by Warwickshire County Council (WCC) and also driven by Coventry City Council (CCC). The Link Road, if delivered in totality, would comprise of three elements:

- Phase 1: A46 Stoneleigh Junction improvements.
- Phase 2: Transport corridor from new Stoneleigh Junction, to A429 (Kenilworth Road) near to the proposed HS2 line and then on to Westwood Heath Road whilst also providing a new access into Warwick University.

- Phase 3: Link Road continued westbound into Solihull Metropolitan Borough and could link with the A452 or A45 to provide access to the proposed UK Central HS2 Interchange.

The purpose of the Strategic Link Road was to support planned housing and employment growth within Warwick District, the city of Coventry and the wider A45/A46 transport corridor. In its 12 September 2019 Cabinet Report, Warwickshire County Council identified the following objectives for the project:

- To facilitate and support the housing and employment proposals contained within the Local Plans for Warwick District and the city of Coventry.
- To support the growth aspirations of the University of Warwick (UoW) Stoneleigh Park and other key existing and proposed employment sites within the immediate area and wider A46 corridor in the context of the adopted Local Plans.
- To ensure the Coventry and Warwickshire area was well connected to the economic opportunities which would arise as a result of growth and development in the region including HS2 and associated growth at UK Central.
- To provide additional resilience to the Strategic Road Network (specifically the M6, M42, A46 and A45) through the delivery of a new high quality link.
- To help reduce congestion in the A45 corridor which would allow further housing growth to come forward in North West, West and South West Coventry and parts of Warwick District.
- To unlock land to help realise the opportunity for a number of strategic sustainable transport infrastructure improvements in the area, including a new railway station to serve the University of Warwick, improved access to Tile Hill station, bus priority and a network of pedestrian and cycle routes.

Phase 1 - Stoneleigh Junction improvement scheme was a £38m investment funded by WCC, the Department for Transport (DfT), the West Midlands Combined Authority (WMCA) along with developer contributions from the University of Warwick and employment development at Whitley South (part of the Coventry & Warwickshire Gateway Scheme). The approved design included a new bridge across the A46, realigned slip roads and a new signalised gyratory system. The scheme aimed to reduce the regular delays and queuing traffic, improve road safety for all users and ensure the junction had the capacity to meet future growth.

Major construction work commenced on site in March 2021, following a contract award to Colas-Siac Limited. The works would mostly be carried out away from the existing road network and therefore it was not expected that the works would be particularly disruptive to existing road users. The project was currently expected to be completed by Summer 2022.

The Stoneleigh Junction improvements were essential to the delivery of our most significant housing allocation in the current Warwick District Local Plan 2011-2029, land at Kings Hill.

A layout plan and a computer-generated image (CGI) showing the approved design for Stoneleigh Junction could be found in Appendix 1 to

the report.

Phase 2 of the Link Road was dependent upon the delivery of Phase 1. With Phase 1 under construction, considerable attention was now being given to progressing the design and feasibility work for Phase 2 and exploring funding opportunities.

The route of the proposed link road was to the north of the proposed HS2 line and was through countryside largely used for agriculture. The land was within the West Midlands Green Belt. The full route of Phase 2 would see a transport corridor connecting Stoneleigh Junction and Westwood Heath Road with a junction with A429 Kenilworth Road. A spur would provide a new gateway into University of Warwick. The indicative route could be seen in Appendix 2 to the report.

Warwick District Council officers had worked alongside counterparts at WCC and CCC in this regard and the Council had Corporate Management Team (CMT) representation on the Project Board for the scheme.

Coventry City Council and Warwickshire County Council were awarded £1.25m of funding as part of the DfT Large Local Major Scheme process to develop the business case for Phase 2 of the A46 Link Road, and it was anticipated that this phase could cost in the region of £70-£100m. In addition to the involvement of the three local authorities in the area, the project had also seen engagement with Coventry and Warwickshire Local Enterprise Partnership (CWLEP), the DfT, Highways England and the West Midlands Combined Authority (WMCA).

The objectives for the project, as set out in Paragraph 3.2 of the report, remained applicable. Coventry and Warwickshire had the fastest growing economy in the West Midlands and infrastructure was needed in key corridors such as the A45 and A46 to provide conditions for businesses to continue to invest in the area. The A46 Strategic Link Road aimed to ensure an efficient transport network with sufficient capacity and resilience to maintain and support future growth.

The A46 Strategic Link Road aimed to improve accessibility to the University of Warwick, one of the major employers in the area, and surrounding business parks and other employment areas, and was critical should any further housing be planned in sustainable locations in this part of Warwick District. It also aimed to improve local connectivity whilst tackling local traffic issues, such as through-traffic using unsuitable local roads as a rat run.

Crucially, the proposal was not simply for a new road. The link road proposal included provision for walking and cycling but importantly it was part of a wider programme to encourage multi-modal travel opportunities, including expanding the existing cycle network, a new railway station and interchange with the potential to link road and rail, and very light rail (VLR). The wider programme also had the opportunity to provide congestion relief to Stoneleigh village and Kenilworth. The project name obscured this wider reality.

An Issues and Options public consultation was undertaken for Phase 2 of the Link Road between 30 November 2020 and 14 February 2021. This

identified issues and set out main options along with some of the key benefits and issues relevant to each. Responses to the consultation were invited from a range of partners, stakeholders and people who lived and worked in, or visited and travelled through, Warwickshire and Coventry.

The public consultation lasted 10 weeks and amongst other methods of communication, involved a leaflet drop to approximately 11,000 households in the area and live broadcasts with question and answer opportunities. The survey received 522 responses and a further 98 representations were received.

A consultation analysis report had been produced on behalf of WCC. In light of the consultation feedback, officers at WCC and partner organisations involved in the project were considering next steps. This included how the scheme should progress and developing its scope and direction, which would be used to inform the business case submission to the DfT (expected to be submitted in September 2021) and the development of funding applications. When clear decisions had been taken, further updates on the project would be made publicly available through WCC.

The consultation results offered mixed views on the link road proposal. Whilst the provision of the road did not receive overwhelming support (around half of respondents either disagreed or strongly disagreed with each option), of the options tabled, Option 3, which was the full extent of Phase 2 of the link road, received the highest levels of agreement/support. However, common concerns focussed on the proposed road potentially increasing or exacerbating congestion/traffic volume and environmental concerns (including pollution/air quality, noise, destruction of green belt land, wildlife, flooding). Questions were also raised over future travel patterns in a post-Covid-19 world.

Support was given to sustainable travel and active travel. In particular, where support was not given for any of the road options, the most common response was that there should be continued development of walking or cycling active travel options as an alternative.

Following conclusion of the public consultation, WCC had indicated that the following next steps should be proposed with regards to the delivery of Phase 2:

- Prepare an outline feasibility design and business case submission to the DfT.
- Development of funding applications.
- More site survey work.

It was anticipated that both WCC and CCC would take reports to their respective Cabinets in September this year to consider the next steps for this project.

Before considering the Notice of Motion approved at the 24 February 2021 Executive meeting, it was helpful to place the A46 Link Road scheme in a wider context, including the emerging SWLP and known and potential development proposed in the area south of Coventry.

Cabinet were also aware that work had commenced on the South Warwickshire Local Plan, a collaborative process with Stratford-on-Avon District Council to set out the long-term spatial vision for South Warwickshire. By the time of the 8 July Cabinet meeting, the first public consultation 'Scoping and Call for Sites Consultation' had concluded. The SWLP would set out the growth needs of South Warwickshire and would identify a spatial strategy and key sites required to meet these needs.

Whilst it would be premature to suggest where may or may not be suitable sites for strategic allocations to meet our needs including housing and employment requirements, it was prudent to begin to consider areas where these needs could partly be met and therefore not prejudiced by decisions made out of context, such as on the A46 Link Road project. The Scoping Consultation would be important in any decision around the Plan period, however, if the length of the Plan was longer, perhaps to 2050 as officers had suggested in order to better plan for growth and associated infrastructure, then it was likely that a number of sites in various locations around South Warwickshire would be required to meet our needs that would be identified through the SWLP.

In the area South of Coventry there were two large sites that had been removed from the green belt in Land at Kings Hill (Local Plan allocation H43) and safeguarded land off Westwood Heath Road (Local Plan policy DS21). Planning Committee had made a resolution to grant outline planning consent for 2,500 dwellings at Kings Hill. This was more than the 1,800 allocated in the current Plan, although that acknowledged that the site had a capacity of up to 4,000, with the balance to come forward beyond the Plan period. The site was comfortably the largest single allocation in the current Local Plan.

The safeguarded land had an estimated site capacity of 700-900 dwellings. Whilst not currently allocated for development, it had been removed from the green belt. The main reason the site was not allocated was that the Inspector considering the Local Plan concurred with highways officers that additional highway capacity was required, although did not consider the A46 Link Road project to be suitably progressed to justify its inclusion as an allocated housing site.

Highways officers at WCC had also been clear that without the A46 link road or similar infrastructure, it would be very difficult to support additional housing growth in the area south of Coventry beyond the initial 2,500 dwellings at Kings Hill. Whilst other sites may not be considered appropriate for future growth as that would depend on the chosen spatial strategy for the SWLP, it was important that through the SWLP process, growth options in sustainable locations on the edge of the existing built up area on sites not located within the green belt were explored, particularly as such sites would have to be discounted before any potential release of green belt land through the Plan process, which would be required to demonstrate exceptional circumstances. For this reason, and given that the safeguarded land was not previously allocated because the A46 Link Road proposal was not deemed to be suitably progressed, it would be prudent for this Council to continue to work with partner organisations on this scheme.

In addition to the housing sites referred to above, WCC had also stated that further notable growth at the University of Warwick was unlikely to be

supported by the Local Highway Authority without the A46 Link Road or similar infrastructure. University of Warwick were currently working on emerging masterplan proposals and the continued success and growth of the University was in part dependent upon being able to continue to grow and improve their offer on campus. This therefore, was another reason for this Council to support the progression of the Link Road project.

On 20 September 2019, University of Warwick declared a Climate Emergency, and followed Warwick District's declaration on 26 June 2019 and Warwickshire County Council's declaration on 25 July 2019. This demonstrated the University's commitment to tackling climate change. Whilst the University understood the need for the A46 Link Road, it had also implemented measures to promote sustainable travel and active travel including a bike hire scheme and were trialling a number of other measures including a Demand Responsive Transport (DRT) (bus on demand) service, E-scooters and Enterprise Car Club vehicles. The University had also pedestrianised some areas on campus to give priority to those walking and cycling and were talking to partner organisations about extending the West Midlands Bike Hire Scheme into the University and bringing VLR to the University. It had also recently announced plans for a significant eco-park.

As well as potential housing and University growth referred to in the preceding paragraphs, there were several other known major developments and infrastructure projects that were either likely to come forward in the nearby area or were proposed. These included the HS2 route travelling through the area south-east to north-west, the development of Whitley South and Gateway South developments around Coventry Airport, significant housing growth and a new employment site in Kenilworth, the possibility of major investment in the form of a Gigafactory at Coventry Airport itself, changes to Stoneleigh Park necessitated by the route of HS2 and a possible football stadium for Coventry City near University of Warwick. It was likely that the SWLP call for sites would also generate sites being promoted for development. It was sensible to bear in mind these likely and possible developments when considering the A46 link road scheme as improved highway capacity and improved sustainable travel routes in the area would be necessary should some of these developments materialise.

A Notice of Motion was proposed by Councillor Kennedy and seconded by Councillor Nicholls at 24 February Council. It was resolved that the Motion as set out below be approved. This Motion read as follows:

"That this Council notes that:

- 1. Warwickshire County Council (WCC) has recently closed a consultation on possible routes for the A46 link road from the A46 Stoneleigh junction to Westwood Heath Road. WCC is also currently consulting on its revised Local Travel Plan.*
- 2. WCC has published 'Healthy Travel Choices in Warwickshire' in which they state "...our goal [is] to achieve a sustainable, healthy and green travel network; where walking and cycling are the primary modes of travel, with private car use of much lower importance."*
- 3. The Department of Transport published 'Gear Change: a bold new vision for cycling and walking' in July 2020 which aims to 'encourage and empower' local authorities to promote active travel plans.*

4. The CWLEP has invested in the development of the Coventry Very Light Rail system creating new sustainable means of transport and local green jobs.

5. In June 2019, Warwick District Council declared a Climate Emergency with one of its aims that "total carbon emissions within Warwick District are as close to zero as possible by 2030". Motor vehicles with internal combustion engines are responsible for 40% of all emissions across the District.

6. The impact of the Covid-19 pandemic in 2020 has seen a shift in work patterns towards more home-working and less commuting, with a 73% drop in motor traffic during the height of the lockdown.

That this Council resolves to requests a report from officers setting out the relative merits of writing to WCC and Coventry City Council as the proposers of the A46 Strategic Link Road calling on them to suspend further development of the scheme until a full re-evaluation of the planning assumptions is made, including but not limited to:

(a) A reassessment of traffic flow forecasts based on new ways of working and commuting following the pandemic, and a sustainability analysis as mandated for all major new projects by the WDC Climate Emergency.

(b) A detailed analysis of the potential for enhancing active travel in the area taking into account Department of Transport policy and the emerging Warwickshire Local Travel Plan including the development of plans for a comprehensive cycle network and encouragement of the increasingly popular use of e-bikes for commuting.

(c) Consideration of fast-tracking the development of the railway station for the University and the early roll-out of the Coventry VLR scheme.

(d) Coordination with the development of the new South Warwickshire (Warwick and Stratford Districts) Local Plan and with the University of Warwick's new master plan, noting that the University has also declared a climate emergency".

The opening six points in the Notice of Motion were noted. Therefore, the following section of the report sought to respond to the points A to D raised in the Notice of Motion (NoM).

The NoM was centred around the desire to encourage sustainable and active modes of travel and minimise environmental impacts that may arise from the development of the link road. This was of particular importance in the context of the Climate Emergency declared by this Council in June 2019.

A report was taken to the 18 March 2021 Executive which approved this Council's response to WCC's Local Transport Plan (LTP) key themes consultation (for a new LTP 4 covering Warwickshire). In that response the Council was clear in its support for active and sustainable modes of travel and that in its view, there should be a sequential approach to transport schemes, i.e. active travel options should be considered first and only where those alone could not address the capacity/travel issues in question should major investment in roads be considered. It was also apparent from

the consultation that WCC also wanted to place greater emphasis on active travel options.

The title of the A46 Link Road scheme was perhaps unfortunate, as whilst the proposal was clearly for a road, the title did not emphasise the sustainable travel aspects of the proposal nor capture the wider programme. However, the consultation did highlight these elements of the scheme, albeit with hindsight perhaps these could have been emphasised more. The link road would include dedicated high quality facilities for cyclists, it would provide a route on which the proposed Very Light Rail (VLR) scheme could potentially operate, and it would connect with the proposed University of Warwick/Coventry South Railway Station. The link road was considered to be one component of a package of schemes approved by CCC Cabinet in 2017 to support the south Coventry area, also including VLR, the proposed railway station/transport interchange and improvements to Tile Hill Railway Station.

Notwithstanding these sustainable and active travel benefits, both WCC and CCC as highway authorities were of the opinion that sustainable travel options alone would not sufficiently address existing highway capacity issues in the south of Coventry area, which would only be exacerbated should there be further growth in the area, and therefore would not address the objectives of the scheme.

Point a) of the NoM requested a reassessment of traffic flows forecasted based on new ways of working and commuting following the Covid-19 pandemic and also requested a sustainability analysis. It was agreed that consideration must be given to the likely longer-term impacts on travel patterns arising from the pandemic and that a sustainability analysis should be undertaken as part of the case for the Link Road. However, it was understood that traffic levels on the road network were now back to similar levels as prior to the pandemic. The significant difference from pre-pandemic levels was that the morning peak period flows were not as pronounced, with a more even spread of traffic through the day.

Point b) sought a detailed analysis of the potential for enhancing active travel in the area, considering both national policy and emerging local policy and this should include the development of plans for a comprehensive cycle network and encouragement of e-bikes for commuting. The A46 Link Road project did seek to provide significant opportunities for active travel and the University of Warwick was also exploring sustainable travel options in the area. Furthermore, there were already other firm and emerging proposals in the locality that would significantly improve connectivity between key destinations including the Kenilworth to Leamington Spa strategic cycle route (K2L) which had been allocated £4.749m by the County Council, new cycle routes through strategic housing allocations in east Kenilworth, junction improvements and bus priority measures on the A452 between Kenilworth and Leamington Spa, a possible park and ride in the area and also a proposed railway station to serve the University of Warwick and the communities in the surrounding area. Therefore, there was confidence that this project was being progressed in the context of also encouraging active travel. It was agreed that the link road proposal should only be progressed if there was due consideration for options of enhancing active travel in the area and how the project could support delivery of those modes of travel.

Point c) requested the consideration of fast-tracking the development of the University of Warwick/Coventry South railway station, identified in the A46 Link Road consultation documentation, and the early roll-out of the Coventry VLR scheme. Officers from all local authorities involved in Phase 2 of the link road scheme along with University of Warwick were all keen to support the planning and delivery of a University of Warwick/Coventry South railway station as early as was feasible. All parties had also expressed the desire for VLR to serve the University as part of a strategic network that covered the south Coventry/Warwickshire area, although it had to be acknowledged that the City Council's priority was delivering a route between the city centre and University Hospital Coventry, programmed to be operational by 2025. It was anticipated that if a route to the University of Warwick became the second priority, then delivery in the 2026-2030 period was likely. However, other developments in this area would add to the case for VLR to be provided to this area earlier than later.

Unfortunately, the planning and delivery of a railway station was unlikely to be a swift process. Midlands Connect were progressing work to look at improving rail capacity between Coventry and Leamington Spa. The Outline Business Case (OBC) was endorsed by their Programme Board in June 2020. DfT acknowledged that it was a very strong scheme, however a decision to progress had been deferred due to the uncertainty around when to build given it was closely dependent on HS2. The current core scheme proposed to deliver partial double tracking. The West Midlands Rail Executive (WMRE) had funded an additional piece of work to look at the option to provide full double tracking and the benefits of doing so. If this option was progressed, there could be an option (subject to timetabling work) to deliver an additional local service which could help facilitate a University of Warwick station. It was very unlikely however that this could be delivered before 2030; a more realistic estimate would be the first half of the next decade. It was important to note that the railway station formed part of West Midlands Mayor Andy Street's plans for investment in rail across the West Midlands, and the railway station was included on his '2040 Plan for Metro and Rail in the West Midlands', and therefore it was reasonable to expect that it would receive support from both him and the WMCA.

Therefore, it was unlikely that VLR or the proposed railway station which was more likely to also serve as a transport interchange for other modes of transport including VLR, would be delivered in the short-term. However, WDC and partner organisations should be keen to support their delivery as early as was reasonably possible.

There were likely to be significant benefits arising from a new railway station/transport interchange and VLR operating in the south of Coventry area. However, the business case for both was likely to be strengthened by the link road as it would provide suitable infrastructure for VLR to operate and it would serve the railway station/transport interchange. Therefore, non-delivery of the link road might impact adversely upon the feasibility and deliverability of these two key sustainable transport options which would therefore be perverse in the context of the Notice of Motion.

Also relevant to the local area was Coventry's 'All Electric Bus City' plan which would see the City Council receive £50m from the DfT to fund 297

all-electric buses in the city. This programme would see all cross-boundary bus services operated by electric buses by the end of 2025 and therefore would also be beneficial to Warwick District and local air quality.

Point d) sought co-ordination with the development of the new SWLP and with the University of Warwick's emerging masterplan, noting that the University had also declared a climate emergency. Officers were engaging in initial discussions with the University around their masterplan proposals and also on matters relating to the A46 Link Road and as such there should be confidence that the projects were aligned and opportunities were being explored at how best to provide the highway capacity for the University to experience continued success, including the creation of more employment opportunities, whilst also promoting active travel options.

The A46 Link Road proposal needed to be considered in the context of the SWLP and officers were of the view that it should come forward as an identified key piece of infrastructure through the SWLP. Likewise, the strategic options for the Local Plan needed to be kept open at this stage and for that to be the case, work on developing the scheme and funding it was therefore required to continue. The business case for the link road was in part dependent upon growth in the area and equally any growth in this area, would need road as well as the sustainable transport infrastructure, that may come through the Local Plan, such as possible housing sites and University growth. However, the scheme needed to be progressed in advance of the adoption of the SWLP (currently envisaged around mid-2024 although this was subject to many variables) to avoid the situation identified earlier regarding the safeguarded land and the current Local Plan.

It was worth noting that a parallel, but related, discussion was currently underway with the University of Warwick and other key partners to consider how existing, planned and potentially emerging development in the wider area to the south of Coventry could best be coordinated so that benefits for local communities could be maximised. Paragraph 3.28 in the report identified a number of developments and these were already delivering, or had the potential to deliver, significant new infrastructure (including green infrastructure) to the local area. Officers were talking to the University about how work could be undertaken which would help to coordinate these various schemes, and help build a business case for the early delivery of key investment such as VLR and the new railway station. This might possibly take the form of a "masterplan" for this wider area. Understanding the role and purpose of the A46 link road was important in supporting this work.

Given the following context;

- The multiple aims of the A46 link road scheme, which had sub-regional benefits.
- The known proposed and potential development proposals in the south of Coventry area and limitations upon growth in this area without significant infrastructure investment. This included growth at the University of Warwick and large sites capable of delivering significant levels of housing to meet the District's needs that had already been found to be sustainable locations and had previously been removed from the green belt.
- The fact that WCC as Local Highway Authority was of the view that despite promoting and progressing sustainable travel infrastructure

there was still a need for additional highway capacity and that infrastructure improvements were essential to enable more journeys to be undertaken by public transport and active modes of travel such as walking and cycling.

- The business case and deliverability of a new railway station and VLR were likely to be significantly weakened without supporting infrastructure and the link road would provide enhanced access to the area for bus services.

Officers were of the view that it was important for the A46 link road scheme development to be progressed by WCC, in conjunction with key partners, and therefore this Council should continue to be involved in the project.

In summary, it was suggested that this Council should write to WCC as the organisation leading the A46 Link Road project along the following lines:

"That this Council is supportive of WCC (and CCC) progressing the development of the A46 link road scheme, however this is subject to the following:

- That WDC officers should remain actively involved and continue to have a seat on the Programme Board for delivery of this project.
- Phase 2 work shall progress albeit as part of a comprehensive and wider project to deliver sustainable travel options in the area and address identified issues/capacity needs. Even if it is project managed as a separate project, there should be a clear understanding of how it fits into the wider project for meeting the transport needs and supporting sustainable travel in the area. This needs to be seen also in the context of the SWLP consideration of strategic options and that this may require a masterplan of the wider area for this part of the SWLP area (A further report may be required to the WDC Cabinet on this aspect).
- That WCC (and CCC) do not take any decisions about applying for planning permission for the A46 Link Road phase 2 until WDC has made a strategic decision in the context on the Local Plan on the preferred spatial strategy for the location of development to meet the needs of South Warwickshire.
- That WCC, in conjunction with transport planners at CCC, undertakes a reassessment of traffic flows forecasted based on likely new patterns of working and commuting following the Covid-19 pandemic.
- That WCC undertakes a sustainability analysis of the Link Road scheme.
- That WDC officers remain briefed by WCC on the progress of the University of Warwick/Coventry South railway station/transport interchange and the development of VLR and seek to progress these opportunities as quickly as is realistic.
- That WCC supports WDC in providing the necessary evidence to support the case for the link road through the SWLP, subject to alignment with the preferred spatial strategy.
- That WCC ensures that the link road project is consistent with key themes in the emerging Local Transport Plan 4 and can justify the scheme in this context throughout scheme development.
- That WCC acknowledges WDC's support, subject to the points raised in this paragraph, in their proposed report to WCC's Cabinet about next steps.

Whilst it was not essential to this Council's support, consideration should have been given by WCC to whether an alternative name to the 'A46 Link Road' for this project might be more appropriate. A succinct name that highlighted that this was more than simply a new road might be preferable to the current title of the project.

Officers at WDC had largely been involved to date in matters relating to Phase 1 and Phase 2 of the strategic link road. However, the delivery of Phase 3 would go further in delivering on the overarching aims of the link road as set out in paragraph 3.2 of the report. Phase 3 was dependent however on the delivery of Phase 2.

It was understood that CCC were leading on the progression of an options assessment for how Phase 3 could potentially proceed and currently proposed to commence the preparation of a Strategic Business Case in September, likely to be completed during the current financial year.

In terms of alternative options, the Council could choose not to support further development of the A46 Link Road project. However, this option was not proposed as the infrastructure was key to supporting future growth and as infrastructure took considerable time to plan it would not be recommended that the project was paused whilst the SWLP advanced. As indicated in paragraph 6.1 of the report, there was also a risk that if the decision was taken not to support this project, WCC might not give this scheme as high a priority as currently was the case if this Council was not expressing its support.

At the Overview and Scrutiny Committee held on 6 July 2021, Councillor Cooke, the Portfolio Holder – Place & Economy informed Members that at the meeting of the Cabinet on 8 July, his intention was to move an amendment to point 3.46 in the report, to make it more neutral, along the lines that "This Council will continue to be involved in the work with WCC (and CCC) to progress the work on the A46 link road".

The original text read "That this Council is supportive of WCC (and CCC) progressing the development of the A46 link road scheme....".

The Overview & Scrutiny Committee welcomed and endorsed the amendment to point 3.46 in the report as explained by Councillor Cooke and made the following recommendations:

1. any sustainability analysis that comes to this Council as part of the OBC and subsequent FBC submissions, is presented to the Climate PAB more than 30 days prior to the FBC submission so that the PAB may inform Cabinet of its views before Cabinet decides whether to endorse the submission; and
2. that a third recommendation in the report be added (2.3) so that the wording in the letter to be sent to WCC (identified in point 3.46 in the report), be amended to reflect the suggestions made in red as follows:

That this Council *can only continue to be* supportive of WCC (and CCC) progressing the development of the A46 link road scheme *if it aligns with all our Councils' climate emergency declarations. Consequently, support is* subject to the following:

- That WDC officers should remain actively involved and continue to have a seat on the Programme Board for delivery of this project;
- Phase 2 work shall progress albeit as part of a comprehensive and wider project to deliver sustainable travel options in the area and address identified issues/capacity needs. *There must* be a clear understanding of how it fits into the wider project for meeting the transport needs and supporting sustainable travel in the area. This needs to be seen also in the context of the SWLP consideration of strategic options and that this may require a masterplan of the wider area for this part of the SWLP area (A further report may be required to the WDC Cabinet on this aspect);
- *WCC uses an alternative name to the 'A46 Link Road' for this project* which highlights the sustainable travel options which are in keeping with our Climate Emergency declarations
That WCC (and CCC) do not take any decisions about applying for planning permission for the A46 Link Road phase 2 until WDC has made a strategic decision in the context on the Local Plan on the preferred spatial strategy for the location of development to meet the needs of South Warwickshire
- That WCC, in conjunction with transport planners at CCC, undertakes a reassessment of traffic flows forecasted based on likely new patterns of working and commuting following the Covid-19 pandemic
- That WCC undertakes a sustainability analysis of the Link Road scheme, *which would need to demonstrate a reduction in carbon emissions relative to not going ahead with this project*
- That WCC costs the best possible active travel option that does not include new road building to determine which option is better in terms of economic growth, air quality, biodiversity and reducing carbon emissions
- That WCC progresses the University of Warwick/Coventry South railway station/transport interchange and the development of VLRs as quickly as is realistic *and briefs WDC officers in a timely manner*
- That WCC supports WDC in providing the necessary evidence to support the case for the link road through the SWLP, subject to alignment with the preferred spatial strategy
- That WCC ensures that the link road project is consistent with key themes in the emerging Local Transport Plan 4 and can justify the scheme in this context throughout scheme development
- That WCC acknowledges WDC's support, subject to the points raised in this paragraph, in their proposed report to WCC's Cabinet about next steps.

The Cabinet were required to vote on 2. because it formed a recommendation to them.

Councillor Rhead, Portfolio Holder for Climate Change, stated that there was a need to have a balanced view before considering restricting the building of roads. If there was not to be a link road as had been advised by Highways England, the Council would be putting in jeopardy the whole development, which would in turn mean the five-year plan might also be in jeopardy so a balanced view was needed.

In relation to the recommendation 2 from the Overview & Scrutiny Committee, Councillor Cooke explained that the Council had a Local Plan which was approved by the inspector, which said the Council had to build a set amount of houses in a certain period, and the inspector had approved a plan with sites that had been outlined, such as this link road, that would enable the Council to deliver that plan. In order to get the five year housing supply and to deliver on the Local Plan, a number of difficult things needed to take place, including the building of this link road, and he did not think the Council would be able to deliver it without building this link road. Although he had sympathy with the proposals put forward from the Overview & Scrutiny Committee, there needed to be a balance of the pluses and minuses. This was not a District Council scheme, it was a Warwick County Council and Coventry City Council scheme in which Warwick District Council were consultees, but at the same time there was a third-party, Highways England. Highways England would be looking at those presenting the project, and the consultees, and Warwick District Council had agreed to be a secondary sponsor of the project and had supported it. As a result, he could not accept the amendments in recommendation 2 from the Overview & Scrutiny Committee. On being put to a vote, the recommendation 2 from the Overview and Scrutiny Committee was rejected, for the reasons stated above.

Councillor Cooke subsequently proposed the report as laid out, and subject to the amendment to paragraph 3.46 in the report.

Resolved that

- (1) the update on the A46 Link Road project, be noted; and
- (2) Warwick District Council's continued involvement in the process for the development of the Link Road scheme, be agreed, noting the potential benefits and importance of infrastructure delivery in the area; and authority be delegated to the Head of Development in consultation with the Place and Economy Portfolio Holder to write to Warwickshire County Council to this effect, subject to the points identified in paragraph 3.46 of the report.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,224

14. Recharges Policy

The Cabinet considered a report from Housing which proposed a policy that

set out how the Council would manage rechargeable repairs and associated charges to the Housing Revenue Account properties.

The policy outlined the recharge and recovery principles, the potential exemptions, including the recharging or waiving of charges decision making process. Importantly, the policy also outlined in what circumstances residents might be recharged and the approach to appeals and complaints.

The proposed policy aimed to ensure that costs that arose from carrying out repairs where it was deemed the cost was rechargeable or where the costs were normally the responsibility of the tenant or leaseholder were recovered.

To produce a policy for recharges was good practice because it provided clear guidance and a consistent framework for residents and staff and conveyed an important message that the properties needed to be looked after.

The policy supported that where recharges needed to be levied and were not paid there was an effective recovery process to operate as an effective organisation and ensure value for money. Establishing a recharges policy was also an agreed management response to the Internal audit of Housing Repairs and Maintenance in September 2019.

The proposed policy was taken to the Housing and Property Policy Advisory Board and fully reviewed on 13 May 2021.

In terms of alternative options, not adopting a policy in this service area was not considered appropriate given one of the management responses to the recent Internal Audit of repairs and maintenance was to establish a recharge policy.

Councillor Grainger clarified the title of the report "Draft Recharges Policy" was not the correct title and should be called "Recharges Policy", as the Cabinet was considering the approval of the Recharges Policy. The word 'Draft' was kept in the title in error from when the report was in its draft stage.

Councillor Day thanked Councillor Grainger for the clarification relating to the title of the report, and he then proposed the report as laid out.

Resolved that the Recharges Policy, attached at Appendix 1 to the report, be approved.

(The Portfolio Holder for this item was Councillor Grainger)
Forward Plan Reference 1,218

15. **Climate Change Ambitions for South Warwickshire**

The Cabinet considered a report from the Programme Director for Climate Change which sought the agreement for joint climate change ambitions for the whole of South Warwickshire. The report refined Warwick District Council's existing climate change ambitions in light of the proposal to work more closely with Stratford-on-Avon District Council (SDC) and the joint research into carbon reduction pathways. It also proposed that a new

ambition was added in relation to adaptation for climate change. Finally, it sought agreement for a comprehensive response to the recommendations of the People's Inquiry into climate change.

On declaring a Climate Emergency in June 2019, the Council set out two specific ambitions:

- a) to become a net-zero organisation by 2025; and
- b) to facilitate decarbonisation across the District so that total carbon emissions within Warwick District are as close to zero as possible.

Subsequently the Climate Emergency Action Programme (CEAP) was agreed in February 2020, subject to holding a successful Council Tax referendum in May 2020. The CEAP reaffirmed these two ambitions.

Since then, there had been a number of developments that had given rise to the need to refine the ambitions as proposed in recommendation 1. These were:

- a) the Council was unable to hold the referendum in May 2020. As a result, the CEAP, as set out, had no financial resources to enable its delivery. Although an interim CEAP was agreed in December 2020 and had been the focus of the Council's climate change work, the CEAP needed to be reviewed with realistic targets.
- b) The Council had commissioned People's Inquiry into climate change and had received a report containing far reaching recommendations, shown in appendix 2 to the report. It provided important insights into the priorities from a cross section of local people in relation to climate change.
- c) Along with SDC, the Council had commissioned a carbon reduction pathways study to help understand the extent to which carbon emissions could be reduced across South Warwickshire in the context of a high ambition. The report suggested that a 55% reduction by 2030 (based on 2017 levels) was achievable. This study had helped to define and refine the meaning of "as close to zero as possible" as set out in the second of the two ambitions that were established at the time the Climate Emergency was declared.
- d) The Council had made a commitment to work more closely with SDC with a view to a potential future merger of the Councils. As a result, it was proposed that the organisational and geographical scope of the ambitions was revised to cover the activities of both SDC and WDC and to jointly cover the geographical area of South Warwickshire. In parallel with the report, SDC's Cabinet would consider the same ambitions at its meeting on 5 July.

Appendix 1 to the report provided further details regarding the scope of the three ambitions, along with the data and justification for each ambition. It also set out the intention to prepare a resourced Climate Change Action Plan (CCAP) which would focus on the adopted ambitions. The CCAP would identify key actions and the initial resources required to make progress towards each of the ambitions, as well as longer term areas of focus. Appendix 1 to the report set out the range of actions that would need to be

explored and in doing so drew on both the Anthesis report and the People's Inquiry recommendations.

The Council commissioned a People's Inquiry into climate change in the summer of 2020. This involved a cross section of 30 local residents meeting over 10 sessions between October 2020 and early February 2021 to consider the question: *"What do we need to do in Warwick District to help address Climate Change by 2030?"*.

The Inquiry launched its recommendations in March 2021. It made 36 recommendations, many of which were directly relevant to the Council's work, but many of which also related to the Council's partners, businesses and communities. In launching the People's Inquiry, the Leader of the Council and the Portfolio Holder for Environment made a commitment "to using these findings to inform its Climate Emergency Action Plan for the period from 2021 to 2025. The Council is expecting to adopt this Action Plan in 2021 and will include as many of the People's Inquiry recommendations as it can. Where it is not possible or appropriate for the Council to adopt any of the recommendations, it will explain why."

Since March, the Climate Emergency Programme Advisory Board (CEPAB) had met three times to advise on how to respond to the recommendations. In addition, each Head of Service had considered the recommendations that were relevant to the scope of their service. The responses set out in Appendix 2 to the report reflected the advice of the CEPAB and the considerations of the Heads of Service.

The responses would be incorporated into the South Warwickshire Climate Change Action Programme (CCAP) to be brought forward later in 2021. Whilst a number of recommendations could be actioned fairly quickly within existing resources, there were also recommendations that were supported but which would require significant staff or financial resources. This would require careful prioritisation so that available resources focussed on these areas where there could be the biggest impact most quickly. On the other hand, that meant that some recommendations would not be delivered until later in the Programme as and when resources became available to do so.

In terms of alternative options, the Council could choose to continue with the existing climate change ambitions as the basis for refreshing the Climate Change Action Programme. This option was not recommended as it failed to take account of the changing circumstances set out in paragraph 3.3 of the report. In particular, this would limit the Council's ability to move forward jointly with SDC on the climate emergency response.

The Council could also choose to set its ambitions within each of the three elements at a different level (either more ambitious or less ambitious). This was not recommended as the level of ambitions set out in recommendation 1 had involved extensive discussions with Stratford-on Avon District Council and reflected a joint position that both Councils might be willing to support. To move away from this position would potentially undermine the ability to reach a joint position. Further, the evidence set out in Appendix 1 to the report showed that the ambitions were both stretching and realistic in the current context.

The Council could choose a different response to any of the People's Inquiry recommendations. However, this had not been recommended as the responses set out in appendix 2 to the report reflected the feedback from the CEPAB and from Heads of Service.

The Overview and Scrutiny supported the recommendations in the report.

Councillor Rhead emphasised the importance of using communication in order to keep residents informed about what the Council was doing. Social media would be used, the Council's website would be kept up to date, they would regularly connect with the People's Enquiry to ensure they were aware with what the Council was doing, and would also have a substantial stand at the EcoFest in September 2021 which would show the public what had been achieved and what the Council wanted to achieve over the coming years.

Resolved that

- (1) the shared ambitions for Warwick District Council and Stratford-on-Avon District Council, as set out in Appendix 1 to the report, be adopted as the basis for developing resourced programme of work for South Warwickshire to address the declared climate emergency; and
- (2) the recommendations of the People's Inquiry in to Climate Change, as set out in Appendix 2 to the report, be noted and the response to each of these recommendations be agreed and, subject to being able to identify appropriate resources, are incorporated in to the programme of work to deliver the ambitions set out in Appendix 1 to the report.

(The Portfolio Holder for this item was Councillor Rhead)
Forward Plan Reference 1,129

16. 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. It had been drafted following a review by the Council's Senior Management Team and the Leader of the Council.

The 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 with regard to risk management came from the Audit Commission in its management paper, "Worth the risk: improving risk management in local government":

"Members need to determine within existing and new leadership structures how they will plan and monitor the council's risk management arrangements. They should:

- *decide on the structure through which risk management will 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 is 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 is to implement the risk management policy agreed by members.

It is important that the Chief Executive is the clear figurehead for implementing the risk management process by making a clear and public personal commitment to making it work. However, it is unlikely that the chief executive will 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."

As part of the process of assessing the significant business risks for the Council, some issues had been identified which at this stage did not necessarily represent a significant risk, or even a risk at all, but as more detail emerged might become one. These had been mentioned in previous reports but as their status had not changed, they were included again for completeness.

- Funding – the ongoing impact of the pandemic continued to cause great uncertainty for the Council and its operations. The situation was being monitored closely and communications between the Political and managerial leadership of the Council remained very strong. The Head of Finance was preparing a report for the next Cabinet meeting which would update Members with the latest financial position.
- Given the Council decision in respect of seeking to merge with Stratford-on-Avon District Council (SDC), it was recognised that this body of work may well affect all of the Council's risk register as currently set out and was of such a scale that it required its own risk register. This was being prepared and would be presented at a future Cabinet meeting.

The report was not based on 'project appraisal' so there were no alternative options were considered.

The Finance & Audit Scrutiny Committee asked the Cabinet to update Risk 8 to remove the details regarding the work on the commercial investment strategy to reflect the change in Risk 6.

The Committee noted that in the next update it was likely to include a specific risk in reference to the proposed merger with Stratford-on-Avon District Council

Councillor Day proposed the report as laid out.

Resolved that

- (1) the Significant Business Risk Register, attached at Appendix 1 to the report, be noted; and
- (2) the emerging risks identified in section 9 of the report be noted, and that an additional risk be included in future relating to the proposed merger with SDC.

(The Portfolio Holder for this item was Councillor Day)
Forward Plan Reference 1,220

17. Street Naming and Numbering Policy 2021

The Cabinet considered a report from ICT Services. Warwick District Council had a legal responsibility to ensure that all streets were named, and all properties were numbered. The Authority had the power to approve or reject property addresses submitted by developers or the general public, or alternatively prescribe its own addressing schemes.

The Geographic Information System (GIS) Team undertook this mandatory responsibility through its Street Naming and Numbering (SNN) function under the provisions of Section 64 and 65 of the Town Improvements Clauses Act 1847 and Section 17, 18 and 19 of the Public Health Act 1925.

It was required by legislation that SNN maintained an up-to-date policy in line with the items identified in paragraph 1.2 of the report.

Street Naming and Numbering was an important function and was vital in that it allowed the Council to maintain a comprehensive and accurate address database (Land and Property Gazetteer or NLPG) covering all properties in the Warwick District area. This local LPG was subsequently an integral part of a National database (NLPG).

There were no alternative options considered.

Councillor Day proposed the report as laid out.

Resolved that the latest version of the Street Naming and Numbering Policy, be approved in order that the service can be provided to an efficient and effective standard.

(The Portfolio Holder for this item was Councillor Day)

18. **Development Brief for Riverside House**

The Cabinet considered a report from Development Services which sought approval for the wording of the draft Development Brief for the future development of the Riverside House site for public consultation. If agreed, it would enable proposals to then be put forward for the development of the site.

The Council had long signalled its intention to dispose of the Riverside House site at some point in the future by supporting its allocation for housing in the current Local Plan. The underlying issues of the need for the Council to move out of Riverside House remained and had intensified because of the pandemic. Namely:

- a) the building was too big for the Council's needs (the building had been almost empty for the past year and it was anticipated that the future working arrangements would be based on a hybrid model of more home working and on-site working and less office-based working, all of which had driven down the demand for office space even further); and
- b) it was too expensive for the Council (costing almost £700,000 a year to run) especially in the context of the financial challenges of the Council which had increased over the past year and all Members agreed a package of proposals to address the financial gap, and this included leaving Riverside House.

The joint work with Stratford-on-Avon District Council (SDC) offered the opportunity to consider sharing an office which would drive both construction/acquisition costs as well as running costs down further. This would need to be the subject of a separate and detailed report by the time that the report on the Development Brief came back to the Cabinet for consideration.

Planning permission for housing on this site was granted in 2018, however this permission had now lapsed, and that proposal was not being taken forward. This had also given the Council the opportunity to reflect on the issues that arose from the previous proposal, such as the ensuring the provision of affordable housing and the protection of trees, as well considering the wider aspirations of the Council and local communities that had evolved in the time since the previous proposal was considered. In particular, the Council declared a Climate Emergency in 2019 and placed tackling the emergency as the central policy of this administration. This required the Council to demonstrate leadership and so to set an example for net carbon zero developments on its own land if it expected others to follow.

For the Council to consider future housing proposals on the site, and to guide any future disposal of the site it would make, it was proposed that a Development Brief was prepared. A Development Brief could articulate the Council's planning policy and design aspirations for the site. As the site was in Council ownership, however, the Brief could go beyond any normal planning requirements that it would place on other landowners and could

set out particular community or other benefits that the Council wished to see delivered on the site, as well as seeking to meet the Council's Climate Emergency declaration.

Officers had prepared a draft Development Brief for the site which was attached as Appendix 1 to the report. The draft Development Brief sought to provide a clear and public expression of the Council's aspirations for the future of the Riverside House site, bringing the site forward for housing in accordance with its allocation in the Local Plan, and with other Local Plan policies, such as for affordable housing and anticipating the publication of a DPD on sustainable buildings, which was also on the agenda for the 8 July meeting – Net Zero Carbon Building Development Plan – Minute Number 19. If approved by the Cabinet, the brief would need to be corporately branded and styled prior to publication.

In the previous planning permission, the development of the Riverside House site was linked to the redevelopment of the Council's car park at Covent Garden in Leamington town centre. The draft Brief did not have this dependency as it was not assumed that replacement offices for the Council were to be built at Covent Garden, and so just considered the Riverside House site by itself.

It was proposed that there was a public consultation on the draft Development Brief over a period of around 10 weeks, since it was likely to fall in part over the summer holiday period. The expectation was that once the document had been consulted upon, the final Development Brief would be brought back to Cabinet for final consideration and approval. At that time the Cabinet would have to consider and agree if and how the site would be brought to the market. A target date for the report on the final Development Brief to return to Cabinet would be November 2021.

The proposed approach to the public consultation was to provide a platform for constructive and interactive dialogue that reached interested parties and town centre groups, including Leamington Town Council. It was proposed that a direct approach was taken in the immediately surrounding area of the site, including measures such as leafleting, with specific online, virtual drop-in discussions available for individuals and groups, supported by information on the Council's website and Facebook page. A more detailed programme for consultation would be put together by officers once the Cabinet had determined the report.

In terms of alternative options, the Council could choose not to approve the draft Development Brief and instead rely on policies in the Warwick District Local Plan and in other adopted Supplementary Planning Documents. Whilst this approach would still enable the site to come forward in compliance with planning policy, it would not allow the Council to articulate its wider ambitions for the site and maximise the community benefits that the redevelopment of this site would bring. This alternative option had therefore been discounted.

It was noted that by requiring that wider community benefits were delivered than that might usually be required on a site owned by another party, that it might impact on the eventual land receipt that the Council received for the site or might even require a financial contribution in order to achieve them. The Council could choose to vary the Brief and reduce the

requirements on the site with the intention of driving up its land value, but the steer from Cabinet had been to develop a brief that set out the Council and wider community aspirations. This option had therefore been discounted.

Councillor Cooke thanked the Cabinet for positive remarks made towards the report, he then proposed the report as laid out.

Resolved that

- (1) the contents of the draft Development Brief for the Riverside House site attached at Appendix 1 to the report, be approved, for the purposes of carrying out public consultation based on the approach set out in paragraphs 3.7 and 3.8 of the report;
- (2) authority be delegated to the Chief Executive in consultation with the Portfolio Holder for Place and Economy to approve the final version of the brief for consultation once it has been formatted in the corporate styling and branding; and
- (3) Cabinet will receive a report on the outcomes of the public consultation and on any implication for the contents of the Development Brief, be noted.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,121

19. Net Zero Carbon Building Development Plan Document

The Cabinet considered a report from the Programme Director for Climate Change which, in support of the Council's climate change ambitions, set out proposals to commence a formal public consultation on a Net Zero Carbon Development Plan Document for new buildings.

The DPD had been prepared in accordance with the aims of the climate emergency declaration and with the assistance of a joint, cross-party working group of Members who had been very involved with the production of the policies.

The DPD was one of the first to be produced by local authorities in England in an attempt to deliver promises made through the climate emergency declaration and was therefore pioneering in many respects. For this reason, it had been difficult to obtain the assistance of external expertise to guide the direction of the document. This Council had therefore relied heavily on in-house experience and knowledge to bring forward the document for consultation.

During the preparation process, the scope of the DPD had been refined so that it now focused specifically on tackling carbon emissions from new developments. In terms of delivering sustainable new buildings, carbon emissions were considered to be the most urgent aspect to address, particularly in light of the climate emergency. By ensuring new buildings

were net zero in operation (or capable of being so without future retrofitting), the draft DPD sought to prevent the scale of the future challenge of retrofitting from growing. The scope of the DPD had been defined in a way that sought to establish a policy a framework as quickly as possible whilst focusing on the most critical element of building design. The risk of delays that could arise by attempting to prepare and adopt a DPD that delivered entirely sustainable buildings was considered to be significant. It was intended that the emerging South Warwickshire Local Plan would incorporate policies with a wider scope and would seek to address sustainable building practices that were not addressed through the draft DPD.

In order to progress the document toward adoption, a public consultation needed to take place to establish the suitability of the DPD to ensure that all future developments were zero carbon, or as close as possible by 2030, in construction and as many of the principles of sustainability were incorporated as possible.

It was noted that in preparing proposals for this DPD, the Council would need to ensure that the viability of development in the District was not compromised to such an extent that development required to deliver the adopted local plan would no longer come forward. Officers had therefore commissioned a Viability Study to consider the viability impacts of the proposed DPD policies. This study showed that in the majority of locations, and for the majority of development types, development would not be compromised to such an extent that viability would be impacted. There were some exceptions to this, particularly housing in lower value areas of the District. In these cases, there might be occasions where viability meant there needed to be a trade-off between the policies of the new DPD, affordable housing requirements or other section 106 requirements. It was proposed that where this was necessary, the trade-off was dealt with on a case by case basis taking account of the specific circumstances of the scheme in question, rather than applying a uniform approach for the whole District. It was also noted that the DPD might lead to a limited increase in the number of applications where viability was contested. This in turn might have resource implications for the Development Management team and/or the need for independent external viability assessments on applications.

In consultation with the Portfolio Holder, officers had prepared a draft timetable for the completion of the DPD. This was set out in the Local Development Scheme. There remained many unknowns and uncertainties (such as the quantity, complexity and impact of consultation responses; the time required for the Planning Inspectorate to arrange and manage the Examination process etc.) which meant that there was a risk that the timetable would change. However, officers were aware of the urgency in progressing the DPD as quickly as possible. Given that the DPD involved some highly technical expertise and required a focused resource, it was intended to commission a consultant to manage and drive the process following the completion of the consultation recommended in the report. To achieve the timetable set out in the LDS, these consultants would need to be appointed by August 2021 so that they could contribute to the analysis of the representations received during the first consultation. To go to an open competition was likely to take at least two months, which would potentially lead to slippage in the published timetable. Having twice attempted and failed to procure suitable consultants through frameworks,

officers had now identified a small number of consultants who had expressed an interest in undertaking this work. As the majority of these consultants were not on an existing framework that was available to WDC, it was proposed to provide each of the consultants with the works specification and ask them to respond within two weeks, setting out how they would meet the requirements, the expertise and skills they would bring, and the price for the work. This would then enable officers to award the work to a consultant to oversee the DPD process from August 2021. At the time of writing the report, the total value of the work was unknown. So, as required by paragraphs 5.5 and 6.2 of the Code of Procurement Practice, for contracts that may exceed £50,000, the report sought Cabinet approval for a procurement exemption on this basis.

In terms of alternative options, the Cabinet could decide to not pursue the production of a DPD given that there would be interventions coming from central government. These included more restrictive Building Regulations and the 'Future Homes Standard'. It was estimated however that it would be the end of 2021 before the Building Regulation proposals for Part L were published and the 'Future Homes Standard' was not due for another three to four years. These dates were estimates from the government.

This would mean that there could be another three to four years of new developments which were not meeting the high standards required by the Council, or the targets already promised.

Also, by not pursuing a DPD there would be a continuing number of houses in particular, but commercial buildings also, that would be built without a standard that would reach that target and would then require expensive retrofitting.

The costs of meeting these standards were to be met by the developer, although there might prove to be a need for an in-house, dedicated, sustainability officer to check sustainability statements and other technical information submitted by applicants. The extent was not yet known, but would add a cost to provision of the resources required for the development services team.

The Overview & Scrutiny Committee supported the recommendations in the report.

Councillor Day expressed his thanks and appreciation to the Programme Director for Climate Change for bringing the report to the Cabinet for this meeting.

In relation to Carbon Offsetting contributions, Councillor Boad suggested 'beefing up' this so that if developers missed the target the carbon offsetting contributions should be 200% of what it would have been at the start, to discourage any design work going on that did not achieve the target. This would show the Council was serious. Councillor Davison shared this concern and was worried about the wording and potential loopholes to avoid Carbon Offsetting.

In response to the concerns raised by Councillor Boad and Davison about Carbon Off Setting, Councillor Rhead stated that he would like them both to

be part of the consultation by putting that point in as a consultee so that it could be considered in more detail.

Councillor Rhead stated that the Government was not going to set the future Home Standard until 2025, which was far too late. The Council as a local authority had to take the lead, and the paper set out conditions 75% better than the current 2013 building regulations. There was a need to put renewables in our housing if we were going to get our Climate Emergency to be serious. He then proposed the report as laid out.

Resolved that

- (1) the Net Zero Carbon Buildings DPD (set out in Appendix 1 to the report) be approved for a seven-week period of public consultation commencing on 26 July 2021, be approved; and
- (2) a procurement exemption for the appointment of consultants to support the development of the DPD through the preparation and examination process, be agreed.

(The Portfolio Holder for this item was Councillor Rhead)
Forward Plan Reference 1,164

20. Review and Revisions of Programme Advisory Boards

The Cabinet considered a report from Democratic Services which brought forward proposals for revisions to the Programme Advisory Boards (PABs) following their first nine months of operation.

Following a governance review during 2019 and early 2020, the Council introduced the six Programme Advisory Boards. The aim was to enable backbench Members to have greater involvement in shaping the Cabinet decisions of the Council, particularly on services, key projects and programmes (but not day to day operations). This would also help to utilise the skills, knowledge and talent of all Councillors in a more effective way. The PABs reflected the six Portfolio areas in place at that time and operated well from September 2020 through to May 2021. During that time, two informal review meetings were undertaken to gain feedback on the work of the PABs.

At the review meetings it was agreed that their work had had a positive effect, but for them to continue to be effective there was a need for investment of officer time which had been limited for a number of key reasons. It was considered that the use of PABs, rather than working parties and Shadow Portfolio Holder briefings, should reduce the overall number of hours officers had to work to provide this type of work. The dialogue between officers and Councillors had worked well and the involvement of a wider range of officers, who would not normally attend meetings with Councillors, had been beneficial as a development opportunity.

It had also been noted by Councillors that information/notes from meetings had not been made available to all Councillors as agreed and there had

been some conflict in meeting dates as a result.

The revised remits would see a duplication of work between the People Strategy Steering Group (PSSG) and Transformation PAB, therefore it was proposed that the work should move to the PAB.

In discussion between the Chairs of the PABs, the Cabinet and Senior Officers, it had proved difficult to identify measures of performance for the PABs. The important tool was the increased engagement of backbench Members in helping to bring forward work for the Council. Therefore, it was considered appropriate not to require the PABs to have measures but undertake an independent external review to ensure the general approach and engagement was working.

At the review there were concerns over the wide remits of some of the PABs which it was agreed needed to be addressed and this had been picked up through the revisions as set out at Appendix 2 to the report. This workload would need to be monitored and it was intended to hold an informal review feedback session in mid-September between the Cabinet, PAB Chairs and Senior Management Team to share learning and help Officers and Scrutiny Chairs to develop the brief for the external review of the arrangements

In terms of alternative options, none had been considered to the recommendations because they were brought forward following a review of the PABs and in light of the revisions to the Portfolio Holder structure.

Councillor Boad, Liberal Democrat Group Observer, was concerned that there was no monitoring on the engagement of Members, attendance at meetings, what difference they had actually made and what the positive effect had been. There were measurable ways of determining these points.

Councillor Bartlett wished to add his personal experience with regards to the PABs, and he stated that the engagement with backbench Members was critical. The PABs gave a learning curve and an understanding to Councillors to aid their future progression and to allow Councillors to take a more active role in their duties.

Councillor Cooke found that attendance at the Development PAB had been excellent, and there had been more meetings than they were required to have. The Development PAB had been successful in engaging with backbench Members.

Councillor Falp stated she was pleasantly surprised that the PABs had done a lot of good work and she looked forward to continuing them.

Councillor Hales felt the PABs had been incredibly worthwhile. The sentiment within the Councillors in terms of some of the work and variety of work done was very helpful, and there were some forthright and open conversations. He felt they had been a huge success, and there had been a good number of meetings, with a variety of Members who had a real interest.

Councillor Day felt it was important that this was a measured process, and he would take Councillor Boad's feedback to the newly formed Strategic

Leadership PAB as part of the PAB's work and hopefully properly address the monitoring of the PABs. He was encouraged in the way this had evolved and was driven by the experience from Back Benchers. He acknowledged the hard work done by Democratic Services and the Democratic Services and Deputy Monitoring Officer. He then proposed the report as laid out.

Resolved that

- (1) the revisions to the remits of the Programme Advisory Boards (PABs), as set out at Appendix 1 to the report, be approved;
- (2) the terms of reference for the PABs as set out at Appendix 2 to the report, be confirmed, and the Chairs, Lead Officers and Portfolio Holders are reminded of these;
- (3) the work of the People Strategy Steering Group moves to the Transformation PAB from September 2021, be approved;
- (4) the removal of the requirement for each PAB to agree measures with the Leadership Co-ordinating Group (LCG), be agreed; and
- (5) officers are asked to bring back an outline proposal, in consultation with the Chairs of Scrutiny, in November 2021, along with proposed funding arrangements for an independent assessment of these arrangements to take place in December 2021.

(The Portfolio Holder for this item was Councillor Day)
Forward Plan Reference 1,226

21. Future High Streets Fund Award for Royal Leamington Spa

The Cabinet considered a report from Development Services which provided an update on the Future High Streets Fund (FHSF) funding award and outlined the final funding agreement and the spending profile.

The FHSF was launched in December 2018, to provide co-funding for capital projects that would bring transformative change to high streets and town centres. Proposals needed to demonstrate how the funding would address market failure i.e. why the private sector could not deliver a solution to local challenges.

Officers developed the Full Business Case which was submitted to the Ministry for Housing, Communities and Local Government (MHCLG) by the deadline in August 2020. A report was brought to a meeting of Full Council on 5 August 2020 which sought delegated authority to approve the projects to be submitted in the final bid. Recommendation 2.3 of that report was as follows: "That, subject to the bid being successful, the Council co-funds the programme up to a maximum amount as set out in the financial appraisal

in appendix 1 but that a further report be brought forward to agree the detail of the funding should the bid be successful”.

In December 2020, MHCLG wrote to successful local authorities to advise them of a provisional offer amounting to 69% of the original request. In respect of Warwick District Council, the original bid requested a total level of FHSF funding amounting to £14.9million. The provisional offer of funding was therefore £10.1million.

The rationale for the reduced offer was presented to officers as a requirement to ensure that as many local authorities as possible could benefit and receive funding from the total funding available nationally.

Officers were then invited to work with MHCLG to re-profile the projects contained in the original bid to align with the revised funding envelope. A new deadline of 26 February 2021 was provided for the Council to resubmit its business case to demonstrate which projects from the original bid would either be removed from the application or scaled back in terms of the level of ask from the fund.

The revised business case was submitted by the deadline and in March 2021 MHCLG confirmed the award of £10,015,121 to Warwick District Council.

The next steps in terms of the Council receiving the funding was to sign a formal Grant Offer Letter and a Memorandum of Understanding with MHCLG.

Funding would be released to the Council on an annual basis in line with the spending profile which was submitted as part of the final business case.

A detailed Monitoring and Evaluation exercise would also now be required which would entail regular reports being submitted to MHCLG to update on the planned expenditure and the delivery of the projects in line with the annual spend profile.

At a meeting with MHCLG in mid-June, officers were notified that the FHSF allocation for year 1 of the spend profile (as set out in confidential Appendix 1 – Minute Number 26) had been issued to WDC and had been allocated to the appropriate cost centre.

In order to successfully complete the bidding process for the revised funding offer outlined above, the original profile of the expenditure needed to be revisited to meet the reduced level of funding. The following options were available in order to achieve this:

- Secure additional co-funding.
- Scale back existing schemes.
- Eliminate existing schemes.

Officers first sought out any additional co-funding that might be available through partners which would top-up the funding offer and allow the full profile of projects to be delivered. However, attempts to secure any additional co-funding proved unsuccessful.

In the absence of any additional co-funding, in order to reprofile the various elements of the Programme to meet the revised FHSF funding envelope of £10.1million, an options appraisal was developed by officers in conjunction with an external consultant who had developed the original financial modelling to arrive at the required Benefit Cost Ratio of 2:1.

After careful consideration of the options, it was decided that the "Cycling connectivity" proposals (referred to as the Sustainable Movement Network (SMN) in the bid) element of the FHSF funding would be scaled back from the original ask of £4,979,800 to a revised figure of £506,271. This option was recommended to stakeholders, including Leamington Spa Town Council and the WDC Leadership Co-ordinating Group (LCG) in advance of the final submission to MHCLG.

It should also have been noted that while the SMN project had been scaled back in line with the proposed FHSF investment envelope, the Council would continue to work with partners to deliver the outstanding routes on a phased approach and bring in match funding to achieve this. The £506,271 from FHSF would be matched by a further £500,000 from the Community Infrastructure Levy as part of the Council's total CIL contribution of £1.992m in 2021/22 and 2022/23 towards the County Council's Emscote Road multi-modal corridor improvements (as agreed by Executive in March 2021). The reduced element of this project was therefore a catalyst for future investment in town centre sustainable movement. Further funding would be sought from future funding sources (such as the Levelling -Up Fund) to ensure that the wider SMN was delivered, in conjunction with the wider highways improvements planned for the South area of the town such as the Bath Street improvements scheme.

The WDC cash element of the co-funding was approved at the February meeting of Full Council as part of the General Fund Budget and Council Tax report.

The financial profile of the FHSF projects was shown at confidential Appendix 1 to the report.

In terms of alternative options, The Council could decide not to support recommendation 2.2 to agree the projects and the spending profile set out in the report. If this was to be the case, this would significantly jeopardise the FHSF award of £10.1million to contribute to the regeneration and investment programme for the projects. This option was therefore not recommended as the likelihood would be that the Council would have to return the funding in full or part.

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

Councillor Hales thanked the officers for their time and work that went into the report, which was hugely commendable.

Councillor Cooke proposed the report as laid out.

Resolved that

- (1) the final level of the FHSF award to Warwick District Council from the Ministry for Housing, Communities and Local Government (MHCLG), be noted; and
- (2) the spending profile associated with the reduced level of funding from Government, and how the funding contributes to the projects associated with the FHSF, be agreed.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,223

22. Financial Support – Everyone Active Leisure Contract

The Cabinet considered a report from Cultural Services. In light of the challenging period since March 2020, Everyone Active, who ran the local leisure centres on behalf of the Council, had required financial support from the Council so that the centres had been able to reopen after the various periods of lockdown. The report sought approval for the release of grant funding provided by DCMS to support leisure operators, and financial support from the Council for the current financial year.

The report also referred to the wider impacts of the pandemic on the leisure sector and the work that was ongoing nationally to lobby government for additional financial support to protect the future delivery of public leisure services, in recognition of the contribution made to the health and wellbeing of the nation.

The pandemic, over the previous 12 months, had a major impact on the leisure sector, leaving many facilities closed and more with threat of closure. According to recent findings from the District Council Network (DCN) over 100 leisure centres across the country would be forced to close due to lack of funds, and nearly 60% of District Councils considering closures said that they would be forced to close centres within the next 12 months.

Now more than ever, the contribution that public leisure centres made to the health and wellbeing of local communities was under threat. COVID had shown the importance of health and wellbeing being at the forefront of the services that the public sector delivered and that they were accessible to all in the community. It had been encouraging to see how customers had returned back to local leisure centres when they had reopened, many of them acknowledging just how much they missed the facilities while they were forced to be closed, and recognising how their physical and mental wellbeing suffered when they were unable to participate in their regular activities.

DCN had led a campaign to call on government to increase the support that was being offered to these vital community services and facilities to ensure that they survived the pandemic and returned to a pre-COVID state as soon as possible. Appendix A to the report showed that DCN were calling on:

- a financial package for leisure centres in addition to the current NLRf;

- that District Councils were represented on the recreation and sport taskforce chaired by DCMS;
- that a national leisure strategy focussed on the role of leisure services in combatting obesity and mental health was formed; and
- that a full evaluation of the establishment, administration and delivery of the NLRF was undertaken and that a compensation scheme to compensate Councils for lost sales, fees and charges was set up.

Officers had worked closely with senior EA colleagues in the previous 15 months to react to the enforced closures of centres and to take the most appropriate action to ensure that the buildings remained secure, safe and well maintained throughout lockdowns, and that the relevant forward planning took place so that the centres were ready to reopen as soon as they were allowed.

During the pandemic the leisure centres were closed on the following dates:

- Closure 1 - 20th March 2020 -25th July 2020.
- Closure 2 - 5th November 2020 – 2nd December 2020.
- Closure 3 - 31st December to 12th April 2021 (Artificial pitches opened 29th March 2021).

During the previous financial period of 2020/2021, a subsidy capped at £927,167 was agreed by Executive enabling EA to service, maintain and keep the sites compliant with relevant health and safety regulations whilst closed, in addition to waiving the concession due to the Council for the year of £940,000. The funding also supported EA in opening sites with reduced capacity and less activities due to social distancing. An open book approach was adopted, and all transactions were supplied to Council officers by EA along with actuals for each income and expenditure line. This allowed the Council to monitor all income and expenditure at a time when the Council was underwriting the service.

The impact of Covid-19 on leisure and sports facilities income had been severe and this position was likely to remain challenging. Customer behaviour was unpredictable and regaining confidence was a priority. EA was starting the latest reopening with low membership numbers and smaller numbers on direct debit transactions. Social distancing had decreased occupancy and reduced activities. Whilst there was positivity with the releases of steps in lockdown, the industry was very cautious on a timescale with recovery to pre-Covid-19 levels.

Sport England opened the NLRF in December 2020, with the aim of supporting the reopening and recovery of public sector leisure facilities. A total of £100M had been distributed to 266 local authorities across England, funded by the Government and administered by Sport England.

Warwick District Council was successful in its application and received £277,851 in a grant from Sport England in March 2021

A total of £88,387 was allocated to financial period 2020/2021 so reducing the level of subsidy that needed to be found by the Council. The balance of £189,464 was to be used from 12th April 2021 under the terms and conditions stipulated by Sport England specifically allocated to support the reopening of leisure centres after Covid-19 shutdown.

Releasing the balance of £189,464 would fulfil the terms of the agreement with Sport England which was to pass the fund to the external contractor (EA) promptly and allow them to deliver a range of leisure centre activities as the sector reopens in accordance with the roadmap below:

Step 1- 29 March 2021 – opening of outdoor artificial pitches.

Step 2 – 12 April 2021 – opening of gyms, swimming pools and under 18 indoor sport.

Step 3 – 17 May 2021 – recommencement of group fitness, aqua classes, adult activities.

Step 4 – 19 July 2021- to be confirmed but (at time of writing the report) it was hoped that activities could return to their designated areas freeing up sports halls and studios. Swimming lessons would also return to pre Covid-19 numbers of pupils per class.

The concession fee was originally agreed in the contract between this Council and EA and was derived from the LOBTA (Leisure operators base trading account) submitted by EA as part of its contract bid. In 2020/2021 the concession fee from EA of £940k was waived due to pandemic and closures and to enable EA to remain locally viable. Subsequently, an amount of £670,000 of the waived concession fee was recovered from an MHCLG income compensation fund.

In 2021/2022 the leisure sector was still subject to social distancing and the Government roadmap as described above. The sites were focussing on business recovery, increasing consumer confidence and increasing membership base but the picture was very different to pre-Covid-19 times. Given this picture, there was no prospect of EA being able to fulfil its concession fee obligation. Therefore, if Members wished to continue the delivery of leisure centre related activities, the concession fee would need to be waived and a further financial subsidy agreed (see below). The concession due for 2021/22 was £1.25m, for which 100% provision was allowed in the 2021/22 Budget for the possibility of this concession not being recovered. Under the Government's income Compensation Scheme, the Council should be able to recover c£165k towards this for the months April - June, so leaving £165k of the provision.

EA had supplied a new forecast for a subsidy of £411,000 required in 2021/22 set out in Confidential Appendix B to the report - Warwick Forecast Summary 2021-2022 – Minute Number 27. The rationale for the sum was based on a number of factors including the evolving roadmap to recovery, ending of furlough scheme, the gradual growth of memberships and Direct Debit income in Q2 and Q3 of 2021/22 as business gain momentum and restrictions were released. This should be funded from the £189,000 of NLRG funding, £165,000 from the balance of the provision referred to in paragraph 3.4.2 of the report and £57,000 from the Leisure Options Reserve.

The forecast supplied by EA was a prediction based on Covid-19 restrictions at the time and projected redevelopment dates. Whilst it was hoped that restrictions would be lifted from 19 July 2021, this was not guaranteed, and any extension would require a reset of the forecast. Discussions were

taking place to confirm the redevelopment dates for the Abbey Fields and Castle Farm projects. If these were delayed, then this would also be a trigger for a reforecast of the EA financial position. Officers would provide a verbal update at the meeting on the latest position.

If Members agreed the proposals in the report, a summary of the financial support provided by the Council over the last two years would be as follows:

Detail	2020/2021	2021/2022
Concession fee lost	-£938,028	-£1,250,000
Subsidy cap	-£927,167	-£411,000
NLRF grant	£88,387	£189,464
MHCLG grant	£670,000	£165,000 (April to June 2021)
Total cost to WDC	£1,106,808	£1,307,000

The performance of the contract would be carefully monitored during the recovery phase. A further Budget Review report would be brought to Cabinet in Autumn 2021 containing the performance of the contract and financial projections for 2022/2023. The financial projections would be reflective of how the contract had performed over the summer months and the prevalence of Covid-19 infections. Officers would also bring forward details of the possible concession fee income which would be payable once the new leisure centres had opened in Kenilworth. This would also need to address the financial implications of the planned closures of the Kenilworth Leisure Centres whilst under re-development, and the impact on the Council's finances thereafter.

Throughout the last 12 months officers had worked closely with EA to ensure that the leisure centres were in a position to reopen when it was possible to do so. Members supported the approach taken to date with the subsidy of £927,000 confirmed for 2020/21. However, it was recognised that the Council did not have unlimited finances to continue such subsidy, and alternative options had been considered.

The Council could decide not to waive the concession fee in 2021/22, or top up the NLRF funding, leaving EA unable to operate the local leisure centres. This could result in lengthy legal dispute, and possible termination of the contract. The outcome could be the closure of some or all of the local leisure centres, while alternative options were considered for the future operation of the centres. Previous work, and current advice from within the sector had demonstrated that alternative options for managing leisure facilities (in-sourcing or setting up a Trust) were unlikely to provide financially viable solutions, leading to inevitable reduction in local authority leisure provision. Full reports would be brought to Members of this situation were to develop.

(At 7:15pm the meeting was paused for five minutes to fix a technical issue).

The Finance and Audit Scrutiny Committee recommended that the wording within recommendation 2.4 should be amended to correct the accounting year to 2021/22 and that the decision only be made in principle subject to

a further report that would come forward in the autumn and would reflect further discussions with Everyone Active in the light of its updated financial projections following the easing of Covid-19 restrictions and any other relevant factors.

The Committee noted the latest understanding was that all restrictions would end on 19 July and that officers were continuing to work with Everyone Active to confirm their programme.

Subsequent to the Finance & Audit Scrutiny Committee, there had been discussion between the Chair of the Committee and the Portfolio Holder for Culture, Tourism & Leisure about a change to recommendation 2.4 to better reflect the intention with regard to how the full amount that would be provided would be arrived at.

Councillor Bartlett thanked the Finance & Audit Scrutiny Committee for the good assessment of the paper and good rigour around the recommendations. Following the discussion with the Chair of the Finance & Audit Scrutiny Committee, he stated that an amendment to recommendation 2.4 had been made to ensure the proportionality of the concession waver matched the current state of play, to read:

"2.4 Agree that the EA concession fee due to the Council for 2021/22 is waived in proportion to the point in the financial year when WDC is satisfied that no further subsidy is required by EA and a concession fee, however small, can be paid by EA to WDC. The consequent funding shortfall of up to £1.25mill will be met from the Government's Income Compensation Scheme (est £165k) and the provision included in the Budget provided for potential non-recovery of income within the Budget".

Councillor Grainger stated that it could not be underestimated the work that had gone into, both by Everyone Active and officers, to maintain facilities in whichever situation they were faced with, which was commendable.

Councillor Rhead reminded Members that WDC was one of very few Councils that have managed to keep leisure centres open, and officers and Everyone Active should be commended.

Councillor Bartlett proposed the report as laid out, and subject to the amendment to recommendation 2.4.

Resolved that

- (1) the national picture within the leisure sector in terms of recovery from the pandemic and the work that has been ongoing locally with our partner Everyone Active (EA) to ensure that facilities can reopen as soon as the roadmap allows, be noted;
- (2) the work undertaken by EA and officers in the last 15 months in order to minimise expenditure during essential closure periods, whilst taking the necessary steps to ensure that the buildings

are maintained and ready to open when the roadmap allowed, be noted;

- (3) the release of c£189,000 of National Leisure Recovery Fund (NLRF) funding to EA as per the terms of the grant award by Sport England, be approved;
- (4) the EA concession fee due to the Council for 2021/22 is waived in proportion to the point in the financial year when WDC is satisfied that no further subsidy is required by EA and a concession fee, however small, can be paid by EA to WDC. The consequent funding shortfall of up to £1.25mill will be met from the Government's Income Compensation Scheme (est £165k) and the provision included in the Budget provided for potential non-recovery of income within the Budget, be agreed;
- (5) the EA be supported in 2021/22 with further subsidy capped at £411,000, including the £189,000 NLRF (recommendation 3) and therefore the release of up to £222,000 from the provision referred to in paragraph 3.4.2 of the report be agreed, but noting that there is still uncertainty in relation to the Government's "roadmap" and the closure dates of the Kenilworth leisure centres and so authority be Delegated to the Head of Cultural Services and Head of Finance, in consultation with the Portfolio Holders for Culture, Tourism and Leisure, and Resources, to increase the capped amount with any changes reported to a future Cabinet meeting; and
- (6) a further report will be submitted to Cabinet as part of the 2nd quarter budget review which will include EA financial performance to date and initial financial projections for 2022/23 and beyond, be noted.

(The Portfolio Holder for this item was Councillor Bartlett)

23. Costs of Proposals of Joint Senior Management Team

The Cabinet considered a report from the Chief Executive which sought approval for the variation in estimated costs and savings arising from the proposals for a joint Senior Management Team with Stratford-on-Avon District Council that were agreed by the Employment Committee on 15 June 2021.

In February 2021, both Stratford-on-Avon District Council and Warwick District Council agreed to seek a merger by 1 April 2024. At the same meeting, it was also agreed to seek a complete integration of the Heads of

Service posts of both Councils. That work having in any case started in the summer of 2020 was roughly half completed by March 2021 and so the focus since had been to complete that process. The proposals to complete the work were approved by the Employment Committee on 15 June 2021.

In February 2021, the budget proposals made allowance for significant savings arising from having joint Heads of Service. Those were a broad estimate and related to the report produced by Deloitte that accompanied the report on the merger. More detailed work and changes to some assumptions had revealed some differences between the estimates at that time and those forming part of these current proposals.

Table 1

	2021/ 22 £000	2022/ 23 £000	2023/ 24 £000
WDC			
Savings	-120	-147	-320
5% shared Head of Service	33	31	27
Planning Post – saving	-27	-41	-41
Savings on DCE	-106	-127	-127
Climate Change Director	0	0	59
Total	-221	-283	-401
Savings included in Budget/MTFS		-360	-635
Variance	29	77	234

Table 1 illustrated that compared to the original estimate in February 2021, the proposals would over the period to April 2024 achieve just over £400,000 recurring savings. This was however, £29,000 less than estimated this current year, £77,000 less for 22/23 and £234,000 for 23/24.

It was proposed that these differences were addressed through the use of £29,000 from the contingency fund for this financial year and that the MTFS was updated to reflect the need for additional savings/income in 22/23 and 23/24. This would be considered in more detail alongside progress on other savings in the Q1 budget report to the August Cabinet.

Some of the differences could be accounted for as follows:

- Savings on overall Management Team costs were shared pro rata to the starting position – in this case 60/40 whereas the original February 2021 version assumed a simple 50/50 split. This reduced the savings to WDC but enabled savings for SDC required to make it equitable for both parties. The 60/40 split was in line with the costs of Management Team ahead of the joint working and recognised the additional management costs associated with the Housing Revenue Account.
- The Programme Director for Climate Change costs were included as a recurring cost from April 2023 (shared SDC/WDC). This had not been assumed in February 2021.

- Heads of Service in shared posts had a 5% honorarium, pending future review of salaries in 2022. In the absence of any further information of what would come out of this review, the 5% had been included within the figures beyond 2022. This also was not assumed in February 2021.
- The initial configuration of posts involved 12 Heads of Service, two more than anticipated to be the position come 23/24. This number would reduce over this period as would the Chief Executive positions from two to one.
- The Head of Place and Economy post involved savings from an existing Planning Management post but also involved initially a slighter higher cost. This had not been anticipated in February 2021.

In terms of alternative options, there was in reality little other option given the course of action the Council had already decided in respect of Joint Heads of Service.

The Finance & Audit Scrutiny Committee noted the quarter 1 budget update would come to August Cabinet and would set out the progress in respect of the MTFS and the agreed savings being achieved.

Councillor Day thanked the Finance & Audit Scrutiny Committee and Group Leaders for their comments. He also commended the Chief Executive for the amount of work that had gone on in engaging with Heads of Service, and the goodwill involved had been extraordinary. He then proposed the report as laid out.

Resolved that the additional costs above what have been included in the Budget and MTFS, be funded by

- for 2021/22, £29,000 funding from Contingency Budget to cover the projected shortfall in savings; and
- an additional recurring cost of £77,000 (2022/23) and £234,000 (2023/24 onwards), be included in the Medium Term Financial Strategy.

(The Portfolio Holder for this item was Councillor Day)

24. **Amendment to Community Infrastructure Levy (CIL) Projects List for 2021/21**

The Cabinet considered a report from the Chief Executive which set out a revision to the CIL Projects list for 2021/22 from that which was approved by the Executive on 18 March 2021. The report introduced a new project – the Leamington Spa station forecourt enhancement project – and reallocated CIL funding from another project to fund this.

In March 2021, the Executive approved a CIL Projects List for 2021/22. It also approved the allocation of anticipated CIL funding in 2021/22 (and in some cases 2022/23) to these projects in accordance with table 1 below.

Table 1: Distribution of CIL contributions in 2021/22 and partial distribution in 2022/23 as approved in Executive report of March 2021		
Infrastructure Project	21/22	22/23 (*)
Bath Street improvement scheme	95,000	
Emscote Road corridor (cycleway improvements)	626,043	1,365,957
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	3,000,000	3,000,000
Medical facilities - N Leamington (Cubbington/ Lillington)	840,000	1,900,000
Wayfinding in Warwick town centre	35,000	
Europa Way bridge link	Nil	
St Mary's Land, Warwick	8,000	
Newbold Comyn	425,000	
Warwick Gates Community Centre	150,600	
Europa way spine road cycleway/ footpath link	Nil	
Relocation of athletics facility and creation of Commonwealth Park	Nil	
Commonwealth Park bridge	Nil	
Relocation of Kenilworth Wardens	Nil	
PLUS CIL Admin charge	73,000	73,000
Total	5,252,643	6,338,957
* It should be noted that those projects for which funding in 2022/23 was being confirmed now were those for which contracts of work might be let in 2021/22 which would run over two financial years. Where there was no money allocated against a project in 22/23, this did not mean that no CIL funding would be given during 22/23, only that the Cabinet was not being asked to commit to this at the present time.		

Members were aware that there was a project to improve the forecourt of Leamington Spa station. This was being funded in large part by the Government's Local Growth Fund through Coventry and Warwickshire Local Enterprise Partnership (CWLEP) to support the successful delivery of the 2022 Commonwealth Games. The Commonwealth Games organisers were keen that as many people as possible travelled to Games venues by public transport, and as such grant funding through the CWLEP was given to support measures to enable this, by supporting improvements to Leamington station and also other wayfinding and other measures to assist visitors to navigate the town when they arrived. These improvements would have a lasting benefit for the town well beyond the Games themselves.

The station forecourt proposals were progressing with a scheme designed and public consultation undertaken on it. This project was being led by Warwickshire County Council. It had become apparent, however, that increasing construction cost pressures and the requirements of Network Rail were impacting on the total cost of the scheme which was exceeding the funding that was available from other sources, even with some scheme

revisions. It was therefore proposed to increase the funding by £500,000 to enable the scheme to progress and deliver an enhanced environment for the station forecourt area and underpass. If delivery of the scheme was to be guaranteed in time for the Commonwealth Games and to meet the grant requirements of the CWLEP, it was essential that a source for this funding was found and that this was available this financial year.

Officers had been in discussion with colleagues at Warwickshire County Council about this matter. The County Council considered that it would be possible to re-profile work on another CIL funded project, the Emscote Road corridor improvements, and to re-profile the total cost of that project by £500,000, allowing this funding to be re-allocated to the Leamington Station Forecourt Enhancement project. This would therefore see the previous amount of CIL funding allocated the Emscote road project in 2021/22 of £626,043 reduced to £126,043.

The revised allocation of CIL funding for 2021/22 would therefore be as set out in table 2 below. It was noted that there was no overall change to the total level of CIL contributions. It was also clear that there was no change to the funding of any other projects which were agreed by the Executive in March 2021.

Table 2: PROPOSED REVISED distribution of CIL contributions in 2021/22 and partial distribution in 2022/23		
Infrastructure Project	21/22	22/23 (*)
Bath Street improvement scheme	95,000	
Emscote Road corridor (cycleway improvements)	126,043	1,365,957
NEW PROJECT: Leamington Spa station forecourt enhancements	500,000	
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	3,000,000	3,000,000
Medical facilities - N Leamington (Cublington/ Lillington)	840,000	1,900,000
Wayfinding in Warwick town centre	35,000	
Europa Way bridge link	Nil	
St Mary's Land, Warwick	8,000	
Newbold Comyn	425,000	
Warwick Gates Community Centre	150,600	
Europa way spine road cycleway/ footpath link	Nil	
Relocation of athletics facility and creation of Commonwealth Park	Nil	
Commonwealth Park bridge	Nil	
Relocation of Kenilworth Wardens	Nil	
PLUS CIL Admin charge	73,000	73,000
Total	5,252,643	6,338,957
* It should be noted that those projects for which funding in 2022/23 was being confirmed now were those for which contracts of work might be let in 2021/22 which would run over two financial years. Where		

Table 2: PROPOSED REVISED distribution of CIL contributions in 2021/22 and partial distribution in 2022/23		
Infrastructure Project	21/22	22/23 (*)
there was no money allocated against a project in 22/23, this did not mean that no CIL funding would be given during 22/23, only that the Cabinet was not being asked to commit to this at the present time.		

In assessing all CIL Projects, the Council had asked how these impacted on climate change. The enhancement of the station forecourt area could be argued to support and complement other climate change initiatives by providing an improved and more welcoming sense of arrival in the town for those visiting by train, thereby enhancing and promoting use of public transport. The enhancement to the station forecourt area was part of a wider package of measures at and near to this important public transport hub which would support pedestrians, cyclists and those arriving by bus.

Cabinet was also asked to note the comments made in paragraph 3.18 of the March 2021 Executive report. This stated:

"It needs to be recognised that it is possible that actual CIL income during 2021/22 will be less than that projected. This occurred during 2020/21, in part owing to a slow-down in development (commencements on site) arising from the pandemic. Whilst it is hoped that development rates will bounce back, this cannot be guaranteed. The latest housing trajectory for Warwick District (prepared in discussion with major developers) does suggest that over the next five years Warwick District will continue to see the level of development (and therefore CIL income) that has previously been expected. It does suggest, however, that this housing growth will be re-profiled. In the event that our income in 2021/22 does not meet our best estimates, it is recommended that the amount given to the Kenilworth Leisure (Phase 2) project in 2021/22 is given first priority for funding, and that other projects are supported only once sufficient CIL contribution to support the Kenilworth Leisure project has been received. If this happens, however, any shortfall in payments in 21/22 for these other projects will be rolled over to 2022/23 (and, where relevant, added to the amount awarded to these projects in that year)."

The recommendations in the report would need to alter this principle set out above and agreed in March 2021, to give a priority to the Station Forecourt scheme as the works were needed to be completed by next summer. It was not anticipated though that this would jeopardise the funding for the Kenilworth Leisure scheme. However, as a risk mitigating step, negotiations would be held with WCC on the issue of forward funding and be reported to the Cabinet at its meeting when considering this issue.

The revised CIL Projects List for 2021/22 was set out in appendix 1 to the report.

The intention to improve the Station area had long been a community ambition. Recent discussions about what could/should be done had taken on a scale and complexity that necessitated a phased approach to delivery. It was recognised that this project therefore would take the area someway to realising that ambition but represented phase 1.

In terms of alternative options, the Council could choose not to support the addition of this project to the CIL Projects List and not to support the allocation of CIL funding to the project. This option was not supported as it would seriously threaten the ability of the project to be delivered to enhance the station. The grant funding from the CWLEP was predicated on delivering this project within a limited timescale and in time for the Commonwealth Games. There was the very real risk that without this additional funding, the existing grant funding would be lost, and the project could not proceed.

The Council could agree to fund this project from other Council resources, however this option was not supported as there was no provision for this opportunity within the budget for this year.

In relation to a question from Councillor Mangat regarding the Emscote Road Cycle Route, Councillor Cooke stated that this was a slippage, so the money would be taken out at this stage but would get added back in to the programme, therefore the Emscote Road Cycle Route would still go ahead, but it would delay the completion rather than cancelling. He then proposed the report as laid out.

Resolved that

- (1) the addition of a new project, the Leamington Spa Station Forecourt enhancement project, to the existing CIL Projects List for 2021/22, be approved;
- (2) the approach set out in the report, and in particular in table 2, is used as the basis for distributing CIL receipts collected during 2021/22 and, where stated in table 2, 2022/23, be approved; and
- (3) the intention that this scheme represents but phase 1 of a much more ambitious proposal for the creation of a transport interchange, be noted.

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

25. 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 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.

Minutes Numbers	Paragraph Numbers	Reason
26, 27, 28	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

26. **Private and Confidential Appendix to Item 12 – Future High Streets Fund Award for Royal Leamington Spa**

The Cabinet noted the confidential appendix in relation to Agenda Item 12 – Minute Number 21 – Future High Streets Fund Award for Royal Leamington Spa.

27. **Private and Confidential Appendix to Item 13 – Financial Support – Everyone Active Leisure Contract**

The Cabinet noted the confidential appendix in relation to Agenda Item 13 – Minute Number 22 – Financial Support – Everyone Active Leisure Contract.

28. **Minutes**

The confidential minutes of the meeting held on 27 May 2021 were taken as read and signed by the Chairman as a correct record.

(The meeting ended at 7:40pm)

CHAIRMAN

12 August 2021